

# **TOWNSHIP OF BERNARDS**

## **PLANNING BOARD**

### **MINUTES v2**

### **REGULAR SESSION**

May 16, 2023

Chairwoman Piedici called the meeting to order at 7:34 PM.

#### **FLAG SALUTE**

Chairwoman Piedici read the following open meeting and procedural statements:

#### **OPEN MEETING STATEMENT**

"In accordance with the requirements of the Open Public Meetings Law of 1975, notice of this meeting of the Planning Board of the Township of Bernards was posted on the bulletin board in the reception hall of the Municipal Building, Collyer Lane, Basking Ridge, NJ, was mailed to the Bernardsville News, Whippany, and to the Courier News, Bridgewater on January 18, 2023 and was mailed to all those people who have requested individual notice and paid the required fee.

The following procedure has been adopted by the Bernards Township Planning Board. There will be no new cases heard after 10:00 PM and no new witnesses or testimony heard after 10:30 PM."

#### **OATH OF OFFICE**

Mr. Drill administered the Oath of Office to the following members:

- John Ladyzinski, Class IV Member, four-year unexpired term (Baumann) expiring 12/31/2025

#### **ROLL CALL**

Members Present: Crane, Cuozzo, Damurjian, Ladyzinski, Manduke, Mastrangelo, Piedici  
Members Absent: Baumann, Eorio, Seville  
Also Present: Board Attorney, Jonathan E. Drill, Esq.; Township Planner, David Schley, PP, AICP;  
Board Planner, David Banisch, PP, AICP; Board Engineer, Bryce D. Good, PE, CPESC;  
Board Secretary, Cyndi Kiefer

Moved by Ms. Manduke, seconded by Ms. Mastrangelo, all eligible in favor and carried, the absences of Committeeman Baumann, Mr. Eorio and Mr. Seville were excused.

**EXECUTIVE SESSION** – Discussion of terms and conditions of employment for the position of Board Engineer. Moved by Ms. Mastrangelo, seconded by Ms. Manduke, all eligible in favor and carried, the Board closed the regular session of the meeting and retired to an executive session at 7:36 PM.

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Moved by Mr. Damurjian, seconded by Mr. Cuozzo, all eligible in favor and carried, the Board closed the executive session of the meeting and re-opened the regular session at 7:41 PM.

Mr. Good explained that the firm that employs him, Finelli Consulting Engineers Inc., had entered into an agreement with Universal Technical Resource Services, Inc. to acquire the assets of Finelli. Noting that there is a "no assignment" clause in the Board's professional services agreement, Michael S. Finelli, President of Finelli Consulting Engineers Inc., requested (via a letter dated 05/01/2023) that the Planning Board consent to this assignment. He confirmed that there would be no changes in service or rates.

Moved by Ms. Mastrangelo and seconded by Ms. Manduke, that the Board authorize Chairwoman Piedici to sign the assignment letter dated 05/01/2023.

Roll call: Aye: Crane, Cuzzo, Damurjian, Ladyzinski, Manduke, Mastrangelo, Piedici  
Nay: NONE

Motion carried.

Mr. Good left the meeting.

### **NOMINATIONS FOR VICE CHAIRMAN PRO TEMP**

Chairwoman Piedici explained that because Committeeman Baumann is now a Class III member of the Planning Board, he is no longer eligible to serve as Vice Chairman Pro Temp (must be Class IV).

Chairwoman Piedici called for nominations for Vice Chairman Pro Temp of the Board for 2023. Ms. Mastrangelo nominated Mr. Damurjian. Mr. Crane seconded the nomination.

Roll Call: Aye: Crane, Cuzzo, Damurjian, Ladyzinski, Manduke, Mastrangelo, Piedici  
Nay: NONE

Motion carried.

### **APPROVAL OF MINUTES**

March 21, 2023 – Regular Session – On motion made by Mr. Crane and seconded by Ms. Manduke, all eligible in favor and carried, the minutes were adopted as drafted.

April 4, 2023 – Regular Session – On motion made by Mr. Damurjian and seconded by Mr. Cuzzo, all eligible in favor and carried, the minutes were adopted as drafted.

Mr. Crane recused himself from participating in the following ordinance referral discussion and vote.

**ORDINANCE REFERRAL** - Ordinance #2521 – An ordinance of the Township of Bernards, County of Somerset, State of New Jersey, amending, revising and supplementing the Revised General Ordinances of the Township of Bernards, Chapter 21, "Land Development," regarding protection of stream corridors/riparian zones.

Mr. Banisch advised the Board that Ordinance #2521 will eliminate the Township's existing Stream Buffer Conservation Area requirements and replace them with the New Jersey Department of Environmental Protection's (NJDEP) riparian zone requirements, as set forth in the Flood Hazard Area Control Act Rules that are already in effect today. He noted that the two (2) sets of overlapping stream corridor buffering standards are duplicative, adding that when the Township adopted the existing Stream Buffer Conservation standards in 2001, the NJDEP did not have similar stream corridor protection regulations.

Ms. Mastrangelo moved to deem proposed Ordinance #2521 *not inconsistent* with the Township's Master Plan. Ms. Manduke seconded the motion.

Roll call: Aye: Cuzzo, Damurjian, Ladyzinski, Manduke, Mastrangelo, Piedici  
Nay: NONE

Motion carried.

Mr. Crane returned to the dais.

**MASTER PLAN REVIEW** – Chapter II – Land Use Plan Element & Chapter X – Comparison to Other Plans  
Mr. Banisch highlighted the revisions made to the Land Use Plan Element based on comments submitted by the Board and by Mr. Schley.

Referring to Chapter X, Comparison to Other Plans, Mr. Banisch stated that the purpose is to identify any inconsistencies between Bernards Township's Master Plan and the plans of the surrounding municipalities and with the New Jersey State Development and Redevelopment Plan (2001). He stated that he had found no significant inconsistencies.

Chairwoman Piedici advised the Board that all of the elements would now be combined into one document by Mr. Banisch and staff. After she, Mr. Damurjian and Ms. Mastrangelo review it for typos, etc., the entire document would be returned to the Board for a final review prior to public hearings and final adoption in the later part of 2023. She thanked the members for all their efforts involved in producing this document.

Chairwoman Piedici opened the meeting to the public for questions or comments. Hearing none, she closed that portion of the meeting.

**COMMENTS FROM MEMBERS OR STAFF**

Chairwoman Piedici congratulated Mr. Damurjian and Mr. Ladyzinski and cancelled the meeting scheduled for Tuesday, June 6, 2023.

**ADJOURN**

Moved by Ms. Mastrangelo, seconded by Mr. Cuzzo, all eligible in favor and carried, the meeting was adjourned at 8:16 PM.

Respectfully submitted,

*Cyndi Kiefer*

Cyndi Kiefer, Secretary  
Planning Board

*Adopted as drafted 08-08-2023.*

06/15/2023 dsjdkp