

TOWNSHIP OF BERNARDS

PLANNING BOARD

MINUTES REGULAR SESSION

December 6, 2022

Chairwoman Piedici called the meeting to order at 7:31 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 19, 2022 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 p.m. and no new witnesses or testimony heard after 10:30 PM."

ROLL CALL

Members Present: Crane, Damurjian, Eorio, Ladyzinski, Mallach, Mastrangelo, Piedici, Seville
Members Absent: Baumann, McNally, Manduke
Also Present: Board Attorney, Jonathan E. Drill, Esq.; Board Planner, David Banisch, PP, AICP;
Township Planner, David Schley, PP, AICP; Board Secretary, Cyndi Kiefer

Moved by Ms. Mastrangelo, seconded by Mr. Damurjian, all eligible in favor and carried, the absences of Mr. Baumann, Deputy Mayor McNally and Ms. Manduke were excused.

APPROVAL OF MINUTES

October 4, 2022 – Regular Session - On motion made by Mr. Crane and seconded by Mr. Seville, all eligible in favor and carried, the minutes were adopted as drafted.

COMPLETENESS HEARING

Fellowship Village Inc.; Blocks 9301/9401; Lots 33/9; 33/55 Allen Road; Conditional Use, Preliminary/Final Site Plan; PB22-005

Present: Jennifer Phillips Smith, Esq., Attorney for the Applicant
Daniel J. Dougherty, PE, PP, CME, Engineer for the Applicant

Jennifer Phillips Smith, Esq., attorney with the firm of *Gibbons PC*, Red Bank, NJ, entered her appearance on behalf of the Applicant and gave a brief description of the project: construction of a dwelling on Lot 9 to be used as a staff residence for the existing continuing care retirement community on Lot 33. Ms. Smith requested waivers for Checklist Items #16 (Letter of Interpretation), #48 (Project Report) and #49 (Environmental Impact Report) and agreed to submit a wetlands delineation letter from an environmental specialist in lieu of Item #16 along with the remaining outstanding items.

Ms. Mastrangelo moved to grant the waivers as requested and to deem the application *incomplete*.
Mr. Damurjian seconded.

Roll call: Aye: Crane, Damurjian, Eorio, Ladyzinski, Mallach, Mastrangelo, Piedici, Seville
Nay: NONE

Motion carried.

A second completeness hearing was scheduled for Tuesday, 01/17/2023 and a public hearing was tentatively scheduled for Tuesday, 02/07/2023.

APPOINTMENT OF LANDSCAPING/LIGHTING COMMITTEE

Bernards Plaza Associates LLC; Block 8501, Lots 39 & 43; 403 King George Road; PB18-005

Pursuant to Conditions #7 and #11 of the memorialized resolution (05/21/2019) for the above referenced application, Mr. Damurjian, Mr. Ladyzinski and Mr. Seville volunteered to serve on the Board's Landscape and Lighting Committee.

ORDINANCE REVIEW – Ordinance #2509 – An Ordinance Amending the Revised General Ordinances of the Township of Bernards, Chapter 21 "Land Development," Section 21-17 "Signs."

After a brief explanation from Mr. Banisch, Ms. Mastrangelo moved to deem proposed Ordinance #2509 *not inconsistent* with the Township's Master Plan. Mr. Seville seconded the motion.

Roll call: Aye: Crane, Damurjian, Eorio, Ladyzinski, Mallach, Mastrangelo, Piedici, Seville
 Nay: NONE

Motion carried.

MASTER PLAN DISCUSSION – First Draft - Chapter VII – Parks and Recreation Plan Element and Climate Change-Related Hazard Vulnerability Assessment section of the Land Use Plan Element of the Master Plan pursuant to N.J.S.A. 40:55D-28b(2)(h)

Mr. Banisch reviewed the first draft of the Parks and Recreation Plan Element with the Board. He noted that based on the responses from a survey taken by the Parks and Recreation Department (P&RD) this past fall, the Township's inventory of recreation opportunities is on target with the needs expressed by the residents surveyed. After a discussion, the Board concluded that since the Master Plan is considered a high level, visionary document, there should be general observations made about the inventory and that the actual numbers/lists in the survey should not be used. The Board also expressed concern that the survey was only sent to those who subscribe to the P&RD's newsletter and not to all the residents in the Township.

Referring to his memo (11/29/2022) about the Climate Change-Related Hazard Vulnerability Assessment, Mr. Banisch stated that this required addition to the Land Use Plan Element is a result of the negative impact climate change has had on all communities in the State. The specific items that must be included in the assessment are listed [Section NJSA 40:55D-28(h) of the Municipal Land Use] and every municipality must review its existing emergency response policies for each hazard listed. He advised that during the review of the Land Use Plan Element, the Board would discuss how the Master Plan would address the new requirement.

Chairwoman Piedici advised the Board that the second draft of the Parks and Recreation Plan Element incorporating comments made by the Board, would be reviewed at the 01/17/2023 meeting.

EXECUTIVE SESSION

On motion made by Mr. Seville and seconded by Mr. Ladyzinski, all in favor and carried, the Open Session of the meeting was recessed at 9:20 PM for the purpose of conducting a closed session to discuss personnel matters.

* * * * *

On motion made by Mr. Damurjian, seconded by Mr. Mallach, all in favor and carried, the Executive Session was closed and the Regular Session was reopened at 9:45 PM. Chairwoman Piedici stated that the Board plans to offer contracts to the current Board Planner and Board Attorney. The Board Engineer had advised that his firm, Mott MacDonald, had decided not to renew its contract with the Board so a "Request for Proposal" would be published to fill the position.

COMMENTS FROM MEMBERS OR STAFF

Chairwoman Piedici cancelled the Planning Board meeting scheduled for 12/20/2022.

ADJOURN

On motion made by Ms. Mastrangelo, seconded by Mr. Damurjian, all in favor and carried, the meeting was adjourned at 9:53 PM.

Respectfully submitted,

Cyndi Kiefer

Cyndi Kiefer, Secretary
Planning Board

Adopted as drafted 01/17/2023.

12/15/2022 dskpjd