

Minutes of the Regular Schedule Meeting of the Morris Plains Planning Board held on held on February 10, 2014 at 7:30 P.M. in the Council Chambers, 531 Speedwell Avenue. The following members were present:

Present: Mr. Andre Jensen
Mrs. Sydney Leach, Vice Chair
Mr. Ralph Lopez, Chair
Ms. Suzanne McCluskey
Mr. Leo Nichols
Mr. Hank Sawoski
Mayor Frank Druetzler
Leon Hall, Borough Engineer
William Denzler, Borough Planner

Absent: Mr. Vincent Novak
Mr. Donald Underhill
Christopher Falcon, Board Attorney

PLEDGE OF ALLEGIANCE

The meeting was called to order by Mr. Lopez. Mr. Lopez made the statement that adequate notice of this meeting has been published and posted in accordance with Chapter 231 of the Public Law of 1975, "Open Public Meetings Act."

COMMENTS FROM THE PUBLIC

Mr. Lopez opened the meeting to the public to speak on matters other than those on the agenda. Seeing no one, he closed the public portion of the meeting.

APPROVAL OF MINUTES

Mr. Lopez requested a motion for the approval of the meeting minutes of the Board's Re-Organization Meeting held on January 20, 2014.

Mr. Nichols moved that the minutes be approved, seconded by Mrs. Leach.

Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mrs. McCluskey, Mr. Nichols,
Mr. Sawoski, Mayor Druetzler

Abstain: None

Absent: Mr. Novak, Mr. Underhill

Nays: None

Motion carried.

CORRESPONDENCE AND BILLS

Mr. Nichols read the vouchers for payment.

Maraziti, Falcon & Healey

For Professional Services rendered

To the Planning Board, January 2014

P. O. #95036

\$875.00

New Jersey Planning Officials
2014 Class A Dues – Membership for the P. Bd.

P. O. #95033
\$180.00

Anderson & Denzler Associates, Inc.
For Professional Services rendered
to the Planning Board, January 2014

P. O. #95041
\$224.55

Mr. Nichols moved that these vouchers be approved, seconded by Mr. Jensen.
Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mrs. McCluskey, Mr. Nichols,
Mr. Sawoski, Mayor Druetzler

Abstain: None

Absent: Mr. Novak, Mr. Underhill

Nays: None

Motion carried.

REPORTS OF COMMITTEES

Minor Site Plan Committee

No report was presented.

Master Plan Review Committee

No report presented.

NEW BUSINESS

None.

OLD BUSINESS

None.

PB-4-13 Francesca Ecker – Completeness/Public Hearing

Block: 185 Lots: 3.01 & 7.01 – Malapardis Rd. & Schoolview Dr.

Mayor Druetzler recused himself due to having a conflict with this matter.

Mr. David Soloway, Esq. introduced himself as the attorney for the Applicant. Mr. Falcon, Board Attorney, is not yet present at this meeting tonight. Mr. Soloway stated he understands that the Board is uncomfortable proceeding with the public hearing without their attorney being present, but he believes the completeness can be dealt with tonight.

Mr. Lopez stated the Board will proceed with the completeness portion while awaiting the other attorney's arrival.

Mr. Soloway advised that the initial application was deemed incomplete. Many revisions have been made since then. Mr. Hall's January 27, 2014 report recommends it be deemed complete. Mr. Denzler's February 3, 2014 report concurs with Mr. Hall's determination that this application be deemed complete. He referred to checklist variance(s) that waivers are requested on.

Mr. Denzler confirmed that in their February 3, 2014 report this application was deemed complete. There are two submission waivers that must be addressed by the Board. They are: (1) #23g of the checklist (200' vs. 500' property owner notifications) and (2) waiver relating to trees and tree sizes. He recommended that both waivers (1) and (2) be approved. He has discussed the reports with Mr. Hall and their agreements are similar.

Mr. Lopez asked about the size of the property. He questioned a note containing two amounts. One amount is 18,000 SF and the other is 7,955 SF.

Mr. Denzler provided an explanation stating it relates to the way the property is measured for the ordinance. He has no problem with this issue or others listed below. He provided details as to the planning testimony the Applicant will need to give to support the variance relief being sought. The Applicant will need to respond to these issues.

Commentary was provided regarding Mr. Hall's report with the statement that most of his report is engineering comments on substance rather than completeness items and recommendations for approval conditions assuming the application is approved. The items will be addressed as a part of the actual hearing.

Mrs. Leach reminded that earlier a letter discussed that there be no alteration of the site elevation in relation to adjoining property.

There were no questions from the Board members.

Mr. Nichols moved that this application be deemed complete, seconded by Mrs. Leach.

Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mrs. McCluskey, Mr. Nichols,
Mr. Sawoski

Recused: Mayor Druetzler

Abstain: None

Absent: Mr. Novak, Mr. Underhill

Nays: None

Motion carried.

Mr. Lopez stated that the public hearing will be held at the Board's next meeting on March 17, 2014. The public hearing will not be held tonight since Mr. Falcon is absent.

Mr. Soloway raised the subject of the notification since notification was made for tonight's meeting.

The Board Secretary confirmed that the Applicant need not re-notice.

Mr. Lopez stated that the Board will take a 15 minute break.

The meeting was reconvened.

Mr. Soloway consented to carrying the meeting to March 17, 2014 with no further notice being required. Should an extension be necessary, he consents to it. He will be back before the Board on March 17, 2014 at 7:30 p.m.

Mr. Nichols moved that the public hearing in this matter be carried until the Board's March 17, 2014, seconded by Mrs. Leach.

Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mrs. McCluskey, Mr. Nichols, Mr. Sawoski

Abstain: None

Recused: Mayor Druetzler

Absent: Mr. Novak, Mr. Underhill

Nays: None

Motion carried.

There being no further business, Mr. Nichols moved the meeting be adjourned, seconded by Mrs. Leach. Voice vote. All in favor. Motion carried.

Karen M. Coffey
Commission Secretary

Maureen Sullivan
Recording Secretary