

**MINUTES OF THE TOWNSHIP OF MENDHAM PLANNING BOARD
REGULAR MEETING HELD FEBRUARY 15, 2023**

The meeting was called to order by Vice Chairman D'Emidio at 7:01 p.m., who asked for a roll call. Upon roll call:

ROLL CALL

PRESENT: Ms. Neibart, Mr. D'Emidio, Ms. DeMeo, Mr. Johnson, Mr. Mayer (via telephonic), Mr. Maglione, Mr. Perri
ABSENT: Ms. Moreen, Chairman Giordano
Others present: Mr. Andrew M. Brewer, Mr. Dennis Keenan

SALUTE TO THE FLAG

ADEQUATE NOTICE of this meeting of the Mendham Township Planning Board was given as follows: Notice was sent to the Daily Record and the Observer Tribune on January 7, 2022 and Notice was filed with the Township Clerk on January 7, 2022.

This meeting is a quasi-judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision with decorum and civility appropriate to a quasi-judicial hearing being maintained at all times.

MINUTES

A motion was made to approve the minutes from the December 21, 2023. A motion was made, and it was seconded. All approved.

RESOLUTION – PB-03

APPLICATION – PB-04

Lawrence Farmland, LLC
Block 147, Lots 42.06 42.07, 42.08 42.12, 42.13, 42.16
Preliminary and Final Major Subdivision Approval

Mr. Brewer stated that this is a resolution for preliminary and final major subdivision approval, whereby six lots are being divided into nine lots. He stated that the three lots located on the southern portion of the site are proposed to be subdivided into five lots and that the three lots on the northern portion of the site are proposed to be subdivided into four lots. He also stated that there are no variances involved.

Mr. Brewer went on to say that there were a significant number of concerns addressed regarding environmental issues and that the resolution recites the extensive testimony by the applicant and the objector (MAPC) with many of the MAPC concerns being raised. He explained that he drafted the resolution approving the subdivision with the conditions that were imposed and/or agreed upon by the Board. Mr. Brewer reviewed some of the conditions as outlined in the resolution.

Mr. Maglione inquired about Item #32, which discusses the bio retention basins as one option for stormwater runoff for each site. It was clarified that Ms. Davis, engineer for the applicant, indicated in her testimony that there were other stormwater options, and it was decided that Mr.

Brewer would clarify in the resolution that a final option for stormwater runoff will require approval by the Township Engineer.

Ms. DeMeo sited some minor corrections along with Item #34, which indicates that Mr. Inglesino is requesting a deed restriction of the 25-foot-wide tree protection buffers. She stated that the plans, however, show a tree protection buffer of 50 feet from the front and 25 feet on the side. Ms. DeMeo inquired whether this should be stated in the resolution as such even though it is on the plans. Mr. Brewer responded that this is listed on the plans; however, if the Board would like it specifically referenced in the resolution, this could be done. He went on to explain that these buffers are protected and regulated by the ordinance but that the request by Mr. Inglesino is to deed-restrict these buffers. It was clarified for Ms. DeMeo that the ordinance also states that there is a 50-foot buffer in the front as indicated on the plans as well. After some discussion, Mr. Brewer stated that he will add to the conditions that the plans delineate these buffer areas and that the applicant is obligated to conform to the restrictions in those areas per the ordinance.

Mr. D'Emidio clarified in Item #5 that the previously approved subdivision was 16 lots and not 15 lots as stated, and Mr. Keenan confirmed this. Mr. Brewer stated that he would correct this along with the addition in Item #2 of the application being reviewed by Princeton Hydro as well. There were a few other minor corrections, which Mr. Brewer will also correct.

Ms. Neibart stated that she would be voting "no" on this application as per her statement in the prior meeting, which she re-stated.

Mr. Brewer clarified for Mr. Mayer that receipt of the LOI from NJDEP is a condition of approval.

Ms. DeMeo read a statement as the representative of the Environmental Commission and that the Commission appreciates the efforts that have been made with regards to the environmental aspects for this application. The Environmental Commission does not support the proposal in view of the environmental concerns and that the Commission maintains that the land should not have been re-zoned from 10 to 5 acres on this site.

Mr. Brewer stated that there should be two votes:

1. To vote on the application.
2. To vote on the memorializing resolution – only members who voted in favor of the application can vote on the memorializing resolution.

Vice Chairman D'Emidio entertained a motion to approve the application. Mr. Maglione made a motion to approve the application, and it was seconded by Mr. Johnson.

Upon roll call:

AYES: Mr. D'Emidio, Ms. DeMeo, Mr. Johnson, Mr. Mayer, Mr. Maglione

NAYES: Ms. Neibart

Vice Chairman D'Emidio entertained a motion to approve the memorializing resolution with the amendments discussed. Mr. Maglione made a motion to approve the memorializing resolution, and it was seconded by Mr. Johnson.

Upon roll call:

AYES: Mr. D'Emidio, Mr. Johnson, Mr. Mayer, Mr. Maglione

NAYES: Ms. DeMeo

Vice Chairman D'Emidio entertained a motion to open the meeting to the public. A motion was made, and it was seconded. All agreed.

Seeing no one, Vice Chairman D'Emidio entertained a motion to close the meeting to the public. A motion was made, and it was seconded. All agree.

Vice Chairman D'Emidio made a motion to adjourn the meeting. A motion was made, and it was seconded. All agreed.

The meeting adjourned at 7:26 pm.

Respectively Submitted,

Beth Foley
Planning Board Secretary