

PLANNING BOARD
BOROUGH OF BERNARDSVILLE
Agenda – August 31, 2023
VIRTUAL ONLINE MEETING 7:30 PM
ZOOM MEETING #560 191 9633 ZOOM CALL-IN# 1-646-876-9923
<https://zoom.us/j/5601919633>

Until further notice, Bernardsville Land Use Board meetings are being held with participants at remote locations, connected by conferencing software provided by **zoom.us**. Members of the public are invited to attend and participate in live meetings either by using the Zoom client, which allows audio and video participation, or by phoning into a meeting for audio only participation.

TO JOIN A LIVE MEETING: Members of the public, council members, and other participants use the same procedure:

1. If you are joining from a smartphone or tablet, install the Zoom app using the App Store and join **meeting number 560 191 9633**. **A password is not required to join the meeting.**
2. If you are joining from a desktop or laptop computer with a web browser, open **<https://zoom.us/j/5601919633>**
3. If you are joining by phone, the phone-in number from the New York metro area is **1-646-876-9923**.

In the alternative, if you cannot join the live meeting remotely for any reason you may contact Frank Mottola the Planning and Zoning Boards Administrative Officer at 908-636-7635 or via email at fmottola@bernardsvilleboro.org.

Attendees are admitted to meetings via the Zoom waiting room and microphones are muted until enabled by the host. Members of the public may participate in meetings at certain designated times as announced by the Board Chair. Members of the public will be allowed to address applicants and their experts, ask questions and/or make comments as appropriate once recognized to do so. Attendees may request to be heard by 'raising a hand', either physically or virtually, or by sending a chat message to the host using the Zoom client controls. Phone-in attendees can also 'raise a hand' by using *9 on their phone. Disruptive or inappropriate behavior by any meeting attendee may result in the audio and/or video muting of that attendee and/or their removal from the virtual online meeting room.

TIPS: Controls appear at the bottom of the Zoom window. Open MEETING PARTICPANTS and CHAT. You can use these controls to attract attention, ask a question, or send a text message to other participants.

TO ACCESS APPLICATION DOCUMENTS: Documents for all applications to be heard online remotely are accessible via the Borough website at www.bernardsvilleboro.org by going to the Planning Board webpage and clicking on the name of the application under the **"Planning Board Application List"**.

If you are unable to view these documents online, please contact Board Administrator Frank Mottola at 908-636-7635 or via email at fmottola@bernardsvilleboro.org to make an appointment to view hard copies of the application documents.

Meeting recordings can be made available the next day by contacting the Board Administrator.

1. **Statement of Adequate Meeting Notice:** Chair Graham.
2. **Roll Call.**
3. **Minutes:** Review draft minutes of 7/27/23 meeting.
[Eligible to vote: Members Canose, Graham, Horowitz, Macmillan & Simoff].
4. **Communications:**
 - A. 8/14/23 M. DeSimone Letter Request for De Minimis Exception to Underground Electrical Service Requirement (re #7A)
 - B. 8/15/23 A. Suriano email transmittal of introduced Ordinance #2023-1976 re: Prohibiting Drive-Through Facilities. (re #7C).
 - C. 8/4/23 Price Meese Shulman & D'Arninio, P.C. - U.S. Court of Appeals Decision Alert re: New land use applications review standards for FCC telecom facilities by Edward W. Purcell, Esq.
 - D. The New Jersey Planner, May/June 2023, VOL. 84, No. 3.

5. Business of Visitors not related to agenda.

6. Old Business: Memorialize Resolution #SP-246 FEST, LLC - Addition & Renovation of Existing Commercial Building; 12 Mine Brook Road, B: 99, L: 2, Zone: D-C; *Deemed complete, heard and approved 7/27/23.*

7. New Business:

A. 8/14/23 M. DeSimone – Request for De Minimis Exception to Underground Electrical Service as per PB Resolution #655 Stidworthy; 27 Hill Street; B:112, L:11.03; *Scheduled for 8/31/23.*

B. Application #SP-248 – 114 CLAREMONT, LLC – PRELIM. & FINAL MULTI-FAMILY RESIDENTIAL SITE PLAN; 114 Claremont Rd., B:37, L:17, Zone: D-CL, Received 6/1/23; Waiver requests, completeness determination & application scheduled to be heard 8/31/23.

C. D26 Master Plan Consistency Review Ordinance #2023-1976 – Prohibiting Drive-Through Facilities; Introduced 8/14/23, Public hearing 9/11/23; *PB review scheduled for 8/31/23.*

D. Review 8/31/23 Bills List w/ Invoices. (\$10,024.50)

8. Board Reviews/Public Hearings/Pending Applications:

A. Continued Application #SP-238A – EQUINET PROPERTIES, LLC – AMENDED PRELIMINARY & FINAL RESIDENTIAL SITE PLAN w/ Variances & Design Waivers; 55 Claremont Rd., B:71, L:6, Quimby Lane Redevelopment Zone – Subarea 6; Revised documents submitted 3/16/23, Previously heard 5/11, 5/25 & 7/13/23; *Scheduled to be continued 9/28/23. [Eligible to vote: Members Canose, Graham, Horowitz, Kellogg, Otteau & Simoff].*

B. Application #SP-247 – AR at BERNARDSVILLE, LLC – PRELIMINARY MAJOR SITE PLAN w/Variances & Design Waivers; 39 Olcott Sq. + 5 Morristown Rd.; B:125, L: 1-3, Zone: D-C; Received 3/21/23; *Pending developer's agreement.*

C. Application #SP-242AP+F Mine Brook Rd. Urban Renewal Assoc., L.P. – AMENDED PRELIMINARY & FINAL MAJOR (AFFORDABLE) MULTI-FAMILY SITE PLAN; Mine Brook Road, B:80, L:15.38, Zone: AH-3; Deemed complete 7/25/23; *Scheduled to be heard 10/12/23.*

D. Application #SP-243AP+F Mine Brook Rd. Urban Renewal Assoc., L.P. – AMENDED PRELIMINARY & FINAL MAJOR (AFFORDABLE) MULTI-FAMILY SITE PLAN; 18 Mount Airy Road, B:124, L:1, Zone: AH-6; Deemed complete 7/25/23; *Hearing Date T.B.D.*

E. Application #SP-244AP+F Mine Brook Rd. Urban Renewal Assoc., L.P. – AMENDED PRELIMINARY & FINAL MAJOR (AFFORDABLE) MULTI-FAMILY SITE PLAN; 63 Bernards Avenue, B:102, L:12, Zone: AH-7; Deemed complete 7/25/23; *Hearing Date T.B.D.*

F. Application #660 – MEGALLA-WHITTAM – RE-SUBDIVISION / LOT LINE ADJUSTMENT w/ No Variances; 601 Mine Brook Rd., B:90, L:10, Zone: R-2 and 24-3 Douglass Ave., B:90, L:1, Zone: R-1; Received 6/21/23; *Deemed incomplete 7/26/23 – awaiting applicant's response.*

9. Business of Visitors, second opportunity.

10. Executive Session: As Required.

11. Adjournment: (Next scheduled meeting – Thursday, September 14 – 7:30 pm).