

PLANNING BOARD
BOROUGH OF BERNARDSVILLE
Minutes –February 23, 2023
VIRTUAL ONLINE MEETING

1. **O.P.M.A. Statement:** A statement of adequate meeting notice and adherence to the state mandated emergency remote meetings protocols, as set forth on this meeting's web-posted agenda, was read by Chair, Robert Graham, at 7:30 pm.
2. **Roll Call:**
Present – Members Canose, Gardner, Graham, Horowitz, Kellogg, Macmillan and McQueen.
Absent – Members Simoff and Thompson.
Board Professionals Present: Attorney Steven Warner and Engineer Robert Brightly.
3. **Minutes:** Review draft minutes of 1/26/23 meeting.
Upon review, the need for several corrections was noted by members of the Board. A motion to approve the minutes as corrected was made by Ms. Kellogg and seconded by Ms. Gardner.
Voice vote:
All eligible members voted in the affirmative. Mayor Canose abstained.
4. **Communications:** The following correspondence was acknowledged by the Chair:
 - A. 4/15/23 Somerset County Bar Association - Land Use Law Symposium flier.
Mr. Warner addressed the Board, encouraging members to consider attending the April 15th symposium. In addition to the certified training being offered for new Board members, an advanced course will also be offered for which he will be one of the presenters. Cannabis, warehousing, affordable housing, stormwater management and electric vehicle charging will be among the topics discussed. Mr. Mottola said he would arrange registration for any members that contact him wanting to attend.
 - B. NJDEP TIER A Municipalities Training Requirements - Webpage and 2023 Permit excerpts.
Mr. Mottola explained that the attachments that accompanied the agenda were the mandatory training requirements excerpted from the 2023 Tier A stormwater permit, and a copy of the NJDEP stormwater training webpage. He directed the Board's attention to the location of the primary training link on the webpage, "*Asking the Right Questions in Stormwater Review Training Tool (2015)*" and the supplemental set of training videos also required of Board members. Upon completion of the training, Board members need to inform Mr. Mottola of same for his reporting to DPW Director John Macdowall, who reports compliance to the state. According to Mr. Macdowall, the Borough can be fined on a daily basis for being out of compliance with the training regulations.
 - C. The New Jersey Planner, Nov/Dec 2022, Vol. 83, No. 6.
 - D. 2023 (revised) Planning Board Membership Roster.
5. **Business of Visitors not related to the agenda:** None.

6. Old Business: None.

7. New Business:

A. Application #659 – 51 BERNARDS AVE. ASSOCIATES, NJP – Minor (3 lot) Subdivision w/ Variances; 51 & 53 Bernards Avenue, B:112, L: 6 & 7, Zone: R-5; Received 11/1/22; Deemed complete 1/12/23.

Mr. Warner explained and announced to the public that this application had been scheduled to be heard this evening by the Planning Board. However, the applicant's attorney notified the Board on February 21st that it had only recently determined that "d2" use variance relief would be required for subdivision approval and the application would therefore have to be heard by the Board of Adjustment. A hearing date before the Board of Adjustment has not been scheduled as the applicant has not yet filed an application with that Board.

B. Review of 2/23/23 Bills List w/ Invoices.

Upon review a motion to pay the listed invoices in the amount of **\$10,214.38** was made by Mr. McQueen and seconded by Ms. Gardner.

Roll call vote:

All members voted in the affirmative.

8. Board Reviews/Public Hearings/Pending Applications: The Board acknowledge the following matters and their current status:

A. Workshop review of 7/28/22 draft "Parks and Recreation Master Plan" w/ Patrick Hoagland, ASLA of Brandstetter Carroll, Inc.; First draft reviewed 5/26/22; Revised plan rec'd 7/28/22; Workshop scheduled for 3/16/23; Public hearing for master plan inclusion - T.B.D.

Mr. Mottola informed that Board that the only hard copies of the Parks and Recreation Master Plan he has are those that were printed prior to the 7/28/22 edits that were made to the plan stemming from the Planning Board's 2022 review. Those edits have however been incorporated into the Parks and Recreation Master Plan, dated July 2021, that is currently posted on the Borough's Parks and Recreation webpage.

B. Application #SP-245 – WEBBER – Conforming Conditional Use for Home Professional Office; 2 Mullens Lane, B:63, L:13; Received 1/6/23; Pending survey submittal.

C. Application #SP-246 – FEST, LLC. – Addition & Renovation to Existing Mixed Use Bldg.; 12 Mine Brook Road, B: 99, L: 2, Zone: D-C; Received 2/6/23; Pending survey submittal for completeness review.

9. Business of Visitors – second opportunity: None.

10. Comments by Members of the Board:

Mr. McQueen appraised the Board on progress being made regarding possible ways of improving the parking situation in the R5 zone, as previously discussed with the Board. He said that he and Mr. Horowitz had discussed the matter for about an hour last week after Mr. Horowitz had done a review of the R-5 zone. They have a couple of items on which they would like Mr. Szabo's input: amending setbacks to allow for more on-site parking and, the presence and/or purpose of

commercial buildings in the zone. Mr. Horowitz said a change to setbacks could allow for driveways that extend to the rear of properties. Mr. McQueen added that the idea of permitted parking is something that is moving forward through the Safety Committee as a likely recommendation to the Council.

11. Executive Session: None.

12. Adjournment: Chair Graham adjourned the meeting at 7:58 pm.

Respectfully submitted,



Frank Mottola, Planning & Zoning Boards
Administrative Officer & Recording Secretary

Keywords: NJDEP-Tier A-stormwater-training-51-Bernards-parks-recreation-master-plan.