

**BOROUGH OF FAR HILLS**  
Planning Board Regular Meeting  
**MINUTES**  
November 4, 2019

**CALL TO ORDER**

Chairman Lewis called the meeting to order at 7:00 p.m. at the Far Hills Municipal Building and read the open public meetings statement in accordance with the law.

**PLEDGE OF ALLEGIANCE**

Chairman Lewis led the Pledge of Allegiance.

**ROLL CALL**

Present: Marilyn Layton, Vice Chairman Tom Rochat, Councilwoman Sheila Tweedie, Mayor Paul J. Vallone, MD, Kevin Welsh, Chairman Robert Lewis

Absent: Debra Ross, John Lawlor, Alt. #1 and Gerrie McManus, Alt. #2

Also Present: Board Attorney Susan Rubright, Borough Planner David Banisch and Planning Board Secretary Shana L. Goodchild

**RESOLUTION**

Board Attorney Susan Rubright suggested the Board consider Resolution No. 2019-18 so that the Secretary can be appointed and take over the responsibilities for the remainder of the meeting.

**Resolution 2019-18** Appointment of Shana L. Goodchild, Planning Board Secretary

There being no comments, Councilwoman Tweedie made a motion to approve Resolution No. 2019-18. Mr. Welsh seconded the motion. The motion carried by the following roll call vote:

Roll Call:

Aye: Ms. Layton, Mr. Rochat, Councilwoman Tweedie, Mayor Vallone, Mr. Welsh, Chairman Lewis

Nay: None

Abstain: None

**BILL LIST**

Chairman Lewis questioned if Mr. Banisch's bills were for work performed in October or prior months. Mr. Banisch confirmed that the invoices contained billable time over several months. There being no additional questions, a motion was made by Councilwoman Tweedie, seconded by Ms. Layton to approve the November 4, 2019 Bill List as presented. The motion carried by the following roll call vote:

Roll Call:

Aye: Ms. Layton, Mr. Rochat, Councilwoman Tweedie, Mayor Vallone, Mr. Welsh, Chairman Lewis

Nay: None

Abstain: None

**APPROVAL OF MINUTES**

➤ September 3, 2019 – Regular Meeting

Mayor Vallone made a motion to approve the minutes of September 3, 2019 for content and release. Councilwoman Tweedie seconded the motion. All were in favor. Mr. Welsh abstained.

➤ October 7, 2019 – Regular Meeting

Councilwoman Tweedie made a motion to approve the minutes of October 7, 2019 for content and release. Ms. Layton seconded the motion. All were in favor

**ORDINANCE**

1. Ordinance No. 2019-07 – Master Plan Consistency Review

Chairman Lewis referenced memorandum dated November 4, 2019 from David Banisch wherein he rendered his opinion that the ordinance was not inconsistent with the Master Plan. Mr. Banisch explained that the ordinance comes to the Planning Board by way of the referral powers under the MLUL, N.J.S.A. 40:55D-26. He went on to explain that the ordinance in question establishes an affordable housing overlay which follows a Master Plan amendment from 2012 designating the Fairgrounds and Block 8, Lot 1 as an overlay zone for the purposes of permitting group homes by Matheny School. The ordinance sets up a series of development standards similar to zoning districts in the village. Mr. Banisch found the proposed development regulations contained within the proposed ordinance consistent with the Master Plan and suggested that the appropriate action would be to find the ordinance not inconsistent with the Master Plan.

When asked by Vice Chairman Rochat if the overlay and development impacts the Fairgrounds, Mr. Banisch responded in the negative.

In conclusion, Mr. Banisch recommended that the Planning Board adopt Resolution No. 2019-20 finding the ordinance not inconsistent with the Master Plan.

**Resolution 2019-20** Finding that a proposed ordinance is consistent with the Master Plan and should be adopted by the Borough Council

There being no further questions or comments, Councilwoman Tweedie made a motion to approve Resolution No. 2019-20 to find Ordinance No. 2019-07 not inconsistent with the Master Plan. Vice Chairman Rochat seconded the motion. The motion carried by the following roll call vote:

Roll Call:

Aye: Ms. Layton, Mr. Rochat, Councilwoman Tweedie, Mayor Vallone, Mr. Welsh, Chairman Lewis

Nay: None

Abstain: None

**RESOLUTION**

**Resolution 2019-19** Daniel and Amy Neu, B3, L8  
210 Lake Road  
Memorializing Grant of Second Extension of Approval of Variances

Board Attorney Susan Rubright explained that the applicant has continued to work on resolution compliance and needs additional time as the scope of work is substantial. Vice Chairman Rochat opined that the ordinance was doing what it was intended to do and that the extension was warranted. Mayor Vallone noted that this application did require a site visit and there were serious considerations with regard to steep slopes and he opined that the Board should review the application again if the scope of work changes significantly. Mr. Banisch thanked Mayor Vallone for the direction and agreed to have the applicant return if any significant changes are proposed.

There being no further questions or comments, Vice Chairman Rochat made a motion to approve Resolution No. 2019-19. Councilwoman Tweedie seconded the motion. The motion carried by the following roll call vote:

Roll Call:

Aye: Ms. Layton, Mr. Rochat, Councilwoman Tweedie, Mayor Vallone, Mr. Welsh, Chairman Lewis

Nay: None

Abstain: None

**ZONING UPDATE**

1. October 29, 2019 - Memo

The Zoning update provided by Zoning Officer, Kim Coward, was reviewed. A member of the public, later identified as Dr. George Mellendick, asked about the Zoning Update. Chairman Lewis and Planner David Banisch explained that it provides the Board with an update on activities that the

Zoning Officer is currently reviewing and matters that may be in front of the Board in the future. Dr. Mellendick suggested that the information be posted in the minutes for the public.

Vice Chairman Rochat commented on the temporary sign for the race meeting at the corner of Liberty Corner Road and Route 202 and asked if it had been removed. Mr. Welsh explained that there was a concern that the sign may be too close to the road and could be an obstruction; it has been brought to the attention of the race association and will be remediated for next year. Vice Chairman Rochat noted that the posts stay up all year and may be in the State right of way. Mr. Banisch indicated that the Engineer would have to assess the location.

## **PUBLIC COMMENT**

Dr. George Mellendick, 260 Lake Road, Far Hills inquired as to the timing and progress with the Errico Acres property. Mayor Vallone responded that a preliminary meeting with individuals involved is scheduled this week and that after speaking with the Judge and the Court on Friday, a presentation to the public within the next month is anticipated. When asked by Dr. Mellendick if notice of the presentation could be sent out via Nixle, Mayor Vallone responded in the positive and noted that the same process and method of communication of information will be followed as was done for the Matheny group. Mr. Banisch explained that the ordinance will be drafted once the Borough comes to final terms with the developer and he expects to be directed to have an ordinance prepared and ready for introduction within the next few weeks. Dr. Mellendick questioned how an ordinance could be prepared without a presentation and public input. Mayor Vallone anticipated that the presentation will come before the ordinance introduction and noted that the ordinance simply satisfies the court and that the details will come over a period of months. He added that the first presentation will be the opportunity for the public to talk about setting, units and distribution. Dr. Mellendick noted that part of the agreement called for a 750 foot buffer along Route 202 and asked if that would be written into the ordinance. Dr. Vallone recalled a 300 foot buffer and Mr. Banisch noted that buffers would be specified in the ordinance. Mayor Vallone explained that there will be a series of presentations at the next Borough Council meeting and the Borough Attorney can explain the process and requirements to satisfy the Court.

There were no further comments from the public.

**ADJOURNMENT**

Motion by Mayor Vallone, seconded by Vice Chairman Rochat and unanimously carried to adjourn the meeting at 7:29 p.m.

Respectfully submitted,

  
Shana L. Goodchild  
Planning Board Secretary

APPROVED 12/17/19