

Township of Millburn  
Minutes of the Planning Board  
February 24, 2021

A special meeting of the Township of Millburn Planning Board was held on **Wednesday, February 24, 2021** at 7:30 PM via Zoom webinar.

Chairwoman Beth Zall opened the meeting by reading Section 5 of the Open Public Meetings Act.

The following members were present for the meeting:

Daniel Baer  
Gaston Hauptert  
Jorge Mastropietro  
Marc Matsil  
Maggee Miggins  
Joseph Steinberg  
Sanjeev Vinayak  
David Morrow, Alt. #1  
Sriniv Vijay, Alt. #2  
Miriam Salerno, Vice Chairwoman  
Beth Zall, Chairwoman

Also present:

Edward Buzak, Board Attorney  
Eric Fishman, Court Reporter  
Martha Callahan, Township Engineer  
Eileen Davitt, Zoning Officer/Board Secretary

**MINUTES**

A motion to approve the minutes of January 20, 2021 was made by Marc Matsil, seconded by Gaston Hauptert, and carried with a unanimous voice vote.

**APPLICATIONS**

**APPL#20-007, 85 WOODLAND ROAD, LLC, WOODLAND/CHATHAM ROAD, SHORT HILLS**

\*Maggee Miggins recused and left the meeting.

John Inglesino, attorney for applicant, stated his appearance. David Minno, applicant's architect, appeared and remains sworn.

Joe Steinberg asked Mr. Minno if he has had an opportunity to look into an audible warning in addition to the warning lights at the garage entrance. Mr. Minnow indicated that the garage entrance would have an audible warning as well as the visual.

Dan Baer asked if there have been any updates on the phasing of the project. Mr. Inglesino stated that the phasing will be addressed before the conclusion of the application. Mr. Inglesino indicated that there will be a developer's agreement between the Township and the applicant which will address this. Mr. Baer asked if this will address construction traffic, sidewalks, etc. Mr. Inglesino responded affirmatively and stated that the municipality/engineering/construction departments will coordinate and oversee that.

Board Attorney, Ed Buzak, indicated that the developer's agreement will address things contained in the resolution. It does not take phasing into account and he does not want to see these issues fall through the cracks. He would like the applicant to address some of these concerns. Mr. Inglesino stated that he will work with the Township departments regarding timing, traffic and safety. Mr. Baer recommended that the Township and the applicant prepare a mutually agreed upon developer's agreement as a condition of approval. .

Chairwoman Beth Zall asked the applicant to present a typical unit plan.

Entered as A-37: Typical Unit Plan dated 2/11/21

Chairwoman Beth Zall asked a follow up question regarding the view of the building's façade along Woodland Avenue and whether the commercial portion of the building's facade is intended to look similar to the residential use, or if it would it have a different treatment from the street view. Mr. Minno stated that on the Chatham Road side the materials are all the same along this frontage. The Summit Medical Group on Chatham Road matches the rest of the building and essentially has the appearance of looking, to the untrained eye, like the apartment style. The only exceptions are the entryways to the building which are double doors and will appear more commercial.

Chairwoman Beth Zall opened the meeting for public questions.

David Cosgrove, 99 Oakview, asked for the occupancy load on the roof top deck. Mr. Minno stated that the occupancy is limited to approximately 35 people. Mr. Cosgrove asked where the closest building of similar size is located. Mr. Minno indicated that he did not know as he did not research that information. Mr. Cosgrove asked if there will be fire pits or grills on the ground level courtyard. Mr. Minno stated that there are no fire pits or grills at ground level.

Jean Pasternak, 342 Hobart Avenue, asked who will monitor the activities on site after 5-6 PM when the building manager is not there. Mr. Inglesino stated that management will be available after hours but not on site 24/7. Ms. Pasternak asked for the occupancy of the gym and who will be able to use it. Mr. Minno stated that the gym occupancy is approximately 10-15 people and it is for use by residents of the apartment. Ms. Pasternak asked if there will be an outdoor sound system. Mr. Minno indicated that there is no outdoor sound system.

Bebe Sheer, (address), asked when the second rooftop was planned. Mr. Minno stated that it was in the plan all along but was not reflected in the design until September.

Gary Dean, Traffic Engineer, appeared and was sworn. Mr. Dean's credentials were presented and accepted by the Board.

Mr. Dean stated that he prepared a report dated October 15, 2020 that sets forth some traffic conclusions related to the proposed development. He elaborated that traffic engineering studies rely on an evaluation of traffic conditions principally during peak traffic hours which for residential use and employment use are concentrated during weekdays. Morning and afternoon rush hours traffic counts were conducted by the township's traffic consultant in 2019. Because the consultant gathered this information pre-COVID, in his opinion it represents typical conditions that are more expected, unlike the independently collected traffic counts done in May of 2020.

Based on his analysis, Mr. Dean concluded that the proposed development would result in very little to no change in service. He also stated that the development would potentially increase pedestrian activity and make the site more pedestrian friendly. Mr. Dean stated that the development on this site would have no significant impact on traffic conditions and have these conditions remain positive.

Sanjeev Vinayak asked if there will be room for a delivery truck if a moving van is in the cut-out. Mr. Dean stated that if the space is occupied by a moving van, there is no room for a delivery truck. He added that move in/move out is scheduled and regulated in order to avoid any overlaps.

Gaston Hauptert asked if there is anything that can alert the driver of a pedestrian rather than relying on the pedestrian to be mindful of the motorist. Mr. Dean stated that there are parabolic mirrors that will show any approaching pedestrians.

The application was carried to a special meeting, scheduled for March 31, 2021, at 7:30 PM.

### **ADJOURNMENT**

A motion to adjourn was made by David Morrow, seconded by Jorge Mastropietro and carried with a unanimous voice vote. (10:30 PM)

Eileen Davitt  
Board Secretary

Motion: JS  
Second: BZ  
Date adopted: 7/7/21

