

Township of Millburn  
Minutes of the Planning Board  
June 16, 2021

A regular meeting of the Township of Millburn Planning Board was held on **Wednesday, June 16, 2021** via Zoom webinar at 7:30 PM.

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 Haupt  
Jorge Mastropietro  
Marc Matsil  
Maggee Miggins  
Sanjeev Vinayak  
David Morrow, Alt. #1  
Srini Vijay, Alt. #2  
Beth Zall, Chairwoman

Also present:

Edward Buzak, Board Attorney  
Eileen Davitt, Board Secretary

**APPLICATIONS**

There were no applications scheduled.

**BUSINESS**

The Board discussed Resolutions 21-151, 21-152, and 21-153 which were approved by the Township Committee at their May 18, 2021 meeting. The resolutions refer proposed nominated historic landmarks to the Planning Board in accordance with the Historic Preservation Ordinance.

Resolution 21-151 proposes the nomination of 358 White Oak Ridge Road, also known as the Parsil Family Cemetery, as a historic landmark.

Resolution 21-152 proposes the nomination of 363 White Oak Ridge Road, also known as the Parsil House, as a historic landmark.

Resolution 21-153 proposes the nomination of 155 Millburn Avenue, also known as the Hessian House, as a historic landmark.

Board Attorney, Edward Buzak, stated that the 1991-1997 Master Plan update included a Historic Preservation Plan as an element of the Master Plan. The Plan set forth historic districts and two of the three sites being nominated are referenced as historic buildings on Plate 16. The Parsil cemetery is not noted on that plate but is reflected as a “possible future site”.

Mr. Buzak stated that as per section 804.3(i) of the Development Regulations, the Township Committee shall refer this report to the Planning Board, who in turn will report back to the Township Committee within 60 days, as to whether they feel these sites should be designated as historic landmarks.

The Board discussed the charge before them. It was indicated that 2 of the 3 sites, the Parsil Family Cemetery and the Parsil House, are Township-owned properties. However, the Hessian House is owned by a private business. There was concern that there was no exchange of discussion between the owner and the Township Board members felt the owner of the property should acknowledge the restrictions that come along with being designated as a historic landmark.

The Board reached out to a representative from the Hessian House. Angelo Valente, executive director of Partnership for a Drug-Free NJ, joined the panelist group. Upon questioning by the Board, Mr. Valente stated that he is not aware of any communication from the Township on this matter. Mr. Valente stated that the Hessian House is owned by the Board of Directors and asked that the Planning Board defer any action on the matter until they have had an opportunity to obtain the necessary information and make an informed decision as to the consequences and restrictions associated with a historic landmark designation.

A motion to recommend approval of resolution 21-151, nominating 358 White Oak Ridge Road was made by Marc Matsil, seconded by Gaston Hauptert, and carried with the following roll-call vote:

Daniel Baer – yes  
Gaston Hauptert – yes  
Jorge Mastropietro – yes  
Marc Matsil – yes  
Maggie Miggins – yes  
Sanjeev Vinayak – yes  
David Morrow – yes  
Srini Vijay – yes  
Beth Zall, Chairwoman – yes

A motion to recommend approval of resolution 21-152, nominating 363 White Oak Ridge Road was made by Jorge Mastropietro, seconded by Beth Zall, and carried with the following roll-call vote:

Daniel Baer – yes  
Gaston Hauptert – yes  
Jorge Mastropietro – yes  
Marc Matsil – yes  
Maggie Miggins – yes  
Sanjeev Vinayak – yes  
David Morrow – yes  
Srini Vijay – yes  
Beth Zall, Chairwoman – yes

A motion to defer the vote on resolution 21-153, nominating 155 Millburn Avenue to July 7, 2021, was made by Beth Zall, seconded by Sanjeev Vinayak, and carried with the following roll-call vote:

Daniel Baer – yes  
Gaston Hauptert – yes  
Jorge Mastropietro – yes  
Marc Matsil – yes  
Maggie Miggins – yes  
Sanjeev Vinayak – yes  
David Morrow – yes  
Srini Vijay – yes  
Beth Zall, Chairwoman – yes

## **RESOLUTIONS**

### **APPL#21-001, CANOE BROOK COUNTRY CLUB, 1108 MORRIS TURNPIKE, SHORT HILLS**

Upon a motion made by Sanjeev Vinayak, a second by Jorge Mastropietro, and a roll call-votes as follows:

Daniel Baer – yes  
Gaston Hauptert – yes  
Jorge Mastropietro – yes  
Marc Matsil – yes  
Sanjeev Vinayak – yes  
David Morrow – yes  
Beth Zall, Chairwoman – yes

the following memorializing resolution was adopted:

**RESOLUTION  
PLANNING BOARD  
TOWNSHIP OF MILLBURN**

**In the Matter of:**

**Canoe Brook Country Club  
Application #21-001  
Block 5304, Lot 1  
Minor Site Plan Approval  
Waivers**

**WHEREAS**, Canoe Brook Country Club (“Applicant”) has made application to the Township of Millburn Planning Board (“Board”) for minor site plan approval with checklist waivers to renovate and restore the existing fire damaged caddy/bag storage building, and to construct a small addition to it, which premises are located at 1108 Morris Turnpike, formally known as Block 5304, Lot 1 on the Official Tax Map of the Township of Millburn (“Property”); and

**WHEREAS**, the Applicant has submitted plans and documents entitled “Proposed Bag Storage Building Restoration and Associated Site Improvements – Canoe Brook Country Club”, prepared by Mott MacDonald, dated 1/19/21, consisting of 8 sheets (the “Plans”); “Main Level Floor Plan and General and Working Notes/Building Exterior Elevations”, prepared by JGA Architecture, dated 1/15/21 (“Architectural Plans”); and Township of Millburn Planning Board Resolutions – In the Matter of Canoe Brook Country Club, dated 5/6/13 and 11/16/15; and

**WHEREAS**, a public hearing with proper notice under the Municipal Land Use Law (“MLUL”) and the applicable ordinances of the Township of Millburn, as modified for the purposes of conducting the public hearing remotely through the Zoom platform wherein members of the public can participate by joining the meeting utilizing the invitational link set forth in the notice or by telephone using the invitational telephone number as set forth in the notice, was held on the application on May 5, 2021; and

**WHEREAS**, the Applicant was represented by Bartholomew A. Sheehan, Jr., Esq. and testimony in support of the application was provided by Albert Costantini, General Manager of Canoe Brook Country Club; Robert J. Lynes, P.E., of Mott MacDonald (Engineer); and Wayne J. Jacques, AIA (Architect) of Mott MacDonald; and

**WHEREAS**, the Board determined that all jurisdictional requirements have been met; and

**WHEREAS**, the Board having reviewed the materials submitted, considered the testimony presented, and reviewed the reports of the Board’s professionals with respect to the application and considered their opinions, hereby makes the following findings of fact:

1. The Property is located at 1108 Morris Turnpike, Short Hills, New Jersey, and formally known as Block 5304, Lot 1 on the Official Tax Map of the Township of Millburn.

2. The Applicant is the owner of the subject property, which is located in the C Conservation-Recreation Zone, wherein park and recreation uses are permitted principal uses. The Applicant's General Manager, Albert Costantini, testified that Canoe Brook Country Club is a private, family-oriented country club with facilities that include a clubhouse, golf course, tennis courts, pool and other structures related to those activities, including a 2,694 sq. ft. caddy/bag storage building that is the subject of this application. The Property was previously the subject of an application for preliminary and final site plan approval to permit the renovation and expansion of the clubhouse building, which was approved by the Township Zoning Board of Adjustment in a Resolution dated May 6, 2013 ("2013 Approval"). Additionally, the Property was the subject of an application for amended preliminary and final site plan approval in 2016 to permit the reconstruction and expansion of the existing pool house, demolition of an existing structure, construction of an addition to an existing building to permit the relocation of employee housing and construction of a gate house at the front entrance, which was approved by the Township Zoning Board in a Resolution dated November 16, 2015 ("2015 Approval"). The caddy/bag storage building, which is located internal to the property site, was heavily damaged by fire in April 2020, resulting in a total loss. The Applicant now seeks minor site plan approval to reconstruct the building and to add thereon a small 712 sq. ft. addition. Mr. Costantini stated that the proposed addition will augment golf bag storage and caddy staging areas, as well as the interior area for the outside operations staff.

3. The Applicant requests 12 checklist waivers. More specifically, Canoe Brook Country Club seeks waivers regarding the submittal of a survey drawing; the provision of information for lot lines, metes and bounds description; location and description of existing and proposed monuments; streams and ponds; circulation plans for sight triangles and traffic regulation signs; landscape buffer area plans; facility plans for solid waste disposal methods, handling of recyclable materials, easements, floodway and flood hazard area limits, and wetlands. The Applicant's attorney, witnesses and/or experts indicated that the aforesaid checklist requirements were not relevant to this particular application, and that the fire-damaged caddy/bag storage building is internal to the site and only being restored and slightly expanded. The Applicant also indicated that a waiver from the requirement for the submission of an Environmental Impact Statement ("EIS") was not sought because this is a minor site plan application and thus the requirement to submit an EIS is inapplicable. The Board is of the view that given the nature of the application and the proposed construction activity, the checklist waivers should be appropriately granted.

4. Applicant's Architect, Wayne J. Jacques, AIA, presented as Exhibit A-1 a colorized schematic rendering of the front façade and golf course views of the proposed new caddy/bag storage building with addition. Mr. Jacques testified that the building's shape, material and design are in keeping with and compliments the facility's main clubhouse and other campus structures. The building will conform with all applicable Township Zoning Ordinance requirements and standards, and have a height of approximately 29' 10" with a steeply pitched and varied roofline having a series of dormers, with side by side windows along the lengthier

east and west elevations, and a centrally located cupola. As for the building interior there will be, as was illustrated in the Architectural Plans, a main level containing a large bag storage area with a mobile rack system, a caddy lounge/staging area/breakroom with tables and chairs, kitchenette, lockers, restroom and shower, and separate restrooms for men and women. Adjacent to the bag storage area on the northeasterly side of the building will be an indoor space for outdoor operations staff. Applicant's General Manager testified that the proposed addition allows for the creation of an adequate inside area for outdoor operations staff to shelter in during inclement weather and to conduct filing tasks. The former building, prior to the fire, had only a small 4'x4' closet-size space that could accommodate only two or three of the seven to eight-person outdoor staff typically working on any given day. The proposed addition also enables the Applicant to enlarge its golf bag storage space to hold a larger number of golf bags, and to enhance caddy waiting areas. There will also be a storage level mezzanine. The Architect opined that the proposed interior building design is a "customary" layout for caddy bag storage buildings and is "in vogue." The building will have a sprinkler system.

5. Applicant's Engineer, Robert J. Lynes, P.E., utilized Sheet 5 of the Site Plan to show existing conditions of the Property generally, the existing caddy/bag storage building foundation footprint, and what would be the new building footprint by superimposing the proposed building footprint thereon. The existing building footprint is approximately 2,694 sq. ft. The proposed addition would add approximately 712 square feet primarily to the west and south sides of the existing footprint, and result in a larger overall footprint of 3,415 sq. ft. Existing on-site utilities would serve the new addition building. Concrete pavers and asphalt currently surrounding the building would be removed and replaced, and new concrete brick pavers would be installed. Mr. Lynes testified that the new building will be approximately 555 ft. to the closest property line and approximately 672 ft. to the nearest residential dwelling. Associated grading and drainage improvements, as was illustrated on Sheet 7 of the Plans, would be undertaken in the form of a storm drain and catch drain that would drain to the adjacent parking lot, into a 20 linear foot 12-inch trench drain pipe, and then into another catch basin in the lower parking lot. Mr. Lynes opined that the proposed stormwater management measures would be sufficient to handle the additional runoff from the small 712 sq. ft. addition. The Township Engineer concurred.

6. The Board received and reviewed reports in connection with the subject application from the Board Planner, Paul A. Phillips, P.P., dated May 3, 2021; the Township Engineer, Martha Callahan, P.E., dated April 30, 2021; and the Township Fire Marshal/Chief, Thomas Pizzano, dated April 25, 2021.

7. One neighbor appeared at the public hearing to support the approval of the subject application.

8. After considering the application, and taking into account all of the various factors set forth herein, as well as the information presented on the record and in the various reports, the Board is of the view that minor site plan approval should be granted along with the checklist waiver requests in accordance with the requirements set forth in detail in this Resolution and subject to the terms and conditions set forth below.

**NOW, THEREFORE, BE IT RESOLVED** that this Resolution shall serve to memorialize the action of the Planning Board of the Township of Millburn taken on May 5, 2021 granting (i) minor site plan approval; and (ii) the checklist waivers mentioned in the Findings of Fact, and subject to the following conditions:

1. The Applicant shall comply with all applicable municipal ordinances and regulations, as well as all County, State and Federal Laws applicable to this development application.

2. The foregoing is subject to review of, approval by, and requirements imposed by such other Federal, State, County and local bodies having jurisdiction over the development.

3. The Applicant shall remit all outstanding escrow fees as requested by the Township of Millburn.

4. The Applicant shall submit applications to, and obtain approval from, the Essex County Planning Board and the Hudson-Essex-Passaic Soil Conservation District, if applicable.

5. This approval is subject to payment of all outstanding tax and utility charges owed to the Township.

6. The Applicant shall comply with the recommendations and requirements of the Board Planner, Township Engineer, and Township Fire Marshal/Chief, as contained in their respective reports dated May 3, 2021; April 30, 2021; and April 25, 2021, respectively.

7. To the extent required, the Applicant shall submit revised Plans to reflect the changes to which the Applicant agreed and/or those modifications that are required by the Board in this resolution or by the Board's experts.

8. The Applicant shall be bound to comply with all representations made before this Board by the Applicant, and Applicant's witnesses during the course of the public hearing on the application held on May 5, 2021 as related to the application for relief and the same are incorporated herein and are representations upon which this Board has relied in granting the approvals set forth herein and shall be enforceable as if those representations were made conditions of this approval.

9. This Resolution is a memorializing Resolution as set forth pursuant to N.J.S.A. 40:55D-10g(2), memorializing action taken by the Board at its meeting on May 5, 2021.

I, EILEEN DAVITT, Secretary/Clerk to the Planning Board of the Township of Millburn in the County of Essex, do hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the said Planning Board on the 16th day of June 2021.

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**ADJOURNMENT**

A motion to adjourn was made by Maggie Miggins, seconded by Beth Zall and carried with a unanimous voice vote. (9:00PM)

Eileen Davitt  
Board Secretary

Motion: DM  
Second: JM  
Date Adopted: 8/4/21