November 7, 2018

The Board of Adjustment of the Township of Denville held its scheduled reorganization meeting on Wednesday, November 7, 2018. The meeting was held in the Municipal Building, 1 St. Mary's Place and commenced at 7:00P.M.

Secretary Unrath read NOTICE OF PUBLIC MEETING.

ROLL CALL:
Present: Krista Kussoff, Dan Napolitano, Christine Hong, Tim Wagner, Tim Fisher, Ed Moroney, Harry Fahrer, Adam Caravaglia,
Absent: Dan Roman

Prof. Present: Larry Wiener, Esq., Jason Kasler, PP, John Ruschke PE

MINUTES:
A motion to approve the minutes from September 26,2018 was made by Mbr. Hong, seconded by Mbr. Wagner and approved by all members able to vote.

PURCHASING:
Motion to pay vouchers submitted by Mott MacDonald subject to the availability of funds, was made by Mbr. Moroney, seconded by Mbr. Fahrer and unanimously approved by members able to vote.

Motion to pay vouchers submitted by Kasler Associates subject to the availability of funds, was made by Mbr. Moroney, seconded by Mbr. Fahrer and unanimously approved by members able to vote.

Motion to pay vouchers submitted by Larry Wiener subject to the availability of funds, was made by Mbr. Moroney, seconded by Mbr. Fahrer and unanimously approved by members able to vote.

RESOLUTIONS:

BA 18-26 Drareg & Nnelg, LLC
145 Diamond Spring Rd
Block 50501, Lot 20
A motion to adopt this resolution of denial was made by Mbr. Hong, seconded by Mbr. Fahrer and unanimously approved by all members able to vote.

BA 18-25 Cedar Lake Property Owners
40 Cedar Lake West
Block 61005, Lot 14.01
A motion to adopt this resolution of approval was made by Mbr. Wagner, seconded by Mbr. Moroney and unanimously approved by all members able to vote.

BA 18-24 Lorenzo Gasperini
342 Diamond Spring Rd
Block 5071, Lot 24
A motion to adopt this resolution of approval was made by Mbr. Fahrer, seconded by Mbr. Caravaglia and unanimously approved by all members able to vote.
PUBLIC HEARINGS

BA 18-28 Malissa Novak
101 Hillcrest Dr
Block 70501, Lot 477

Malissa Novak (101 Hillcrest Dr)- Applicant is seeking to construct a full bathroom within the footprint of their house. There is small part of the deck the applicant would be enclosing to make the addition for the bathroom. The bathroom addition requires approval for rear and side yard setback.

Open to Board Professionals

Jason Kasler, PP- Clarified with the applicant that the roof and deck are not changing in dimensions. Applicant stated nothing is changing but just enclosing part of the deck where the exiting roof is deteriorating.

Open to Board Members

Mbr. Caravaglia- Questioned the applicant that no new sewer lines would need to be put into place. Mrs. Novak stated the same sewer lines would be used.

Mbr. Fahrer- There was a discussion about the ordinance wording on open space.

Chr. Bergen- Clarified with the applicant that they are not changing the footprint of their house and a setback is not required because no sq. footage is being added.

No public questions/comments

A motion to approve this application was made by Mbr. Fahrer, seconded by Mbr. Fisher and approved by all members of the board.

AYES- Fahrer, Fisher, Caravaglia, Moroney, Wagner, Kussoff

BA 18-39 Ford 66 & 88 LLC
66 & 88 Ford Rd
Block 62101, Lot 3 & 5

Jason Rittie, Esq- Attorney for the applicant. This application is for a Use variance with associate bulk variances. This application is requesting a site plan waiver as nothing is changing to the actual site. The application is for renting outside storage within the applicants parking lot. The two current renters are Chevrolet dealer and storage pods.

Jeff Barnish (20 Edgewood Rd)- Vice President of the company and WP Realty own this site. This property has 2 buildings on site and a large parking lot. The closest residence from this property location is 804 ft. Schumacher Chevrolet has cars parked on this property for duplicate cars that they don't need in their show room. The cars are not stacked and the deliveries are about once a day. Mr. Barnish explained on the site plan that the company would never use all of the parking spaces. Even if the company was at full capacity. It was stated that this location is in a flood zone, but Mr. Barnish explained that no flooding has occurred thus far at this property.

Open Board Professionals
John Ruschke, PE- Stated that he is concerned that there is no lot designation. That basically the cars and pods can be parked anywhere. Mr. Rittie clarified that if the board would like to put this is as a condition the application would be willing to comply.

Jason Kasler, PP- Concerned that there is no planning testimony based on that this is a USE variance application.

Open to Board Members

Mbr. Hong- Stated that is also concerned about regulating the parking lot spaces.

Mbr. Fahrer- Expressed concern for any extension of the parking lot and overpacking the space. Mr. Barnish explained that if Ford 66 & 88 need the full capacity of the parking lot then they would not rent it out to the other companies. The application is not for an extension of the parking lot, but to utilize the unused portions.

Mbr. Wagner- Questioned the regulation of the use for the parking spaces. Mr. Ruschke stated in the conditions it would have a detail description of what is allowed and if the applicant needs to change that it would need to come back to the board.

Mbr. Fisher- Stated that he would be in favor of seeing a more detailed description of where the storage units would go and how many units would be allowed.

Mbr. Caravaglia- Concern that are too many principles uses within in one property and is in favor of hearing from a professional planner.

Mbr. Kussoff- Questioned how many parking stalls are currently at each property. Mr. Barnish stated that 88 Ford Rd has 191 parking stalls and 66 Ford Rd has 171 parking stalls. It was also stated by Mr. Barnish that he is ok with Mr. Ruschkkes comments on limiting the amount of space and stalls for the permitted uses.

Mbr. Moroney- Clarified that the applicant is staying within the parking stalls. Also stated that his is in favor of limiting the amount of parking stalls being used for the other uses.

Mr. Kasler, PP- Also stated that a condition should state that the pods and Chevrolet cars should not be visible from the street.

Chr. Napolitano- Stated that he would also be in favor of hearing a professional planner’s testimony and it is up to the applicant if they would like to carry this application to another date.

Jason Rittie, Esq- Stated that applicant would like to carry this application to January 2, 2019.
and the reason for Outfront to change this existing sign. It was stated that this location for the billboard is in good visibility and a well-traveled area. Exhibit A-3 is the NJ Department of Transportation permit for the billboard. Within this permit the applicant must adhere all DOT regulations. Some the limitation implanted are no flashing, no motions, no scrolling and the sign cannot change more than every 8 seconds. The applicant is seeking to change the 2 static signs to digital and to raise the height to 52ft. The applicant is also seeking to change the light pole to be more aesthetically pleasing. The changing of the sign is done remotely and cannot change like a story board. Mr. Antal discussed the benefits in regards to the flexibility. If local restaurants want to promote a lunch special or business wants to promote sale it can be changed throughout the day. Showed Exhibt A-4 which is the emergency management package and Exhibit A-5 is the municipal management package. These are all examples how of the digital signs can be used. Exhibit A-6 is the protocol for emergency messaging.

Open to Board Professionals
No questions

Open to Board Members

**Mbr. Caravaglia**- Questioned if the examples from exhibit A5-A6 were actual billboards. Mr. Antal stated that some were real, but some were just examples. Mr. Caravaglia discussed the issue if there were to be an emergency messaging that had to be displayed in the middle of the night, how long would this take to be displayed. Mr. Antal stated that the sign would be displayed within in less than 10 minutes.

**Mbr. Moroney**- Concerned about the height and the distance from the street. Mr. Antal explained that raising it higher would not interrupt with the power lines. Bringing it closer to the street would decrease the clutter from other existing sign. Mr. Antal did state there would be more detailed testimony from the engineer and planner. It was also discussed that a new pipe line was put onto the property and the applicant would like to move the sign to avoid hitting the pipeline during construction.

**Mbr. Wagner**- Questioned if some of billboards have been used for cellphone towers. Mr. Antal stated that yes some of the billboards have been used for cellphones panels, but it isn’t proposed for this application.

Chr. Napolitano- Questioned the typical height for billboard with Morris County. Mr. Antal stated the average height is approximately 40-60ft.

**Mr. Kasler, PP**- Confirmed with Mr. Antal that they have permission for Pelican to change the existing sign.

Open to public for questions

**Sue Schmitt** (12 Birch Run Ave)- Clarified that the height from the original application has been modified.

**Todd Leonard** (3010 Route 10 W)- It was discussed that Denville Twp would get 90 min per day of advertising. There was a discussion of emergency messaging protocols.

**Bruce D’Adamo** (Wilson Ave)- It was discussed that if there was an emergency the billboard can be shut down remotely.

Next witness

**Alex Zipponi**, PE (886 Belmont Ave)- Sworn in as a professional engineer- Mr. Zipponi discussed in engineering terms of why the billboard should be moved closer to the road and away from the gas line. The crane test was used to the elevation from the visibility of the roadway and the billboard. There are no changes to the grade. Showed Exhibit A-8 are 4 pictures including the existing sign and the proposed sign. The pictures are shown both from the east and west direction. Exhibit A9 are again photos of the existing billboard and proposed billboard at 52ft elevation. Mr. Zipponi stated that the benefit of having a
higher sign gives the highway a longer distant to comprehend the sign. Exhibit 10 is the proposed billboard from the eastbound. Exhibit 11 is the proposed billboard from the westbound. Exhibit A12 is the module of the lighting and discussed how they work with different colors. Mr. Zipponi stated the projection of light from the billboard is a tenth of a footcandle. Exhibit A-13 is a rendering of a parabola to show the light projections from the different colored backgrounds. Mr. Ziopponi stated that he has no problems with Mr. Ruschkes or Mr. Kaslers reports.

The meeting was adjourned to January 2, 2019

OLD BUSINESS- NONE
NEW BUSINESS - NONE

Meeting adjourned at 10:05 PM

Minutes Approved: January 2, 2019
Melissa Unrath, Board Secretary.