

**THE BOROUGH OF WATCHUNG**  
**Planning Board**  
**Regular Meeting**  
**July 20, 2021**

**OFFICIAL MINUTES**  
**Adopted 8/17/21**

Chairwoman Tracee Schaefer called the Regular Meeting to order at 7:30 p.m.

**ROLL CALL**

Ms. Tracee Schaefer, Chairwoman  
Mr. Donald Speeney, Vice Chairman  
Mr. Keith Balla, Mayor  
Mr. Pietro Martino, Councilman  
Ms. Ellen Spingler, Secretary  
Mr. Al Ellis (Absent)  
Ms. Karen Pennett  
Mr. Steve Pote  
Mr. Paul Fiorilla

Mr. Troy Sims  
Ms. Yvette Nora  
Mr. Francis P. Linnus, Esq.  
Mr. Mark Healey, PP  
Mr. Ricardo Matias, PE, Engineer  
Mr. John Jahr, Traffic Engineer  
Ms. Theresa Snyder, Board Clerk

Chairwoman Schaefer read the statement indicating the meeting was being held in compliance with N.J.S.A. 10:4-6 of the Open Public Meetings Act, the Municipal Land Use Law requirements, and the recording of the Minutes as required by law. She also stated that in order to comply with the executive orders signed by the governor, and in an effort to follow best practices recommended by the CDC, the meeting was being held virtually for all board members, board professionals, the applicant, the applicant's professionals, interested parties and members of the public. The Board members identified themselves for the record. She then led the flag salute to the American flag.

**MINUTES**

On motion by Ms. Spingler, seconded by Mr. Pote, the minutes and transcript from the meeting held on June 15, 2021, were accepted and carried on voice vote.

On motion by Mr. Speeney, seconded by Ms. Pennett, the minutes and transcript from the special meeting held on June 29, 2021, were accepted and carried on voice vote.

**APPLICATIONS**

CASE NO.: PB 19-02; THE LEARNING EXPERIENCE  
100 UNION AVENUE  
BLOCK: 7801 LOT: 1  
REPRESENTED BY: Stephen F. Hehl, Esq.  
BB ZONE  
Expiration Date: 7/31/21

*The contents of the hearing for the above referenced application is recorded in the attached transcript.*

On motion by Ms. Spingler, seconded by Mr. Sims, the Board approved the application with conditions based on the following roll call vote:

Roll Call:

Ayes:	Ms. Spingler, Councilman Martino, Mayor Balla, Mr. Fiorilla, Mr. Sims and Chairwoman Schaefer
Nays:	Ms. Pennett, Mr. Speeney, and Mr. Pote
Not Eligible:	
Abstain:	
Absent:	Mr. Ellis

#### ORDINANCE REVIEW

##### **OR:21/06**

“ORDINANCE AMENDING CHAPTER 28 ENTITLED, “LAND DEVELOPMENT CHAPTER OF THE BOROUGH OF WATCHUNG”, TO AMEND THE DEFINITION OF “IMPERVIOUS SURFACE,” OF SECTION 28-203, ENTITLED “DEFINITIONS AND DESCRIPTIONS,” TO EXCLUDE DECKS IN CERTAIN CIRCUMSTANCES.”

Mr. Mark Healey, PP, explained the changes made to the Ordinance concerning impervious surface as it related to decks within the Borough. He opined that it was consistent with the Master Plan because the Master Plan made a similar recommendation for long driveways in relationship to front yard setbacks.

Mr. Speeney raised concern about water run-off created by decks and disagreed with Mr. Healey.

The Board had a brief discussion to clarify some of the conditions to be included in the Ordinance. The Board recommended the following language be included in the Ordinance. “Further, in order to be excluded from the definition of ‘impervious surface,’ the decking surface of the deck shall be comprised of wood, composite lumber or other such material placed in the form of generally parallel boards with gaps in between so as to allow the water runoff to fall between the boards to the pervious surface beneath and shall not consist of concrete, tile, pavers or other such surface that does not allow water runoff to fall to the pervious surface below.” The Board made the recommendation that the Borough Council adopt the Ordinance with the added language above-mentioned.

On motion by Ms. Spingler, seconded by Mr. Sims, the board directed Ms. Snyder to write a letter to the Mayor and Council stating OR: 21/06 was not inconsistent with the Master Plan and

that the Board make the recommendation to adopt the Ordinance with the inclusion of the recommended language based on the following roll call vote:

Roll Call:

Ayes:	Ms. Spingler, Councilman Martino, Mayor Balla, Mr. Pote, Mr. Fiorilla, Mr. Sims, and Chairwoman Schaefer
Nays:	Ms. Pennett and Mr. Speeney
Not Eligible:	
Abstain:	
Absent:	Mr. Ellis

#### COURTESY REVIEW

Board of Education  
New Storage Building  
Valley View Middle School  
50 Valley View Road

Mr. Linnus explained capital projects proposed by the Board of Education in the expenditure of public funds must go before the Planning Board for an informal review. The Board of Education was not required to take the recommendations of the Board.

Mr. Speeney read the site plan committee report into the record.

Mr. Frank Bowlby went through the comments on the site plan committee report. He informed the Board that all games will be held at Phillip's Field. The BOE planned to incorporate green giant arborvitae for shielding; therefore, fencing would not be necessary. He explained the parking spaces would be modified. Mr. Bowlby explained there were currently two smaller sheds on the property that would be removed with the construction of the shed and would comply with fire regulations.

The Board found no inconsistencies with the Master Plan. The Board recommended the following:

- 1) The exterior lights be properly shielded.
- 2) After the installation of the new shed, the two existing smaller sheds on the property be removed.
- 3) Heat detectors be installed.
- 4) The construction of the shed would follow fire code regulations.

On motion by Mr. Pote, seconded by Mr. Speeney, the board directed Ms. Snyder to write a letter to the Mayor and Council based on the following roll call vote:

Roll Call:

Ayes: Ms. Spingler, Councilman Martino, Ms. Pennett, Mayor Balla, Mr. Speeney, Mr. Pote, Mr. Fiorilla, Mr. Sims, and Chairwoman Schaefer

Nays:

Not Eligible:

Abstain:

Absent: Mr. Ellis

On motion by Ms. Pennett, seconded by Mr. Speeney, the board directed Mr. Linnus to write a resolution based on the following roll call vote:

Roll Call:

Ayes: Ms. Spingler, Councilman Martino, Ms. Pennett, Mayor Balla, Mr. Speeney, Mr. Pote, Mr. Fiorilla, Mr. Sims, and Chairwoman Schaefer

Nays:

Not Eligible:

Abstain:

Absent: Mr. Ellis

ADJOURN

The Board unanimously voted to adjourn the meeting at 9:30 pm.

Respectfully Submitted,



Theresa Snyder  
Board Clerk