

**HARDING TOWNSHIP PLANNING BOARD
MEETING MINUTES
JUNE 26, 2023**

CALL TO ORDER AND STATEMENT OF COMPLIANCE—Mr. Clew

Mr. Clew announced the meeting of the Harding Township Planning Board was given as follows: Notice was sent to the *DAILY RECORD* and the *OBSERVER TRIBUNE*, posted on the Township Bulletin Board, and filed with the Clerk's Office, located in the Township Hall located at 21 Blue Mill Road, New Vernon, NJ. Notice indicated that formal action may be taken.

ROLL CALL—Ms. Taglairino

The roll was called. The following were present:

Mr. Newlin, Mr. Jones, Mr. Edgar, Mr. Chipperson, Mr. Clew, Ms. Walters, Mr. Yates, Mr. dePoortere and Ms. Claytor

Mr. Loughlin, the Board Attorney, Mr. Fox, the Board Engineer, Ms. Mertz, the Board Planner and Lori Taglairino, the Board Secretary, were also present.

There was a delay of meeting due to a power outage. Power was restored for a few minutes. The minutes reflect the action taken during the brief time there was power and the administrative items that were addressed after the power went out again.

There was no testimony given during the outage. There was a scheduling of a site inspection and administrative items during the outage.

REGULAR MEETING

Mr. Clew announced the following:

Mr. Clew thanked Mr. Foley and Mr. dePoortere for getting the generator back on line.

PB #01-23, GHK II & III, LLC, 655 & 665 Spring Valley Rd., **(Carried to a Special Meeting scheduled for July 24, 2023).**

During the power outage, the following announcements were made:

PB Application #03-23, Michael Anderson and PB Application #02-23, PSE&G, were both carried until the July 24, 2023 meeting with no further notice.

The July 24, 2023 will have a special start time of 6:00 p.m. where the Planning Board will hear PB Application #03-23, Michael Anderson and PB Application #02-23, PSE&G, and PB #04-23 Hurstmont Urban Renewal.

The Planning Board will hold a Special Meeting on July 31, 2023 to hear PB #01-23, GHK II & III, LLC and other business that will be determined at the July 24, 2023 meeting.

A site inspection was scheduled for PB #04-23 Hurstmont Urban Renewal on July 15, 2023 at 9:00 a.m.

MINUTES

The minutes were table until the July 24, 2023 meeting.

The following business was addressed on record while there was still power:

PB Application #05-21 Amendment

Environmental Approach Amended Resolution

Mr. Jones recused himself.

Mr. Loughlin addressed an amendment to this application. He noted that the changes had been reviewed by the Planner and the Engineer with no substantive impact on the prior site plan. The changes are included in the amended resolution.

Mr. Yates made a motion to approve the amended resolution. It was seconded by Mr. dePoortere. On a voice vote, all were in favor of approving the amended resolution.

The amended resolution is appended to the minutes.

OLD BUSINESS

PB Application #03-23

Michael Anderson
604 & 608 Spring Valley Rd., B3/L3.01 & 3.02
Minor Subdivision

Presenting:
Nicole Magdziak, Attorney
Harrison Barany, Engineer

Mr. Barany was sworn in for testimony.

- Ms. Magdziak presented an application for a minor subdivision that proposed to create a 3 lot reconfigured subdivision from 5 existing lots
- Ms. Magdziak noted that the Board held a site inspection for this application.

The recording stopped after this brief opening testimony.

OTHER BUSINESS

ADJOURNMENT

The meeting was adjourned at 8:22.

Respectfully Submitted by

Lori Taglairino, Planning Board Secretary

**HARDING TOWNSHIP PLANNING BOARD
AMENDED RESOLUTION
Preliminary & Final Site Plan Approval
Environmental Approach, Inc. – Application PB 04-21
1 Post House Road – Block 33.03, Lot 1
Adopted June 26, 2023**

WHEREAS, Environmental Approach, Inc. having received a resolution from the Harding Township Planning Board dated December 20, 2021 for preliminary and final major site plan approval and site plan exceptions to authorize construction of a garden center with related improvements on this property in accordance with the resolution from the Board which is attached as “Exhibit A”; and

WHEREAS, condition 3 of the Board’s December 20, 2021 resolution states, “These approvals are based on and authorize only the specific improvements proposed by the applicant and set forth in the testimony, application, and plans. New or amended approval may be required for any materially different improvements,”; and

WHEREAS, by letter dated May 9, 2023 from Nicole M. Magdziak, Esq. as counsel for the applicant, a request for the administrative approval of the Board for proposed modifications for only the interior layout of the building as specifically enumerated in this communication being submitted to the Board; and

WHEREAS, at its regularly scheduled public meeting on June 26, 2023 the Planning Board reviewed and discussed this request for approval for changes in the interior layout of the retail building on the property in accordance with the prior approval of this Board; and

NOW, THEREFORE, BE IT RESOLVED by the Harding Township Planning Board, on this 26th day of June 2023, that the Board’s approval of the request for an amendment to the Board’s prior resolution of December 20, 2021, to allow the specific proposed modifications to the interior layout of the building only, is hereby memorialized as follows:

Findings of Fact and Statement of Reasons

The Board having received, reviewed, and discussed the letter dated May 9, 2023 from the attorney for the applicant requesting the administrative approval of the Board for the proposed modifications to the interior layout of the building as specifically summarized and set forth therein. The building has already been constructed, and no changes are proposed in the exterior of the building or any of the site improvements on the property. The Board has also received and reviewed memorandum dated June 14, 2023 from the Planning Board Engineer reviewing the proposed plan modifications in accordance with two sheets of architectural drawings dated April 25, 2023 prepared by John B. Van Lenten, AIA. In his report to the Board the Board Engineer, Mr. Fox, has set forth, “This change would not alter the exterior appearance of the proposed building or the proposed location of the new building. No changes are proposed to the approved site plans.” The Board Engineer further states in his memo that he has no objection to approving the proposed change in building use on an administrative basis.

Regarding this request, the Board having also received a memorandum from the Board Planning Consultant that there are no new variances created as a result of the interior modifications requested. Further that there are no new waivers created or required as a result of the interior modifications. The Board Planner has noted that the proposed interior changes would increase the interior retail space from 600 square feet to 1800 square feet, and the property would “continue to have a surplus of parking available.” Ms. Mertz has further stated in her communication, “It is our understanding that the approved septic system can support the proposed two bathrooms subject to additional approval from the Board of Health for two bathrooms.” The Planning Board has now received a memo from the Harding Township Department of Health dated June 21, 2023 as to its review of the proposed modification of the interior of the retail garden center at the property. After acknowledging the architectural plans prepared by John B. Van Lenten dated 4/25/2023 as to the interior changes in the building, the Board of Health memo further states, “The

Health Department does not object to the modification of the proposed work as it does not constitute an increase in the daily calculated flow into the approved septic system over what was designed as per NJAC 7:9A.”

The Board having considered the request of the applicant and the communications from the Board Engineer, Planner, and the Harding Township Board of Health, and undertaking its own review and consideration of the proposed interior modifications to the existing building has determined that this request from the applicant should now be approved to satisfy the Board’s requirement in its prior resolution of December 20, 2021 that these specific improvements now requested by the applicant be brought before the Planning Board for its further approval as has now occurred as confirmed in this resolution.

Approval Conditions

This approval is granted subject to the following conditions:

That the applicant shall obtain further building permit and/or any other permits necessary or required for the interior changes in the building to now be undertaken by the applicant in accordance with the ordinances and regulations of Harding Township.

That other than the change in the interior layout of the building now approved for the applicant by the Board, all of the terms, conditions, and requirements in the Board’s prior resolution adopted on December 20, 2021 for this applicant and this property shall remain in full force and effect.