

**MINUTES OF THE  
REGULAR MEETING  
MENDHAM BOROUGH PLANNING BOARD  
JUNE 12, 2017**

**Garabrant Center, 4 Wilson Street, Mendham, NJ**

**CALL TO ORDER**

The regular meeting of the Mendham Borough Planning Board was called to order by Mr. Kraft at 7:31PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

**OPENING STATEMENT**

Notice of this meeting was published in the *Observer Tribune* and in the *Daily Record* on January 12, 2017 and was posted on the bulletin board in the Phoenix House in accordance with the Open Public Meetings Act, and furnished to all those who have requested individual notice and have paid the required fee.

**ATTENDANCE**

Mayor Henry – Present	Mr. Kraft - Present
Mr. Bradley – Present	Mr. Cascais – Present
Mr. Kay – Present	Ms. Lichtenberger – Present
Ms. Masse, Alt 1 – Present	Administrator Merkt – Present
Councilman Sharkey – Present	Mr. Sprandel – Present

Also Present:	Mr. Henry, Esquire
	Mr. Quamme, Engineer
	Mr. McGroarty, Planner

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**MINUTES**

Mr. Kraft asked the Board for any comments on the minutes of the regularly scheduled meeting of March 13, 2017. There being none, Mr. Cascais made a motion to approve the minutes and Mr. Sprandel seconded. On a voice vote the minutes were approved.

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**PUBLIC COMMENT**

Mr. Kraft opened the meeting to questions and comments on items not included in the agenda. There being none, the public comment session was closed.

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**APPLICATIONS**

**PB #1-17      David and Douglas Ketchum**  
7 Horseshoe Bend Road  
Block 2301 Lot 4 Major Subdivision

Mr. Peter Henry announced the adjournment of the aforementioned application to the regularly scheduled Planning Board meeting on July 10, 2017 at 7:30pm without further notice.

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**PB #10-16      4 East Main Mendham, LP** 4 East Main St  
BL 601, Lot 2  
Preliminary and Final Site Plan

Present: James Mullen, Attorney for Applicant  
Anthony Melillo, Principal of 4 East Main, Mendham, LP  
Robert Moschello, Engineer

Mr. Mullen explained that the applicant appeared in March before the Planning Board for minor site plan approval for parking lot reconfiguration and lighting upgrades. Mr. Moschello, previously sworn, mentioned that three LED wall sconces have been added at the rear of the building, one on the back and one on each side of the building. He also mentioned that two of the parking spaces will be used to facilitate ADA compliant parking, which would bring the number of parking spaces from seven to six. Mr. Henry inquired if there was any impact on the drainage easement or if there was any signage change proposed. Mr. Melillo confirmed that there would not be any changes. Mr. Henry mentioned that site plan approval would be contingent on resubmitting the site plan reflecting the ADA parking.

Mr. Kraft opened the meeting for public comment, there being none the public comment session was closed.

With no further comment from the Board or Professionals, Mr. Cascais made a motion to approve the application with the above conditions, and Mr. Bradley seconded the motion.

ROLL CALL:      The result of the roll call was 7 to 0 as follows:  
In favor:        Bradley, Cascais, Henry, Kay, Kraft, Merkt, Sharkey  
Opposed:        None  
Abstentions:    Lichtenberger, Masse, Sprandel

The motion carried.

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**PB #2-17      Murphy & McDonough LLC**  
**Mendham Creamery**  
2A Hilltop Rd  
Block 1501 Lot 1  
Site Plan Waiver

Present: Joseph Murphy, Applicant  
Sean McDonough, Applicant

After much discussion, the Planning Board agreed that the proposed ice cream shop / creamery can be defined as an eating establishment, however the proposed placement of exterior benches in front of the building does not constitute "outdoor seating" as that term is intended in the use definition's prohibition. Mr. Murphy also added that there would be no ice cream service outside. Mr. Henry asked about further clarification of the blue stone patio mentioned in the application, replacing the bushes in front of the building. A variance would be required if the patio didn't meet the 20-foot setback requirement. The applicant felt it was more comparable to a front porch, and therefore would not need the variance for the setback requirements of a patio.

Mr. Murphy and Mr. McDonough were sworn. Mr. Murphy discussed how the ice cream shop would be open seven days a week, with the approximate hours of 12 noon until 9:30pm - 10pm. Mr. Murphy also mentioned that they planned to close the creamery between December 1<sup>st</sup> and reopen on March 17<sup>th</sup>, St. Patrick's Day. There would only be two employees working at a time, and they were expected to park at Robinsons Pharmacy. He mentioned that customers could park behind the creamery, and that there were municipal parking lots across the street and adjacent to their location. Ice cream deliveries are expected to be on Tuesdays, and the delivery truck will park in front of the Past Time Club.

The applicant has also proposed a 24" by 24" hanging wood sign, on a 33" bracket enabling the sign to hang perpendicular to the building. Mr. McGroarty mentioned that the hanging sign needed a variance. The bracket for the sign would have two 39-watt halogen lights, set on a timer, which would extinguish when the creamery closes. Mr. Murphy also told the Board that the Mendham Creamery name and logo would be embossed in gold and black on the front door. Concerns were raised about the placement of trash receptacles, and the Board felt the placement of two trash receptacles on the inside of the establishment, near the front door, sufficed. However, further evaluation may be necessary.

Mr. Henry outlined the conditions of approval of the application, including the variance for the hanging sign and the less than 1% increase in impervious coverage for the front porch. He also mentioned Board of Health compliance and a post installation inspection of the lighting as well as an inspection by the fire official within 90 days. Mr. Murphy mentioned that they would like to initiate the interior renovations before the memorialization of the resolution.

Mr. Kraft opened the meeting for public comment, there being none the public comment session was closed. Mr. Sprandel made a motion to approve the application with the specified conditions, and Mr. Cascais seconded the motion.

ROLL CALL: The result of the roll call was 10 to 0 as follows:  
In favor: Bradley, Cascais, Henry, Kay, Kraft, Lichtenberger, Masse, Merkt, Sharkey, Sprandel  
Opposed: None  
Abstentions: None

The motion carried.

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**OTHER DISCUSSION ITEMS**

A new Site Plan Waiver has been submitted by Edward Jones, and is on the agenda for the regularly scheduled TRC meeting on June 19, 2017.

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**ADJOURNMENT**

June 12, 2017

Planning Board

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There being no additional business to come before the Board, Chairman Kraft adjourned the meeting at 8:03pm. The next regular scheduled meeting of the Planning Board will be held on **Monday, July 10, 2017 at 7:30PM** at the Garabrant Center, 4 Wilson Street, Mendham.

Respectfully submitted,

*Carolyn Mazzucco*

Carolyn Mazzucco  
Board Secretary