

**MINUTES  
PLANNING BOARD OF THE BOROUGH OF MADISON  
REGULAR VIRTUAL MEETING March 7, 2023**

A regular meeting of the Planning Board of the Borough of Madison was held on the 7th day of March 2023, at 7:30 P.M., via a Zoom electronic meeting.

The meeting was called to order by Planning Board Chairwoman, Ms. Astri Baillie. Ms. Baillie requested the reading of the Public Meeting Notice. Ms. Boardman read the following statement in accordance with the Open Public Meetings Act:

“Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: At the reorganization meeting of the Board held on January 17, 2023, the Board by Resolution adopted a schedule of meetings. On January 18, 2023, a copy of the schedule of meetings was posted at the bulletin board at the entrance to the Hartley Dodge Memorial, sent to the Madison Eagle and the Daily Record, and filed with the Borough Clerk all in accordance with the “Open Public Meetings Act”.

Beginning in **April 2020**, in response to public safety considerations and legal authorization, the Planning Board began conducting its monthly meetings on the previously noticed dates remotely using the Zoom platform, and subsequently separate notices have been published each month advising of this change and indicating that the procedures and requirements for monitoring such meetings and for making public comment, along with an explanation of the audio muting function of the electronic communications platform being utilized, is provided with detailed information on “How to Use Zoom and Participate” found on the Rosenet Webpage Communications / Virtual Meetings at <HTTP://www.rosenet.org/1273/Virtual-Meetings>.

The following roll call was recorded:

Present: Astri Baillie, Peter Flemming, Eric Range, Melissa Honohan, and Mayor Conley

Excused: John Forte, and Ann Huber

Absent: Tom Harris and George Limbach

Also Present: Vince Loughlin, Planning Board Attorney

Susan Blickstein, Board Planner

Dennis Harrington, Board Engineer

Frances Boardman, Board Secretary

**Approval of Minutes:**

The Minutes of the Regular Meetings held on February 21, 2023, were distributed to all Board members prior to the meeting.

A motion to approve the minutes as presented this evening was made by Mr. Flemming seconded by Ms. Honohan. A voice vote of “Aye” was heard by all eligible voting members and recorded.

**Comments by the Public:**

Ms. Baillie opened the floor to the public for anyone that wishing to be heard on any matter that was not on this evening’s agenda. Seeing none, that portion of the meeting was closed.

**Resolutions for Memorialization** – None

**OLD BUSINESS** –

**CASE NO. P 21-006**

**Preliminary & Final Site Plan with Variances**

**66 Main, LLC**

**66 Main Street and 3 Central Avenue**

**Block: 1802, Lot: 4**

At the request of the applicant's attorney, this application will be carried to the March 21, 2023, Planning Board agenda.

**NEW BUSINESS** –

**CASE NO. P 22-004**

**Preliminary and Final Site Plan with Variances**

**Ledan Holdings, LLC**

**5 Central Avenue**

**Block: 1802, Lot: 3**

This application is being carried to the Planning Board meeting to be held on Tuesday, March 21, 2023.

**CASE NO. P 08-012A**

**Amended Preliminary and Final Site Plan with Variances**

**J & R Rentals, LLC**

**25 Green Village Road**

**Block: 3001, Lot: 22**

Mr. Steven Greenberg, Esq., provided a brief introduction regarding the application before the Board this evening. The witnesses present to testify this evening include Mr. Michael Tobia, Planner, Dr. Laura Livoti, prospective tenant and applicant Mr. Robert Chambon.

Sworn in to testify was Mr. Michael Tobia, 92 Overlook Road, Morristown, NJ. Mr. Tobia provided his qualifications and was accepted as an expert witness. Mr. Tobia began his testimony. The following exhibits were marked:

Exhibit A-1: 10 page color photos of site prepared by Michael Tobia, dated December 26, 2022

Exhibit A-2: Site Plan of Existing Conditions prepared by ABC Surveys, LLC dated 12/07/2022

Mr. Tobia explained that the applicant is seeking the restriction in the 2008 resolution prohibiting medical use on the first floor be lifted. The only changes to the site will be the addition of one (1) EV Charger. The variances requested include a parking variance where 24 spaces are existing and 32 spaces are required. There is also a very slight increase in impervious lot coverage.

Mr. Tobia shared his screen and proceeded to go through Exhibit A-1. He stated that the increase in impervious coverage is minor and is increased due to a concrete pad under the dumpster on site as well as under the air conditioning units. There has been no tenant on the first or third floor of this building since 2008. There have been continuous long-term vacancies. Parking was discussed and it was expected that the AM peak would have a total of six cars in the parking lot and the PM peak would have a total of eight. There is additional on-street parking in front of the building along Green Village Road. The applicant is

seeking permitted medical use on the entire first floor. There is no determinant to the public good or impairment of the zoning plan and ordinance.

Ms. Baillie asked if the Board had any questions for Mr. Tobia, seeing none she opened the meeting to the public. Seeing no one with a question for Mr. Tobia, that portion of the meeting was closed.

Dr. Laura Livoti prospective address of 25 Green Village Road, Madison was sworn in to testify. Dr. Livoti stated that she is a Madison resident that is looking to open her own orthodontist practice. Dr. Livoti took the Board and professionals through a typical day; she stated that the proposed floor plan would have four clinical chairs, a consult room and an x-ray room. Hours would be standard business hours and made by appointment. She believes that there is adequate parking on site for the practice.

Mr. Flemming asked if Dr. Livoti would be the sole practitioner. Dr. Livoti answered “yes” but if the practice grows, an associate may be hired for the practice.

There was no further questions from the Board or professionals. The meeting was then opened to the public, seeing no one with any questions that portion of the meeting was closed.

Mr. Greenberg called his next witness. Mr. Robert Chambon, 1753 Maryam Drive, Martinville, NJ was sworn in. Mr. Chambon reiterated that the buildings first and third floors have been empty for many years. The second floor is the only floor that has been rented.

Ms. Baillie asked the Board or professionals if they had any questions for Mr. Chambon. Mr. Harrington discussed Storm-water Management, and he recommended it be inspected and cleaned as necessary, and that it remain a continuing condition if the Board looked favorably on this application. He also stated that an Annual Report should be submitted as required by the DEP. Dr. Blickstein stated that the existing sign should be reused and this be a condition in the resolution.

The meeting was then opened for any member of the public for comment. Seeing none that portion of the meeting was closed.

Mr. Greenberg provided a brief closing statement. The Board began their deliberation and Mr. Loughlin provided the conditions that would be incorporated in the resolution.

Ms. Baillie asked for a motion to approve the application this evening with the resolution recommendations as provided by Mr. Loughlin, a motion was made by Mayor Conley, seconded by Mr. Flemming.

The following roll call was recorded:

“Ayes” – Mayor Conley, Mr. Range, Ms. Baillie, Mr. Flemming and Ms. Honohan

“Nays” – None

**PLANNING DISCUSSION –**

**CORRESPONDENCE** –

Since there was no further business to come before the Board, Ms. Baillie asked for a motion to adjourn the meeting at 8:35pm.; this motion was moved by Mr. Range, seconded by Mr. Flemming. A voice vote of “aye” was heard by all members present and carried.

Respectfully submitted,  
Fran Boardman, Board Secretary