

Minutes of the Regular Meeting of the Morris Plains Planning Board held on October 20, 2025 at 7:30 P.M. in the Council Chambers, 531 Speedwell Ave. Morris Plains, NJ. The following members were present:

## **PLEDGE OF ALLEGIANCE**

Present: Mr. Steve Augenblick  
Mr. Andrew Wolff  
Mr. John Bezold, Vice Chair  
Ms. Marianne Steckert  
Mr. Michael Garavaglia, Chair  
Mr. Bill Houston  
Mayor Jason C. Karr  
Mrs. Suzanne McCluskey

William Ryden, Borough Engineer  
Andrew Brewer, Board Attorney  
Spach Trahan, representing Elizabeth Leheny, Borough  
Planner  
Karen Coffey, Board Secretary

Absent: Ms. Elizabeth Leheny, Borough Planner

The meeting was called to order by Mr. Garavaglia. Mr. Garavaglia made the statement that adequate notice of this meeting has been published and posted in accordance with Chapter 231 of the Public Law of 1975, "Open Public Meetings Act." This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.

## **APPROVAL OF MINUTES**

Ms. Steckert made a motion to approve the minutes of the September 15, 2025 meeting, with corrections, seconded by Mrs. McCluskey. Voice Vote. All in Favor. Mr. Augenblick and Mr. Bezold abstain.

**Motion carried.**

## **COMMENTS FROM THE PUBLIC**

- None

## **COMMITTEE REPORTS**

### **Minor Site Plan Committee**

- None

### **Master Plan Review Committee**

- None

**CORRESPONDENCE AND BILLS**

Mr. Wolff read the voucher(s) for payment.

<b>Maraziti &amp; Falcon, LLP</b> General Legal Services	<b>PO #20251833</b>	<b>\$ 437.50</b>
<b>Maraziti &amp; Falcon, LLP</b> General Legal Services – McDonald’s Litigation	<b>PO #20251832</b>	<b>\$2,817.50</b>
<b>Anderson &amp; Denzler</b> Engineering Services – September 2025	<b>PO #20251807</b>	<b>\$ 483.50</b>
<b>Phillips Preiss Grygiel Leheny &amp; Hughes</b> General Planning	<b>PO #20251792</b>	<b>\$ 701.25</b>
<b>Phillips Preiss Grygiel Leheny &amp; Hughes</b> General Planning	<b>PO #20251791</b>	<b>\$ 165.00</b>

Mr. Wolff moved to approve the Purchase Orders, seconded by Mrs. McCluskey

**Roll Call**

Yeas: Mr. Augenblick, Mr. Wolff, Mr. Bezold, Ms. Steckert, Mr. Garavaglia,  
Mr. Houston, Mayor Karr, Mrs. McCluskey,

Nays: None

Abstain: None

Absent: None

**Motion carried.**

**APPLICATIONS**

**Application: PB – 1-25 – Rivian, LLC. – Completeness**  
**Block: 23 Lots:1.01 329 Speedwell Avenue**

Mr. Garavaglia stated the Board is reviewing the application for completeness only. No testimony will be heard.

Mr. Papparo, attorney for the applicant from Porzio, Bromburg and Newman, introduced himself. He stated this is an application for completeness of preliminary and final site plan application. The purpose of the application is to convert site and existing building into a Rivian electric vehicle service center with electric vehicle charging stations. Three (3) waivers were requested.

Mr. Garavaglia asked Mr. Ryden to review his report dated October 10, 2025.

Mr. Ryden reviewed his letter dated October 10, 2025:

Checklist E: Site Plan

Item 18: List of property owners within 200’ not provided.

Item 34c: Storm drains with gradients not provided.

Item 35c: Storm drains within 200’ not provided.

Item 36: Drainage Area maps not provided. Waiver requested and recommended.

Item 38: Affidavit for qualified wetlands expert not provided.

Item 49 a-d: Recycling data not provided.

Item 52: Landscaping plan. Waiver requested and recommended.

Item 57c: Landscaping plan. Waiver requested and recommended.

Item 58c: Environmental Impact Statement. Waiver requested and recommended.

#### Checklist F: Variances

Item 18: List of property owners within 200' not provided.

Item 26: Affidavit for qualified wetlands expert not provided.

Mr. Ryden recommended that the Board deem the application administratively incomplete.

#### **Questions from the Board**

Mr. Wolff asked why waivers were recommended for landscaping?

Mr. Ryden felt the landscaping plan was minimal. He thought this could be dealt with, on a limited basis, during the review process. The comment for the Environmental Impact Statement is the same. It is typically for development involving stripping land and soil erosion issues. That is not the case with this application.

Mr. Augenblick asked if we are considering waiver and deficiency the same? For example, recycling.

Mr. Ryden stated recycling data was not provided, they are not asking for a waiver.

Mayor Karr asked since the affidavit from wetlands expert was not provided, could a waiver be requested?

Mr. Ryden stated the applicant did not request a waiver and it is not for him to decide.

Mrs. McCluskey stated she strongly disagrees that a landscaping plan is not required. She mentioned Bretton Woods which was known for its landscaping and gardens. When Arbor Terrace bought the property from Bretton Woods the Board met with them to discuss the desire to keep the landscaping as it was. This is now the opportunity to make 329 Speedwell, the beginning of the Borough, beautiful. She recommends that a landscaping plan is required. Also, this should include landscaping along East Hanover Avenue. If the development is approved without an extensive landscaping plan, we will not get this opportunity again for a long time. If the Board requires a landscaping plan, look at Arbor Terrace because that is what the Board would like to see. Mrs. McCluskey referred to Board of Adjustment Resolution 22-04 regarding the Storage Unit. It is a gateway to the Borough and should provide a desirable pedestrian environment and promote a desirable visual environment, The Storage Unit was not approved but the Planning Board may want to consider similar requirements.

Mr. Houston asked if they grant a waiver on the landscaping plan, at this point, does that mean they do not have to provide one as part of the package.

Mr. Ryden stated it means they do not have to provide a landscaping plan to be administratively complete. That does not mean the Board can't ask for a landscaping plan during the course of testimony and hearing.

Mr. Houston asked, in order to get the landscaping plan in front of the Board, we can grant the waiver but then require that they provide a landscaping plan as part of the final package?

Mr. Brewer stated the Board has done things like that in the past. You have to provide the information for which the waiver was being granted 10 days prior to the hearing date.

Spach Trahan stated the main comment from Ms. Leheny's report was regarding landscape plan. The Planner also thought this was potentially deficient.

Mr. Garavaglia stated he will be looking for 2 motions: One (1) for waivers and One (1) for completeness. He confirmed with Mr. Brewer that this could be done.

Mr. Garavaglia asked for a motion to grant the waivers requested.

Mr. Houston summarized the requested waivers: Item #36 drainage area maps, Item #52 landscaping plan, Item #57c final landscaping plan, Item #58c environmental impact statement.

Mr. Tiago Duarte, PE, Dynamic Engineering, Engineer for the applicant, requested the Board to amend waiver requests to add in Item #38 regarding wetlands. He wants to add additional waivers: Item #18 200' list, this was provided, Item #34c regarding storm drains. The full details are not on current plans. It is a fully developed site but could see to add that information to the plan. Item #35c would request a waiver from showing culvert and storm drains within 200'. The applicant is not looking to change any infrastructure around the property. They are looking to maintain everything currently on the site. Item #49 a-d this was not provided in the original application but will be provided during operational testimony.

Mayor Karr asked Mr. Ryden to clarify landscaping points.

Mr. Ryden stated Item #52 calls for a generalized plan of landscaping showing basic treatment. Item #57 calls for final site plan to show contours. A landscape plan should cover both of these items. Also, Item #18 must include Morris Township properties.

Mr. Papparo stated both lists were provided.

Mr. Ryden stated he did not receive the lists prior to his memo. He would support additional waivers requested tonight except Item #49 a-d regarding recycling.

Mr. Duarte stated if the Board was inclined to bring other waivers with the one exception, the applicant would be happy to submit that along with the landscaping information prior to the hearing.

Mr. Ryden stated they could have a completeness hearing only or completeness hearing and if deemed complete, move right into the public hearing.

Mr. Brewer stated the information needs to be provided to Mr. Ryden and the Board in order to consider completeness and then go in to the public hearing. This would not delay the applicant.

Mr. Garavaglia summarized the waivers granted for completeness: Checklist E: Site Plan: Item #18 (information provided), Item #34c, Item #35c, Item #36, Item #38, Item 58c. Item # 49 a-d, Item #52 and Item #57c waiver not granted, plan must be provided.

Mr. Brewer stated the motion would be to approve the following waivers from Mr. Ryden's letter: Item #18, Item #34c, Item #35c, Item #36, Item #38, Item #58c. Checklist F: Variances Item #18 and Item #26.

Mr. Garavaglia asked for a motion to grant the waivers requested.

Mayor Karr moved to grant requested waivers, seconded by Mrs. McCluskey.

**Roll Call**

Yeas: Mr. Augenblick, Mr. Wolff, Mr. Bezold, Ms. Steckert, Mr. Garavaglia, Mr. Houston, Mayor Karr, Mrs. McCluskey,

Nays: None

Abstain: None

Absent: None

**Motion carried.**

Mr. Garavaglia asked for a motion to deem the application incomplete.

Mayor Karr moved to deem the application incomplete, seconded by Mr. Wolff

**Roll Call**

Yeas: Mr. Augenblick, Mr. Wolff, Mr. Bezold, Ms. Steckert, Mr. Garavaglia, Mr. Houston, Mayor Karr, Mrs. McCluskey,

Nays: None

Abstain: None

Absent: None

**Motion carried.**

Mr. Garavaglia stated if all information is received, the Board could deem the application complete next month and go right in to the public hearing. The applicant would need to Notice ten (10) days prior to the November meeting.

Mr. Wolff asked if during the public hearing, fire safety could be addressed. Mr. Duarte agreed.

### **OLD BUSINESS**

**None**

### **NEW BUSINESS**

**None**

### **EXECUTIVE SESSION**

Mr. Brewer read Resolution 25-13 for the Board to go into closed session.

Mr. Wolff moved to approve the resolution for Executive Session, seconded by Mayor Karr.

#### **Roll Call**

Yeas: Mr. Augenblick, Mr. Wolff, Mr. Bezold, Ms. Steckert, Mr. Garavaglia,  
Mr. Houston, Mayor Karr, Mrs. McCluskey

Nays: None

Abstain: None

Absent: None

**Motion carried.**

#### **Roll Call**

Yeas: Mr. Augenblick, Mr. Wolff, Mr. Bezold, Ms. Steckert, Mr. Garavaglia,  
Mr. Houston, Mayor Karr, Mrs. McCluskey

Nays: None

Abstain: None

Absent: None

**Motion carried.**

Executive session began at 8:06 p.m.

McCluskey moved to close Executive Session, seconded by Ms. Steckert.

#### **Roll Call**

Yeas: Mr. Augenblick, Mr. Wolff, Mr. Bezold, Ms. Steckert, Mr. Garavaglia,  
Mr. Houston, Mayor Karr, Mrs. McCluskey

Nays: None

Abstain: None

Absent: None

**Motion carried.**

Closed Session was adjourned and returned to regular session at 8:38pm

Mr. Garavaglia stated the next scheduled Planning Board Meeting will be November 17, 2025.

**ADJOURMENT**

There being no further business, Mrs. McCluskey moved that the meeting be adjourned, seconded by Ms. Steckert. Voice vote. All in favor.

**Motion carried.**

Karen M. Coffey  
Board Secretary

Susan Collopy  
Recording Secretary