

**TOWNSHIP OF MORRIS
PLANNING BOARD
REGULAR MEETING MINUTES
APRIL 7, 2008**

Call to Order

Meeting of the Township of Morris Planning Board was called to order on Monday, evening April 7, 2008 at 7:30 P.M. in the Municipal Building, 50 Woodland Avenue, Township of Morris.

Statement of Adequate Notice: The Chairman issued the following statement:

"I hereby announce and state that adequate notice of this meeting was provided by the Secretary of this Planning Board by preparing a notice dated March 31, 2008, specifying the time, date and place of this meeting, posting such notice on the bulletin board in the Municipal Building; filing said notice with the Clerk of the Township of Morris; forwarding the notice to the Morris County Daily Record and the Morris News Bee, and forwarding, by mail, the said notice to all persons on the request list, and I hereby hand a copy of such notice to the Secretary of the Planning Board for inclusion in the minutes of this meeting, all of the above actions being in accordance with N.J.S.A. 10:4-6, et seq., Open Public Meetings Act."

Pledge of Allegiance was led by Mr. Haan, Chairman

Roll Call of Planning Board Members and Professionals

Members Present

Mr. Rick Haan, Chairman
Mr. Laurence Bobbin
Mr. Jeremiah Loughman
Mr. Craig Goss (seated at 8:23 pm)
Mr. Scott Rosenbush
Mr. Leigh Tucker Doxsee
Mr. Anthony Romano
Mr. Jeffrey Grayzel
Mr. Kevin McNally, Alternate #2
Mr. Franz Vintschger
Ms. Linda Murphy, Alternate #1

Professionals Present

Brian Burns, Board Attorney
James Slate, Board Engineer

Professionals Absent

Adrian Humbert, Board Planner
Sonia Santiago, Secretary

Consideration for approval of minutes of the February 4, 2008 regular meeting.

Mr. Rosenbush moved seconded by Mr. Romano, unanimously carried the minutes of the February 4, 2008 regular meeting were approved as amended and placed on file.

Resolutions

PB-11-07, Ryan Automotive-Open Road Mazda
Block 10201, Lot 19, 108 Ridgedale Avenue, I-21 zone.

Amended Site Plan/Variance

Applicant proposes to reconfigure the existing Nissan dealership and install a new dealership for Mazda in the former auto-service area of the Nissan dealership. A new service area will be installed in the one-story masonry building to the rear of the existing service facility. Applicant also seeks various variance relief.

Mr. Burns, Board attorney informed the Board that the applicant's attorney would like to address the Board prior to memorializing the resolution. This will be an informal discussion. Therefore, any discussion by the applicant's counsel or the Board is non binding.

Mr. Henshaw, attorney for the applicant stated that this was an application for site plan approval, one of the issues that we got wrapped up in related to signage, in particular the pylon and monument signs along the Ridgedale Avenue. The one that seems to be offensive to the Board relates to the Nissan dealership that was proposed in conjunction with a Mazda dealership in this application. My recollection in reviewing the transcript and review of Brian's draft minutes coincide and I think that the Board felt that the sign was inappropriate and if you remember the sign had a red top square but also the supporting extensions where also red. I have since learned by talking to my client who's been in dialog with national sales people from Nissan states that they will allow a sign to be erected fro the Nissan dealership that does not have the same color extending down the supports of the sign. Brian and I were talking on holding on the approval of the resolution being that I will be submitting an amended application deleting the red on the supports of the sign and leaving the rest of the plan the same. We also talked about adding impervious coverage and doing some stormwater management improvements including filters in the catch basins. I think the real thrust of the Board's concern is related to the sign and since we found a way through the National people from Nissan to change it, I was going to ask the Board to have a straw poll to see if that is the concern on the Board's mind in connection to this application.

The Board had a lengthy discussion on what was discussed at the previous meeting regarding the Nissan sign and informed the applicant's counsel that they would like to see the amended application and hear any comments or concerns that the public may have.

Mr. Rosenbush moved, seconded by Mr. Vintschger, and roll call as indicated that resolution of denial, attached hereto and by reference made part of the official minutes of this meeting, be adopted as circulated, memorializing the action taken by the Planning Board at the February 4, 2008 meeting.

Roll Call (Voting Members):

Mr. Bobbin	YES
Mr. Grayzel	YES
Mr. Vintschger	YES
Mr. Rosenbush	YES

PB-16-07, Hans Levenbach & Samer Samman Minor Subdivision/Variance
Block 3002, Lot 34, 35 & 36, 9 & 11 Longwood Place, RA-25/RA-15 zones.

Applicant's propose to modify the existing lot line for an equal exchange of 1,456 square feet of property. The proposed lot line adjustment will cause two encroachments in the required side yard setback on both of the properties and variance relief is being requested.

Mr. Rosenbush moved, seconded by Mr. Grayzel, and roll call as indicated that resolution of approval, attached hereto and by reference made part of the official minutes of this meeting, be adopted as circulated, memorializing the action taken by the Planning Board at the March 3, 2008 meeting.

Roll Call (Voting Members)

Mr. Bobbin	YES
Mr. Loughman	YES
Mr. Goss	YES
Mr. Rosenbush	YES
Mr. Doxsee	YES
Mr. Romano	YES
Mr. McNally	YES
Mr. Grayzel	YES
Mr. Haan	YES

Public Hearings

PB-12-06, Dr. Joel Meer Major Subdivision/Variance
Block 2802, Lot 7, 22 Valley View Street, RA-15 & OS-GU zones.

Applicant proposes to subdivide the property into three lots, two of which are proposed for new construction. Applicant seeks variance relief for various setbacks, waiver relief for steep slope disturbance and a de-minimums exception from RSIS is also been requested.

Mr. Henshaw stated to have received a fax from Mr. Burns office in regard to the jurisdiction issues regarding this application. I have reviewed the letter and talked to Mr. Burns and my client and we will not be moving forward this evening. If any neighbor present wishes to meet with me we can meet in the next room and I will hear their concerns. Applicant's counsel is to notice the new meeting date to all neighbors within the 200 feet radius.

PB-02-08, Township of Morris Courtesy Review
Block 9805, Lot 1, 77 Whippany Road, RA-25 zone.

Applicant proposes to install a back up generator at the Collinsville Firehouse.

PB-03-08, Township of Morris Courtesy Review
Block 5404, Lot 1, 1 Spring Brook Road, OS-GU zone.

Applicant proposes to install a back up generator at the Mt. Kemble Firehouse.

PB-04-08, Township of Morris
Block 201, Lot 4, 2 Burnham Road, OS-GU zone.

Courtesy Review

Applicant proposes to install a back up generator at the Fairchild Firehouse.

Proof of publication and affidavit of service filed and approved by the Board attorney.

Mr. Slate, Township Engineer presented the applications to the Board and stated that there are three different fire houses that are in need of generators. The generators that are proposed are 50 kw generators that will power the entire fire house in the event of power outage. There are generators at these locations some are operational some are not operational. The one's that are not operational cause some problems for the fire trucks to get out of the buildings, if the power is out the electric garage doors do not work. The doors can be opened manually and the fire chief installed a back up plug to allow generators to be plugged in, It takes time and slows the emergency response to manually open the doors or plug in the generators. They are gear down because they are very large doors and is an extremely slow system. We would like to have these generators in so that they could have back up power for the emergency system and most importantly the garage doors will open in the event of a power failure so that the fire trucks can get out. These generators will be tested once a week for approximately half an hour during the day. A lengthy discussion was carried regarding the locations of the generators at each of the sites and the noise levels.

The meeting was open to the public; no one appeared to be heard.

The Board asked Mr. Slate to look into the sound attenuation devices on the Collinsville Firehouse or other possibilities of getting a smaller generator for this location.

PB-17-07, Frank Brown/Bull Construction
Block 8905, Lot 3, 1 Woodside Road, RA-11 zone.

Minor Subdivision

Applicant proposes to subdivide the property to create two lots. The Municipal boundary of Morristown and Morris Township divides the property. Subdivision approval required in both municipalities. No structures are located in the Township portion of the property.

Proof of publication and affidavit of service filed and approved by the Board attorney.

Ms. Susan Rubright, Attorney for the applicant entered her appearance and presented the application to the Board members. Ms. Rubright stated that we are seeking a minor subdivision for 1 Woodside Road to create two lots. The property is split by the municipal boundary of Morristown and Morris Township. We have received minor subdivision approval from Morristown within the past month. We have not finalized the resolution of approval.

TCC report dated January 17, 2008 read for the record by Mr. Brian Burns, Board Attorney

Site Inspection report dated January 16, 2008 read for the record by Mr. James Slate, Board Engineer

The following person sworn in by the Board Attorney appeared to be heard.
John Hansen, Professional Engineer

No exhibits submitted during testimony.

Summary of Testimony – John Hansen, Professional Engineer

Mr. Hansen stated to have prepared the plans submitted to the Board. The subject property is approximately one acre. The property is bisected by the municipal boundary line. There are no fresh water wetlands and no wetland transition areas on the property. The property is also served by municipal sewer and water. We are here to subdivide the property to create an additional buildable lot. Mr. Hansen reviewed the plans submitted with the Board. We will comply with the Township of Morris tree replacement plan. A lengthy discussion was carried regarding the property runoff, RSIS requirements, buffering and setbacks among the two towns.

The meeting was opened to the public; the following persons appeared to be heard.

Burton Liebesman	69 Pippins Way
Ron Pennimpede	22 Rosemilt Place
Patricia Roechrer	5 Woodside Road

Mr. Bobbin moved seconded by Mr. Rosenbush that approval be granted to the application of Frank Brown/Bull Construction thereby permitting the minor subdivision on Block 8905, Lot 7 with conditions stipulated and that the Board Attorney be authorized to prepare a formal resolution memorializing action taken by the Board, same to be presented for consideration at the May 5, 2008 meeting of the Board.

Roll Call (Voting Members)

Mr. Bobbin	YES
Mr. Loughman	YES
Mr. Goss	YES
Mr. Rosenbush	YES
Mr. Doxsee	YES
Mr. Romano	YES
Mr. Vintschger	YES
Mr. Grayzel	YES
Mr. Haan	YES

Other Matters

Highlands Regional Master Plan-Final Draft – Mr. Slate informed the Board that the Highlands meeting with a presentation by the Executive Director, Eileen Swan that was originally scheduled for the Township Committee meeting to be held on April 16, 2008 has been rescheduled for Monday, April 14, 2008 at 7:00 pm. Ms. Swan will be doing a presentation to the Planning Board and the Township Committee. The presentation will be approximately 40 to 45 minutes.

Ordinance Amending Chapter 95-36 D Walls and Fences – Mr. Slate reviewed the ordinance with the Board. The Board had no changes to be made.

Mr. Vintschger moved seconded by Mr. Romano and unanimously carried, the ordinance is being referred to the Township Committee for adoption.

Extended Stay Ordinance – Mr. Slate stated that there was an item from Adrian Humbert which he did some research maybe we would like to hold on this until Adrian is back and it will give the Board some time to read the information that has just been submitted. I suggest that we carry this to the next meeting when Adrian is back. He looked into other towns and some definitions related to the extended stay ordinance. Mr. Burns stated that they had followed up on the question last time about weather or not we could by zoning ordinance require that this building be sprinklered. I wrote to the board indicating the based on what we found in the UCC and also I spoke to John Terry who is considered to be the contact person to the UCC with DCA. The answer is, no, we cannot require sprinkler by resolution of approval. A lengthy discussion was carried regarding the sprinklers among the Board and the Township professionals. The extended stay ordinance is tabled until the next meeting for further review.

Master Plan Sidewalks – Mr. Slate stated to have some ideas on some of the roads that were listed in the re-examination report. I would like some direction from the Board if the Board had any thoughts of limits and links and where we wanted to go. I am in the process of putting estimates together for our budget. I particularly thought of Hanover Avenue where we would like to see sidewalks. I have highlighted some of the facilities that are out there. A lengthy discussion was carried regarding certain links that are necessary and the higher population areas. The Board recommended to focus on higher population areas.

Closed Session – Carried to the next Board meeting.

With no further business for consideration by the Township of Morris Planning Board, on motion duly made, seconded and carried, the meeting was adjourned at 9:55 pm.

Respectfully submitted,

Sonia Santiago, Secretary
Township of Morris Planning Board