

**TOWNSHIP OF MORRIS  
PLANNING BOARD  
REGULAR MEETING MINUTES  
MARCH 6, 2006**

Call to Order

Meeting of the Township of Morris Planning Board was called to order on Monday, evening March 6, 2006 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 February 27, 2006, 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. Laurence Bobbin  
Mr. Craig Goss  
Mr. Robert Nace  
Mr. Anthony Romano  
Mr. Franz Vintschger  
Mr. Richard Watson  
Mr. Rick Haan  
Mr. Leigh Tucker Doxsee

Members Absent

Ms. Cathleen Earle  
Mr. Jeremiah Loughman  
Mr. Linda K. Murphy

Professionals Present

Adrian Humbert, Board Planner  
Brian Burns, Board Attorney  
James Slate, Board Engineer  
Sonia Santiago, Secretary

Consideration for approval of minutes of the February 6, 2006 regular meeting.

Mr. Nace moved seconded by Mr. Goss, unanimously carried the minutes of the February 6, 2006 regular meeting were approved as circulated and placed on file.

**Public Hearings**

PB-02-06, County of Morris

Courtesy Review

Block 2404, Lot 26, West Hanover Ave. OS-GU zone.

Applicant proposes to rehabilitate the existing armory for Health Department offices, and hazmat management purposes related to the existing county programs.

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

Randall Bush, First Assistant for the Morris County Counsel entered his appearance and presented the application to the Board members.

The following professional appeared to be heard.  
Stephen Hammond, Morris County Engineer

TCC report dated March 2, 2006 was read for the record by Mr. Adrian Humbert, Professional Planner.

The following were submitted as exhibit during testimony.  
Colored rendering site plan

The meeting was opened to the public; the following persons appeared to be heard.  
Patricia Plonski 176 W. Hanover Ave.  
Audun Gythfeldt 630 W. Hanover Ave.

Summary of Testimony – Stephen Hammond, Morris County Engineer

Mr. Hammond stated that the County had given this land to the State and then the State returned it back to the County. The building is not in good condition in the inside and it will be gutted. This building will be used for offices of County Health Management and Haz Mat material team. This will be strictly office use no hazardous material storage will occur at this location. We have fifteen employees that will be at this location on a daily basis. There will be two small classrooms as a back up joint operation centers our main operation center and Emergency Management Office is located in the Fire and Police Academy in the event that facility burns down or goes down everyone will come to this facility. This is only a back up facility. Mr. Hammond also stated that what was previously the drill floor in the back will be used as a garage area for the hazardous material response truck and a mobile command truck and there is room for one more truck in the future. Where the kitchen was we will be storing hazardous clean up materials such as speedy dry, over pack barrels and other Haz mat clean up material. The existing garage is presently occupied by the County Sheriff Department. There will be parking improvements and landscaping improvements. The lighting will remain the same no spill on to the neighbor's property. No weekend operation will be conducted. A fire hydrant will be placed according to the Township requirements. The main entrance and exit will be from the traffic signal.

Mr. Romano moved, seconded by Mr. Goss and unanimously carried that approval be granted to the application of the County of Morris thereby permitting the renovation of the Armory on Block 2404, Lot 26 and that the Board Attorney be authorized to prepare a formal letter of approval.

PB-25-04, Thomas Seneca Minor Subdivision/Variance  
Block 5903, Lot 2 & 3, 8 Westminster & 12 Edgewood Rd, RA 35 zone.

Continuation of the October 17, 2005, November 14, 2005, December 5, 2005, January 9, 2006 and February 6, 2006 public hearings for a major subdivision to create three building lots. Lot 2 consisting of 36,038 SF, Lot 2.01 consisting of 35,210 SF and lot 3 consisting of 35,147 SF. Applicant is requesting a variance from ordinance section 95-28 for the proposed front yard set backs, a 60 foot front yard set back is proposed where 75 feet is required.

Mr. Haan stated we have completed the public comments on this application at the last meeting we will now give the opportunity for any one who has not spoken on this application to speak. Opened to the public for comments no one appeared to be heard.

Mr. Michael Hubner, Attorney for the applicant entered his appearance and presented a brief overview of the application to the Board members. Mr. Hubner stated that he has spoken to Mr. Burns in regard to intensive comments from the Board, the public and professionals. We would like to reopen the application to present a conceptual plan. The conceptual plan eliminates the three front yard variances. The revised plans also move the cul de sac back between lot 2.01 and 3. This will leave us with the original two variances which is created by the property. It leaves us with the building envelopes that are created as a result of your bulk conditions and seeking no further relief and houses will be designed within the building envelope and no further variances will be sought. By moving the cul de sac back many concerns that were expressed by Ms. Wise through Mr. Bonelli has been addressed. Mr. Schommer will review the changes.

The following professional previously sworn in by the Board Attorney appeared to be heard.

Rusty Schommer, Professional Engineer

The following was submitted as an exhibit during testimony.

A-6 Updated Colored Subdivision Site Plan

Summary of Testimony – Rusty Schommer, Professional Engineer

Mr. Schommer stated that they had changed the plan to eliminate the front yard variance and had moved the cul de sac between lot 2.01 and 3. Edgewood Road will be improved up to the cul de sac and the remaining of Edgewood will remain graveled. We will be requesting a depth variance for lot 2.01 we are proposing 150 ft. where 175 ft. is required. The total depth from the front lot line to the rear lot line is 168 ft. by putting a cul de sac in front of a lot reduces the lot depth. In terms of where the driveway will be we have not determined the design of houses to be built. The houses will conform to all of the Township

bulk requirements. The conservation easement has not been changed. Mr. Schommer also stated that the overall drainage plan will not change. A lengthy discussion was carried regarding the drainage and houses to be built on these properties and other improvements.

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

|                   |                                    |
|-------------------|------------------------------------|
| Jay Hellstrom     | 75 Overlook Road                   |
| Hughes Sutherland | 78 Overlook Road                   |
| Stuart Thomas     | 70 Overlook Road                   |
| David Budd        | 80 Overlook Road                   |
| Paul Nash         | 4 Westminster Place                |
| Ronald Goldberg   | 4 ½ Hill Top Circle                |
| Jon Bonelli       | Attorney for the Objector Ms. Wise |

Summary of Testimony – Jon Bonelli, Attorney for the Objector, Ms. Wise

Mr. Bonelli requests the Board adjourn the application until they have time to review the plans submitted by the applicant. He also stated that being that the cul-de-sac has been moved that the stormwater report will change and a new report will need to be submitted by the applicant. The Board asked Mr. Bonelli to review the plan during recess and then question Mr. Schommer.

Recess is taken at 9:13 PM  
Meeting reconvened at 9:26 PM

Mr. Hubner entered his appearance and mentioned that he had a conversation with Mr. Bonelli during the break regarding the improvements to be completed and asked the Board if a resolution could be done with stipulations. Mr. Burns stated that it was best if they submitted updated plans and updated stormwater report for the Board and public to review before making a decision.

The application of Thomas Seneca was carried to the April 3, 2006 Planning Board meeting without further notice. The applicant has granted an extension of time until April 30, 2006.

PB-10-05, John S. Pennewell

Minor Subdivision

Block 6401, Lot 13, 93 Springbrook Road, RA -15 zone.

Applicant proposes a minor subdivision to create two building lots. Lot 13 to consist of 25,000 SF, Lot 13.01 consisting of 25,000 SF. The existing house on lot 13 is to be razed and a new house is proposed on each lot.

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

Mr. Douglas Henshaw, Attorney for the applicant entered his appearance and presented the application to the Board members.

TCC report dated 7/05 and 10/05 read for the record by Mr. Adrian Humbert, Professional Planner.

The following professionals sworn in by the Board Attorney appeared to be heard.  
Jay Guider, Professional Engineer

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

Raymond Caselli  
Ronald Goldberg

100 Springbrook Road  
4 ½ Hill Top Circle

Summary of Testimony – Jay Guider, Professional Engineer

Mr. Guider stated this is a single lot approximately 200 ft. wide and a depth of 250 ft for a zone that requires half of this. Lot area required is 15,000 sq ft. we are proposing two lots of 25,000 sq ft. each. We are conforming with the lot width of 100 ft. and depth required is 100 ft and we are proposing 250 ft. The front yard of 35 ft is required and provided and side yard of 20 ft on one side with a total of 50 ft and a rear yard of 25 ft. We have provided house foot prints that fall within this area. The lot slopes down to the rear of the property. There will be several trees in 20 to 30 inch in diameter being removed and replaced with 15 trees scattered along the property line between the two lots. A lengthy discussion regarding the building envelope and other improvements was carried.

Mr. Romano moved, seconded by Mr. Doxsee that approval be granted to the application of John Pennewell thereby permitting the Minor Subdivision with conditions be granted 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 March 20, 2006 meeting of the Board.

**Other Matters**

- A. Resolution for Engineering Consulting – Mr. Slate presented the resolution to the Board members. He informed the members that he recommends to continue working with the engineers who have worked with The St. Mary's Abbey CCRC application.

Mr. Doxsee moved seconded by Mr. Vintschger and unanimously carried that approval of the resolution be granted as amended for the Engineering Consulting Services.

- B. Ordinance change for Morris Museum – currently OS-GU zone does not allow for museums in the zone and technically they have to apply to the Board of Adjustment for any changes to the site. Request to be sent to the Township Committee that we add museums to the permitted uses in the OS-GU zone.

Mr. Vintschger moved seconded by Mr. Nace and unanimously carried that the recommended zone change be forwarded to the Township Committee for consideration. Mr. Watson abstained from the Morris Museum zone change.

Sonia is directed to submit a letter to the Township Committee recommending the ordinance change for introduction.

For the record Mr. Vintschger and Mr. Doxsee abstained from the application of St. Mary's Abbey CCRC review of Engineer Consultant.

- C. Spring Brook pump house was previously discussed and they have come back with a preliminary design replacing the existing sprinkler system like the Morris County Golf Course. They would like to relocate the building into a more shielded area. The Board previously approved the pump station to be handled administratively and Mr. Slate wanted to update the Board of the changes. Mr. Slate was given the authority to handle the revisions administratively.
- D. Townhomes in OL-15 zone - Mr. Slate stated that we have received an application for Townhomes in the old Verizon building on James Street. They would like to get the Board input on zone change for this location. Mr. Humbert stated that this proposal was for 100 age restricted homes which is not stated on the proposed plans. Previous to this the same owner had come with a proposal of a extended stay for people discharged from the ICU at Morristown Hospital the deal didn't go through. This was for a 50 bed extended care unit contracted to the Hospital. We recommend that the Board start thinking of the kind of use for these commercial buildings. This is a good time to look at this being that we are updating our zoning map.
- E. Zone Change Ordinance for PRC zone – This will show on the zoning map that Block 3103, Lot 60, Block 3103, lot 59 as PRC zone for these properties and the Villa Walsh that the old zoning should be withdrawn and the new zone should be placed in the area of St. Joseph's Hall.  
  
Mr. Vintschger moved seconded by Mr. Romano and unanimously carried that the PRC zone be adopted as presented and a recommendation for adoption be forwarded to the Township Committee.
- F. Zoning Map Review - Carried to the March 20, 2006 Planning Board meeting for discussion.

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 10:33 pm.

Respectfully submitted,

Sonia Santiago, Secretary  
Township of Morris Planning Board