

**TOWNSHIP OF MORRIS
PLANNING BOARD
REGULAR MEETING MINUTES
FEBRUARY 5, 2007**

Call to Order

Meeting of the Township of Morris Planning Board was called to order on Monday, evening February 5, 2007 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 January 29, 2007, 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
Mayor Robert Nace
Mr. Anthony Romano
Mr. Franz Vintschger
Mr. Jerry Loughman
Mr. Richard Watson
Ms. Linda Murphy, Alternate #1
Mr. Rick Haan

Members Absent

Mr. Leigh Tucker Doxsee

Professionals Present

Brian Burns, Board Attorney
James Slate, Board Engineer
Sonia Santiago, Secretary

Professionals Absent

Adrian Humbert, Board Planner

Consideration for approval of minutes of the January 8, 2007 regular meeting.

Ms. Murphy moved seconded by Mr. Loughman, unanimously carried the minutes of the January 8, 2007 re-organization and regular meeting were approved as circulated and placed on file.

Resolutions

PB-20-06, Craig & Elizabeth Pfalzgraf
Block 8403, Lot 1, 2 Shephard Place, RA-15 zone.

Site Plan/Waiver

Applicant proposes to convert the existing one story dentist office to an in-law apartment pursuant to the conditional use of §95-37N. A site plan waiver is requested as there is no exterior improvement proposed.

Mr. Vintschger moved, seconded by Mr. Romano, 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 January 8, 2007, meeting.

Roll Call (Voting Members):

Mr. Bobbin	YES
Mr. Goss	YES
Mr. Nace	YES
Mr. Romano	YES
Mr. Vintschger	YES
Mr. Watson	YES
Mr. Haan	YES

Certified Shorthand Reporter (CSR) was present for the following application.

Public Hearings

PB-16-05, Omnipoint Communications
Block 10401, Lot 2, 268 Martin Luther King Boulevard, I-21 zone.

Site Plan/Variance

Applicant proposes to construct a 120 foot high wireless telecommunications monopole and six flush-mounted antennas with equipment shelter. Applicant also proposes a building coverage of 38.2 percent where 33 percent is permitted.

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

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

TCC report dated December 8, 2005 & May 4, 2006 read for the record by Mr. James Slate, Township Engineer.

Radio Frequency report dated December 23, 2005 from Mr. Ronald Graiff, Township Radio Frequency Consultant, read for the record by Mr. James Slate, Township Engineer.

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

Mr. Archie Dickson, Radio Frequency Engineer Expert
Mr. Daniel Collins, Radio Frequency Engineer
Ms. Ekta Shah, Civil Engineer

The following were submitted as exhibit during testimony.

A-1 Topographical Map
A-1a Overlay of Signal Coverage with gaps
A-1b Overlay of Signal Coverage of 84dbm
A-1c Overlay of Drive Test with actual measure levels
A-2 Antenna Site FCC Compliance report

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

Ms. Vernetta Dawkins 4 Gregory Terrace

Summary of Testimony – Mr. Archie Dickerson, Radio Frequency Expert

Mr. Dickerson stated that his job is to search for gaps in our network coverage and ways to resolving these gaps we look for places where we can build sites that will be acceptable by the people and the boards and where it will provide coverage for the customers of Omnipoint. Mr. Dickson proceeded by reviewing the exhibit A-1 Topographical Map of the area which shows other sites for communications in the area. Mr. Dickson stated that he was unable to locate any other antennas on top of buildings within the OSGU sites in the area. He also stated that some of the buildings in the areas are below the tree level and we cannot locate our antennas behind buildings or trees. Mr. Dickson stated he had researched several OSGU zones and other buildings in the area and the locations were not appropriate to place the antennas because we are in need of 100 feet. If we were to built a site below the tree line this will affect the performance of the site especially during the summer months which the trees are in full bloom. Mr. Dickson proceeded to review the overlay exhibits submitted with the Board which consisted of the gap areas and test drive data with actual measured levels.

The meeting was opened to the public for questioning of Mr. Dickson; no one appeared to be heard.

Summary of Testimony – Mr. Daniel Collins, Radio Frequency Engineer

Mr. Collins reviewed exhibit number A-2 named Antenna Site FCC RF Compliance report.

Summary of Testimony – Ms. Ekta Shah, Civil Engineer

Ms. Shah stated that the monopole proposed is to be located to the west of the property in question. We will be placing the flushed mount antennas at 100 feet and the others at 90 feet. The compound will have T-Mobile cabinets on a concrete pad with electrical panels. This monopole will be able to co-locate two other carriers and a possibility to expand the

monopole to 120 feet high. A 6 foot high board on board fence will be placed to fence in the compound cabinets at the base of the monopole. Landscaping will be provided to buffer the area. No light is being proposed. Maintenance will be done every six (6) weeks, no water or sewer is being proposed. There is plenty of parking on site for maintenance employees. The proposed monopole will be a galvanized steel pole. No signs will be posted. The variance that is being requested is for the fence which the Township requires 3.5 feet high and we are proposing a 6 foot high fence.

The applicant was asked to search the Colgate property for potential placement of the antennas away from the residential area. The application is carried to March 5, 2007 Planning Board meeting without further notice.

**Recess taken at 9:41 pm
Meeting reconvened at 9:52 pm**

PB-13-06, Scion of Morristown

Site Plan/Variance

Block 10401, Lot 10, 177 Ridgedale Avenue, I-21 zone

Applicant proposes to use the existing auto parts building and site for a new Scion dealership. Applicant seeks a variance for impervious lot coverage of 97.5% is proposed where 75% is allowed. Additional variances are sought for signs, lot width, setbacks and various issues related to parking.

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

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

TCC report dated October 14, 2006 read for the record by Mr. James Slate, Township Engineer

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

- Mr. John Hansen, Licensed Engineer
- Mr. Anthony Ferrara, General Manager of Toyota
- Mr. Robert Michaels, Professional Planner

The following were submitted as exhibit during testimony.

A-1 Photo Board of the Site

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

Burton Liebesman

69 Pippins Way

Summary of Testimony – John Hansen, Licensed Engineer

Mr. Hansen stated that the proposed application was for a small automobile dealership and service area for Scion of Morristown (Toyota). There are no steep slopes or wetland in the area. We are proposing to expand the existing island in the front of the building and other minor changes to the property. Parking lot will be repaved and striped 88 additional spaces will be added. A dry well will be installed to the South of the property collecting roof top runoff. We are proposing to upgrade the lighting to 150 watts. The following variances are also being requested. Variance for the front yard setback we are proposing to maintain the existing 100 feet, the Township requires 125 feet, side yard setback we are proposing 10.1 where 15 feet is required this reduction is due to the canopy that is proposed to provide building mounted signage. Maximum lot coverage required by the Township is 75% we are proposing 97.5% there will be no increase in stormwater. Total required parking spaces are 36 we are proposing 30 parking stalls with a 9 foot width where a 10 foot width is required. We are also proposing a 24 foot back up aisle between parking stall where 25 feet is required. Variance is required for the location of the loading space we are proposing the loading space within the southerly drive aisle. We are not proposing to have any car carriers to deliver cars to the site. The sign variance is for the canopy that will be installed in front of the building the ordinance allows for one sign and we are proposing two signs which require a variance. The applicant was asked why they were not connecting to sanitary sewer line. Mr. Hansen stated that there will be no increase in use and the system can handle the property. The Board suggested the applicant to check with the Health Department if the building will not be connecting to the sanitary sewer line.

Summary of Testimony – Anthony Ferrara, General Manager for Toyota

Mr. Ferrara stated that he was responsible to the day to day operation of Toyota of Morristown. We are looking to sell and service Scion cars at this location. This is a different sales line. The parking spaces proposed are adequate for the type of business that is done in this line of cars. There are three (3) sales persons; five (5) in the service area, three (3) model cars on display in the showroom and three (3) for test drives and the rest of the parking spaces are for customers. This site mainly will be for maintenance, warranty and accessory work. Tires will be kept at the Subaru site. We are proposing to install a 200-300 gallon tank for oil waste that will be pumped out. Minimum inventory is kept on site. A lengthy discussion was carried in regard to car preparation for delivery and car deliveries.

Summary of Testimony – Robert Michaels, Professional Planner

Mr. Michaels stated that the reason why we are requesting the variances requested is due to the property not being wide enough. We are proposing to pave and upgrade the entire site. This will improve the physical character of the property. The number of parking spaces requested is appropriate to the use of the site. The variances requested will not impact the neighbors and variances can be granted without any detriment to the public good. Mr. Michaels proceeded to review exhibit A-1 photo board with the Board. A lengthy discussion was carried in regard to building façade and landscaping.

It was recommended by the Board attorney that the applicant revise the plans and consider the loading space, curbing and the canopy changes discussed. The application is carried to the March 5, 2007 Planning Board meeting without further notice.

Other Matters

Ordinance #01-07 Amending Chapter 95 of the Ordinances of the Township of Morris adding a new section "95-28.1" Maximum Permitted Residential Area for Single Family Dwelling"

Mr. Watson stated that this matter was going to be presented to the public at the February 7, 2007 Township Committee meeting changes will come from the public comments and will be referred to Adrian Humbert and Brian Burns for further review before it is considered for adoption by the Township Committee. This matter is tabled until public meetings are held.

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 11:25 pm.

Respectfully submitted,

Sonia Santiago, Secretary
Township of Morris Planning Board