

**TOWNSHIP OF MORRIS
PLANNING BOARD
REGULAR MEETING MINUTES
OCTOBER 6, 2008**

Call to Order

Meeting of the Township of Morris Planning Board was called to order on Monday, evening October 6, 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 September 30, 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
Mr. Scott Rosenbush
Mr. Leigh Tucker Doxsee
Mr. Anthony Romano
Mr. Franz Vintschger, Vice Chairman
Mr. Jeffrey Grayzel
Ms. Linda Murphy, Alternate #1
Mr. Kevin McNally, Alternate #2

Professionals Present

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

Professionals Absent

Adrian Humbert, Board Planner

Resolutions

Consideration of the following resolutions thereby memorializing the action taken by the Board at the September 8, 2008 special meeting.

PB-21-06, Joseph & Christine Prestifilippo Amended Preliminary Approval
Block 3703, Lot 6&7, 22-24 Indian Head Road, OS-GU & RA-130 zone.

Applicant seeks relief from the preliminary approval for the extension of public water service to the project.

Mr. Loughman moved, seconded by Mr. Doxsee, 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 amended, memorializing the action taken by the Planning Board at the September 8, 2008, special meeting.

Roll Call (Voting Members):

Mr. Bobbin	YES
Mr. Loughman	YES
Ms. Murphy	YES
Mr. Doxsee	YES
Mr. Romano	YES
Mr. Vintschger	YES
Mr. Grayzel	YES
Mr. Haan	YES

PB-14-08, Joseph & Christine Prestifilippo Final Major Subdivision
Block 3703, Lot 6&7, 22-24 Indian Head Road, OS-GU & RA-130 zone.

Applicant seeks final major subdivision to create four buildable lots.

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 September 8, 2008, special meeting.

Roll Call (voting Members):

Mr. Bobbin	YES
Mr. Loughman	YES
Ms. Murphy	YES
Mr. Doxsee	YES
Mr. Romano	YES
Mr. Vintschger	YES
Mr. Haan	YES

Public Hearings

PB-06-08, Ryan Automotive of Morristown

Amended Site Plan/Variance

Block 8603, Lot 1.01, 170 Madison Avenue, B-11 zone.

Continuation from the June 2, 2008, July 21, 2008 and August 4, 2008 public hearings, applicant proposes to modify the existing dealership building with a 1,892 square foot addition on its west side to expand the service department of the building. Applicant also seeks various variance reliefs.

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

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

Michael Tobia, Professional Planner

Brett Skapinetz, Professional Engineer

The following were submitted as exhibit during testimony.

A-5 Colored Rendering site plan with more green space

A-6 Parking Shift exhibit

Summary of Testimony – Michael Tobia, Professional Planner

Mr. Tobia stated that this is a variance from your 95-55 B and it simply says “no loading in the front yard” loading has taken place on Madison Avenue in front of the dealership for many years because there is no room in the property. We have looked into the circulation around the back of the property and we found it impossible without losing parking space. To do unloading in the rear of the property will eliminate one of the fundamental objectives on this site, which is to get this dealership operating on one site without cars being stored elsewhere or serviced elsewhere. We felt that there were advantages to unload in the front yard and clear and long-standing practical difficulties with the existing site to circulate and unloading around the back. This will be for new car delivery only. The parts delivery will be done at the easterly side of the building where there is adequate room for a box truck to circulate around the building. The front yard loading area for deliveries is the optimal location for and it supports all the needed proofs. Mr. Tobia further testified that the Township code 95-54 E-2 requires a 25 foot aisle width the only place where an aisle width is an issue is a small area where the employee parking is located the width is 22 feet. There is another area on the westerly side of the property which is 19 feet wide and that is only for storage of the mini vehicles. Customer parking in the front of the building has more than adequate aisle width and around the back there is a 25-foot dimension as you go across the rear of the service building. For these reasons we feel that the aisle width is defensible. We are dealing with the practical limitation of the existing site. Mr. Tobia proceeded to discuss the sign variance with the Board. Mr. Tobia stated that there is a 10 foot proposed set back for the new sign it was moved to identify the main entrance into the site, there is a variance for setback. The size of the freestanding sign is below the standards and the two wall signs are well below the Township standards in size. There is a variance request for the number of signs that are being proposed. A lengthy discussion was carried regarding signs, impervious and parking for the proposed dealer.

Summary of Testimony – Brett Skapinetz

Mr. Skapinetz stated that there were 18 visitors' parking spaces along the front of the building and there were 127 other spaces a combination of employee and storage spaces. In the current plan there are 14 visitor's spaces along the front of the building and 128 spaces for storage and employees. Mr. Skapinetz proceeded to review exhibit A-6 which consisted of parking and landscaping along the Madison Avenue. He further testified that the impervious coverage will remain the same 88.5% and two trees will be planted in the front. A lengthy discussion was carried regarding impervious coverage, landscaping and parking.

The meeting was opened to the public for questions and comments; the following person appeared to be heard.

Brien McDonald

11 Easely Terrace

Mr. Bobbin moved, seconded by Mr. Rosenbush that approval be granted to the application of Ryan Automotive thereby permitting the construction of the service area and other improvements with the conditions as 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 October 20, 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
Ms. Vintschger	YES
Mr. Grayzel	NO
Mr. Haan	YES

PB-11-08, Villa Walsh

Site Plan/Waiver

Block 4101, Lot 1, 455 Western Avenue, OS-GU zone.

Applicant proposes to construct a synthetic turf soccer field adjacent to the existing field. Applicant also seeks a steep slope waiver.

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

Mr. James Slate, Township Engineer, read the TCC report dated July 3, 2008 and the Environmental Commission Report dated July 9, 2008 into the record.

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

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

Charles Thomas, Professional Engineer
Matt Olds, Synthetic Field expert

The following were submitted as exhibit during testimony.

A-1 Charles Thomas qualifications report
A-2 Colored rendering of the site plan
A-3 Enlarged Colored Rendering of the site plan
A-4 CPSC –Analysis & Assessment of synthetic turf

Summary of Testimony – Charles Thomas, Professional Engineer

Mr. Thomas stated that the proposed plan is to construct a synthetic soccer field. This field will be 225 by 360 feet. We will have under drains and a recharge system that is going to be built. The project will also have small bollard lights to light the way and a 4 x 14 scoreboard, which will be, mounted 10 feet high and it will be facing the field. There will be no other lights on the field. The field will be 180 feet from Western Avenue, we have a large buffer, and there is a 75-foot buffer, which will more than exceed. There are some waivers that we need. Mr. Thomas proceeded to discuss the steep slope disturbance plans. We are disturbing steep slopes that exceed 25%, there is also an area that is called the soil pile. Most of these slopes are man made and for this reason we are asking for a waiver from the steep slope ordinance. There will also be 279 trees that will be removed, of that amount 208 are trees 8" or greater, 71 are 24 inches in diameter or larger, based on the ordinance calculations we are required to replace 530 trees. What we are proposing is 285 replacement trees. We will be replanting and staggering trees in other areas of the site. For this reason we are asking for a waiver from the tree replacement. The field will be used during the fall and spring season. A lengthy discussion was carried regarding steep slopes, drainage and tree replacement among the applicant's professional and the Board.

Summary of Testimony – Matt Olds, Synthetic field expert

Mr. Olds stated that there is no lead on the synthetic field that is installed by his company. There were some fields that were placed here in the State of New Jersey and they had found some elevated levels of lead chromium. There is no current limit of lead for synthetic fields. What we ask the customer is that every two to three months go out in the field and level the infield to have a level field. The turf field has no need to be re-stripped the stripping last as long as the field is down. We have a certified lab that comes to the field and tests for lead chromate and the results are sent to the customer. Morristown Beard has the product that his company placed and they are pleased with the product. He stated that the fields that his company has placed no one has complained about the fields being too hot or any issues related to the need to disinfect the fields.

The meeting was opened to the public for questions and comments; no one appeared to be heard.

Mr. Rosenbush moved, seconded by Mr. Romano that approval be granted to the application of Villa Walsh thereby permitting the construction of Synthetic turf soccer field with conditions as 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 October 20, 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

**Recess taken at 10:08 pm
Meeting reconvened at 10:16 pm**

The following members step down from the following application
Mr. Vintschger, Mr. Doxsee and Mr. Grayzel
Ms. Murphy and Mr. McNally are seated at 10:16 pm.

PB-18-08, St. Mary's Abbey/Trust for Public Land
Block 4501, Lot 2, 230 Mendham Avenue, OS-GU zone.

Major Subdivision

Applicant proposes to subdivide the property into five lots to facilitate an open space purchase.

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

Mr. Edward Broderick, Attorney for the applicant entered his appearance and presented the application to the Board and requested that due to the late hour he would like to have the application carried to the next meeting of the Board. Application is carried to October 20, 2008 Board meeting without further notice required.

PB-13-08, Abbey Woods at Delbarton
Block 4501, Lot 2, 230 Mendham Avenue, OS-GU zone

Amended Site Plan/Variance

Applicant proposes modifications to the approved clubhouse floor area, construction of two batting cages and a variance relief for the placement of 20 foot netting adjacent to the parking lot.

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

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

The following professionals sworn in by the Board Attorney appeared to be heard.
Theodore Cassera, Professional Engineer
Steve Lutto, Professional Architect

The following were submitted as exhibit during testimony.

- A-1 Colored site Plan dated 10-6-08
- A-2 Colored Grading Plan
- A-3 Colored Rendering of the lighting plan
- A-4 Colored Site Cross section
- A-5 Colored previously approved clubhouse
- A-6 Colored Proposed clubhouse
- A-7 3-D colored rendering of the clubhouse

Summary of Testimony – Theodore Cassera, Professional Engineer

Mr. Cassera stated that due to a change in the clubhouse. The clubhouse was one single building of 14 thousand square feet. We have evaluated the activities that will be going on at the clubhouse and we have come up with a new design for the clubhouse. The building is half the size of what was approved and is divided into three pieces. On the west side of the baseball field parking lot we are proposing a netting 20 feet high for additional protection to the parking lot. With the previous approval we had asked for a variance for two 6-foot retaining walls and they were granted. Similarly, now we have two locations, we have a ball pen that we have shifted from the third base location out to the far left field location as per the request of the baseball coach and we have a 6 foot maximum height wall average three foot high that goes around the north and west of the area with an 8 foot fence on top of the retaining wall. We are asking for two variances for this proposal. We are also adding seven additional lighting poles for the fields along the twelve-foot path for safety reasons. The poles will be 15 feet high with a lantern fixture. There will not be lights on all night, lights are to go off at 10:00 pm. Mr. Cassera proceeded to review exhibit A-4 titled site cross section. He stated that they had reduced the height of the clubhouse but we are asking for the waiver because of the roof pitch. The new clubhouse may be accessed from the path; we have also added a lift for handicapped accessibility. In addition we have a batting cage between the parking lot and the baseball field. After reviewing the plans we have instead located two batting cages immediately to the south at the same grade as the clubhouse that can be used in bad weather, it will be synthetic turf for the batting cages and we have eliminated the one next to the parking lot. The structure to the south of clubhouse is the two batting cages there is a fence along the edges and then for inclement weather there will be canvas on top of the cages and it will not be higher than the clubhouse. These building will not be visible from Sugar Loaf Road. The proposed clubhouse footprint is much smaller than what was approved. There will be a snack bar with a patio, the building to the east is the utility building and the building in the middle is the locker rooms. A lengthy discussion was carried regarding the retaining walls, lighting and water source.

Summary of Testimony – Steve Lutto, Professional Architect

Mr. Lutto stated that the proposed clubhouse creates a most efficient functionally and less disturbance to the site. The new plan consists of three components, the building to the west will house the men and women's restrooms with a small concession stand, the large facility will house the team locker rooms, and the east building will house the maintenance and storage building. The three components that make up this building sits on an elevated plaza type area, and it is accessed by a handicapped lift to the west side. The profile of the building consists of a shed roof not higher than the previous building. The roof profile is to bring daylight and natural ventilation into the facility. The exterior of the building is proposed to be a finished block. The retaining walls will support the 6, 537 square foot clubhouse

compared to the original proposal of 13,913 square feet. This building will be environmentally friendly.

The meeting was opened to the public for questions and comments; the following persons sworn in by the Board attorney appeared to be heard.

Sharon Remlinger
Jack Shepard

9 Bridgade Road
540 Jockey Hollow Road

Mr. Romano moved seconded by Mr. McNally that approval be granted to the application of Abbey Woods at Delbarton thereby permitting the modifications to the clubhouse with conditions as 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 October 20, 2008 meeting of the Board.

Roll Call (Voting Members):

Mr. Bobbin	YES
Mr. Loughman	YES
Mr. Goss	YES
Mr. Rosenbush	YES
Mr. McNally	YES
Mr. Romano	YES
Ms. Murphy	YES
Mr. Haan	YES

Applicant requested to proceed with the project; they were informed that if they were to proceed with the project it will be at their own risk and language would be added to the resolution to reflect the action taken.

Other Matters

A. Normandy Real Estate Parking Deck – due to the late hour this discussion is carried to the next meeting of the Board

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 11:08 pm.

Respectfully submitted,

Sonia Santiago, Secretary
Township of Morris Planning Board