

BERNARDS TOWNSHIP

PLANNING BOARD

MINUTES

Regular Meeting

June 19, 2018

Chairwoman Piedici called the meeting to order at 7:31 PM.

FLAG SALUTE

OPEN PUBLIC MEETING STATEMENT

Chairwoman Piedici read the following open meeting and procedural statement:

"In accordance with the requirements of the Open Public Meetings Law of 1975, notice of this regular meeting of the Planning Board of the Township of Bernards was posted on the bulletin board in the reception hall of the Municipal Building, Collyer Lane, Basking Ridge, NJ, was sent to the Bernardsville News, Bernardsville, NJ, and to the Courier News, Bridgewater, NJ, on January 19, 2017 and was electronically mailed to those people who have requested individual notice and paid the required fee.

The following procedure has been adopted by the Bernards Township Planning Board. There will be no new cases heard after 10:00 PM and no new witnesses or testimony heard after 10:30 PM."

OATHS OF OFFICE

The following member was sworn in by Board Attorney, Ms. Razin:

- Gregory Hurley, Class IV, Alternate 1, fulfilling unexpired term of Asay, expiring 12/31/19.

ROLL CALL:

Members Present: Asay, Bianchi, Crane, Hurley, McNally, Malay, Piedici, Surano, Zaidel
Members Late: NONE
Members Absent: Coelho
Also Present: Board Attorney, Katie J. Razin, Esq.; Board Engineer, Cathleen Marcelli, PE, CME;
Board Planner, David Banisch, PP, AICP; Township Planner, David Schley, PP, AICP;
Board Secretary, Cyndi Kiefer.

Mr. Surano moved to excuse the absence of Dr. Coelho. Mr. McNally seconded and by unanimous Voice Vote, the motion was carried.

APPROVAL OF MINUTES

[June 5, 2018 Regular Session](#) - Mr. Zaidel moved approval of the minutes as written. Second by Ms. Asay.

Roll Call:

Aye: Asay, Bianchi, McNally, Piedici, Surano, Zaidel.
Nay: NONE
Abstain: NONE

Motion carried.

PUBLIC HEARING

**Ridge Oak Inc., Block 1609, Lots 22.01, 22.02, 22.03; 150 Manchester Drive;
Preliminary/Final Site Plan, Bulk Variances, Exceptions; #PB18-001.**

Present: Frederick B. Zelle, Esq., Attorney for the Applicant
Craig R. Villa, PP, PE, Engineer for the Applicant
Patrick J. Cody, PE, Lighting Engineer for the Applicant
Bonnie Kelly, Executive Director, Ridge Oak Senior Housing

Frederick B. Zelle, Esq., attorney with *Bisogno, Loeffler and Zelle, LLC*, Basking Ridge, NJ, stated that he was present on behalf of the applicant, *Ridge Oak, Inc.*, a private non-profit organization which leases housing to low income seniors. He explained that he would present testimony supporting approval to upgrade the outdoor lighting and conduit in current and new locations and to add a fiber optics network. In addition, the applicant was requesting variance relief for construction in a buffer area and two (2) exceptions for exceeding the maximum allowable illumination. Finally, seven (7) pre-existing nonconforming conditions required variance relief, none of which would be affected by the current application.

Mr. Schley, Mr. Banisch, Ms. Marcelli, Mr. Villa, Mr. Cody and Ms. Kelly were duly sworn by Ms. Razin.

Bonnie Kelly, Executive Director for Ridge Oak Senior Housing, was introduced as the first witness. She gave a brief overview of the subject property's ownership by six (6) community churches and the existing development on that property. She testified that the current lighting system, installed in 1977, was significantly compromised and that replacement parts were no longer available. The proposed upgrade to LED lighting would include replacement of fixtures in existing locations as well as the addition of lighting in new locations. New conduit and wiring would also be installed. The applicant sought to take advantage of the crews and trenching that would be required for the project in order to install a fiber optics network at the same time. Ms. Kelly testified that although some of the individual residences had fiber optic service, there was no campus wide network. She opined that this network could provide future opportunities to install cameras to enhance security as well as to improve communication especially during power outages and emergencies.

Chairwoman Piedici opened the meeting to the public for questioning of this witness. Hearing none, she closed that portion of the meeting.

Craig R. Villa, PP, PE, engineer with *Yannaccone, Villa & Aldrich LLC*, Chester, NJ, was accepted by the Board as an expert in the field of engineering.

Mr. Villa gave an overview of conditions on the subject property including the location of wetlands, wetlands transition areas and stream buffers. He testified that he had worked with David C. Krueger, Professional Wetlands Scientist with *Environmental Technologies Inc.*, Chester, NJ to determine how the proposed project would impact these areas. The number and location of lights and location of the conduit would remain the same in the wetlands transition areas and stream buffers and as such, Mr. Krueger confirmed (in a letter dated May 8, 2018) that this would qualify as regular maintenance, requiring no NJDEP or Township approval. In addition, proposed work in the riparian zone was designed to conform to the criteria required for a permit-by-rule which was also confirmed by Mr. Krueger in that same letter.

Mr. Villa further testified that no stormwater management measures were required and that no trees would be removed.

Mr. Villa addressed the items under his purview in Ms. Marcelli's memo dated June 13, 2018 noting that an application would be submitted to the Somerset Union Soil Conservation District since the trenching would exceed the 5,000 sq. ft. threshold.

In response to a concern about cost voiced by a board member, Mr. Schley stated that an as-built survey is usually required however for this project, a site plan showing the locations of the improvements with field changes noted should be sufficient.

Mr. Villa addressed the items in Mr. Schley's memo dated June 12, 2018. He noted that all the land in the 25 foot buffer zone had been disturbed when the property was originally developed and that there would be no changes made to the buffers other than upgrading the lighting.

In reference to Item #17 in his memo, Mr. Schley explained that although a conservation easement was normally required for the property, once the developed areas (pre-dating the Freshwater Wetlands Protection Act) were carved out, there would be little area remaining in the easement hence it would be of little value. He added that those areas are still regulated by the NJDEP. Mr. Zelle agreed to request a variance.

Mr. Villa stipulated to the remaining items in the memo that were under his purview.

Mr. Villa addressed comments in Mr. Banisch's June 15, 2018 memo that were under his purview.

Chairwoman Piedici opened the meeting to the public for questioning of this witness. Hearing none, she closed that portion of the meeting.

Patrick J. Cody, PE, engineer with *CM Engineering LLC*, Chester, NJ, was accepted by the Board as an expert in the field of electrical engineering with a focus on lighting.

Mr. Cody gave an overview of the site's existing lighting conditions. He testified that the lights are single bulb sodium high pressure lamps which were originally installed in the late 1970's. The project proposed to install LED lighting with multiple light emitting diodes for each lamp. This would increase the efficiency and would allow the lighting to be more directional. **Exhibit A-1**, a paper copy of a power point presentation, was introduced into evidence and showed the existing versus the proposed lighting pattern. Mr. Cody testified that with the existing lights, there were large dark areas between the bright areas under each lamp representing security and safety hazards. The proposed LED lighting would reduce the dark areas by dispersing and directing the light into those areas while at the same time, reducing or eliminating spillage onto neighboring properties.

Mr. Cody testified that even though there would be an increase in the number of light fixtures and lumens, there would be a decrease in wattage due to the improved efficiency.

A discussion ensued as to the overall safety and security of the walkways on the campus and the effect the updated lighting might have on the two (2) residential neighbors. Ms. Kelly testified that she had never received any lighting complaints from the neighbors.

In reference to the fiber optic plans prepared by *IT Initiatives*, Manalapan, NJ, Mr. Cody testified that he was familiar with the design and confirmed that this subject fell within his area of expertise.

Mr. Cody testified that a formal document showing the location of all underground utilities would be created by the contractor as part of the project.

Concerning safety issues associated with open trenches during the three (3) to four (4) months of construction, Ms. Kelly testified that she had made it clear to the contractor that at the end of each day, all sidewalks must be open to the residents and that she was comfortable with his plans to use cones, temporary fencing and temporary lighting throughout the duration.

Mr. Cody addressed comments in Ms. Marcelli's engineering memo dated June 13, 2018.

Mr. Cody addressed the comments in Mr. Schley's memo dated June 12, 2018.

Chairwoman Piedici opened the meeting to the public for questioning of this witness.

David Russell, 35 Fawn Lane, asked about the color of the proposed lighting. Mr. Cody testified that LED lighting is offered in a range of temperatures (colors). The proposed lighting would be on the lower end of the natural light color range.

Mr. Cody testified that the fiber optics network would start at Felmeth Hall and radiate out to the villages.

Hearing no further questions, Chairwoman Piedici opened the meeting for comments from the public. Hearing none, she closed that portion of the meeting.

Mr. Zelley summarized by listing the variances and exceptions sought by the applicant along with providing the required proofs to support approval.

Mr. Surano moved approval of the application, subject to the stipulations as stated during testimony and during deliberations. Mr. McNally seconded.

Roll Call:

Aye:	Asay, Bianchi, Crane, Hurley, McNally, Malay, Piedici, Surano, Zaidel.
Nay:	NONE
Abstain:	NONE

Motion carried.

COMMENTS FROM STAFF - None.

COMMENTS FROM BOARD MEMBERS

Chairwoman Piedici cancelled the July 3, 2018 Planning Board meeting for lack of business to conduct.

ADJOURN

Having no further business to conduct, Mr. Surano moved, Deputy Mayor Malay seconded and by unanimous Voice Vote, the meeting was adjourned at 9:40 PM.

Respectfully submitted,

Cyndi Kiefer, Secretary
Township of Bernards
Planning Board

Adopted as written: 08/21/18