

BERNARDS TOWNSHIP
ZONING BOARD OF ADJUSTMENT
MINUTES^{v2}
Regular Meeting
February 8, 2017

Vice Chairman Breslin called the meeting to order at 7:32 p.m.

OPEN MEETING STATEMENT

Vice Chairman Breslin read the following statement:

"In accordance with the requirements of the Open Public Meetings Law, notice of this regular meeting of the Board of Adjustment of the Township of Bernards was posted on the bulletin board in the reception hall of the Municipal Building, Collyer Lane, Basking Ridge, New Jersey; was mailed to the Bernardsville News, Bernardsville, New Jersey; the Courier News, Bridgewater, New Jersey; and was filed with the Township Clerk all on December 12, 2016, and was mailed electronically to all those people who have requested individual notice."

OATH OF OFFICE

Counselor Warner swore in the following member:

- Heather Bellows, Alternate #2, two year term expiring 12/31/18

ROLL CALL:

Members Present: Bellows, Breslin, Genirs, Lane, Mastrangelo, Nungester, Surano, Zaidel

Members Late: NONE

Members Absent: Rhatican; on motion by Mr. Zaidel, seconded by Mr. Lane, the absence of Chairman Rhatican was excused.

Also Present: Steven K. Warner, Esq., Township Engineer Thomas Timko PE, Township Planner David Schley AICP, PP, Joseph A. Fishinger PE, PP, PTOE/Retained Traffic Consultant, and Board Secretary Cyndi Kiefer.

COMPLETENESS HEARING

B3 LLC Vine Restaurant (ZB 16-032); Block 704 Lot 1.01; 295 Morristown Road; Preliminary & Final Site Plan & Variances.

Denis G. Murphy, attorney with Schwartz, Simon, Edelstein & Celso LLC, and counsel for the applicant advised the board members that the application encompassed a 991 square foot patio and garden. In addition, the applicant was requesting a waiver from environmental impact studies since the overall impervious coverage was being reduced. Mr. Schley recommended that the waiver be granted however the Board reserved the right to request this information. Counselor Warner questioned why there was no lighting plan and Mr. Schley confirmed that because there was no proposed lighting, a plan was not required.

A motion was made by Ms. Mastrangelo and seconded by Mr. Surano to deem the application complete.

Roll Call:

Aye: Genirs, Lane, Mastrangelo Nungester, Surano, Zaidel,
Vice Chairman Breslin

Nay: NONE

Abstain: NONE

Motion carried.

Mr. Schley advised that a hearing date had not been set.

CONTINUED PUBLIC HEARING

Verizon Corporate Services Group Inc. (ZB-16-026); Block 804, Lots 2.01 & 16; 295 North Maple Avenue; Floor Area Ratio Variance, Bulk Variances, Preliminary & Final Site Plan for Phase A and Preliminary Site Plan for Phase B. (application carried with no further notice from the January 4, 2017 meeting)

(Stenographer retained by Applicant)

Stephen E. Barcan, attorney with Wilentz, Goldman & Spitzer, and counsel for the applicant advised the board members that based on the comments from the last meeting, the plans had be revised to eliminate Phase B, the amenities building, from the application leaving just the parking deck, connectors and mechanical storage room (Phase A). This revision eliminated 33,000 square feet from the proposal. A Floor Area Ratio variance (d-4) would still be required (existing 23.84%, proposed 24.03%) solely for the connectors and mechanical storage room and the total coverage would be increased by 11,000 square feet as opposed to 44,000 square feet. A variance for total parking spaces would still be necessary (proposed 4,291 vs required 5,654). Counselor Barcan concluded by requesting that both Preliminary and Final approval be granted for Phase A.

A CD and hard copy of the revised Power Point presentation *without* the amenities building was introduced as **Exhibit A-2** (**Exhibit A-1** was introduced at the last meeting and contained the original Power Point CD and hard copy of same *including* the amenities building).

The cover page of the proposed revised site plans dated 02/06/17, page 1 of 20 prepared by Robert C. Moschello PE, Director of Engineering, Gladstone Design Inc. was introduced as **Exhibit A-3.**

The report on the January 14, 2017 site visit prepared by Amanda Wolfe was introduced as **Exhibit B-1.**

Counselor Warner asked if there were any members of the public who were represented by counsel. Hearing none, he asked the applicant to present his next witness.

Joseph Pjura, AIA, LEED AP, licensed architect with Gensler and architect for the applicant, was accepted as an expert witness in architure and sworn in by Counselor Warner.

Mr. Pjura discussed the revised Power Point presentation slides which showed an overview of the entire campus as it currently existed and also the location of the proposed parking deck. The current entrances to the site along with the traffic flow were also discussed. Mr. Pjura

stated that the current traffic patterns for both visitors and employees would not change. He then discussed the traffic flow within the parking deck and how movable barriers would keep employee parking separate from visitor parking. Finally he outlined potential screening proposals for the proposed elevations to help the structure blend into its surroundings.

In response to a question by Mr. Zaidel, Mr. Pjura stated that currently there were 348 parking spaces for visitors. That would increase to 425 with this proposal. In addition, the movable barriers in the parking deck would allow Verizon to adjust the visitor/employee parking ratio based on need.

Lighting was then discussed and Mr. Pjura noted that there was nothing in the township's ordinances governing indoor garage lighting so the standards cited in the Illuminating Engineering Society of North America were used. Because the lights would be mounted in the "T" elements of the building and were cast downward, there would be little light spillage. In fact, there would be less spillage than currently existed. For safety reasons the sidewalk bollard lighting was proposed at 1.5 foot candles where .9 was permitted. Additional lighting details would be provided.

The existing system of exiting via the same way as you entered was continued for security reasons. There would be no visitor parking spaces anywhere other than the garage and segregating visitors to one side of the garage with only one exit would prevent visitors from having the ability to roam all around the campus.

Exterior parking space sizing, interior parking space size, oversized vehicle parking and handicapped vehicle parking were then discussed.

Mr. Pjura felt that this testimony had addressed the comments listed in Mr. Schley's memo of December 30, 2016 and that the next revisions would comply with his remarks. Mr. Pjura added that the applicant would reach out the Basking Ridge First Aid Squad to ensure that the elevator was of adequate size to accommodate their stretchers and equipment.

Vice Chairman Breslin asked the board members if they had any questions for Mr. Pjura. Hearing none, he asked the public if they had any questions for this witness.

Kathy Liu, 241 Madisonville Road, asked questions about lighting. Todd Edelstein, Riverside Drive, asked about drainage and distances between the staircases.

Vice Chairman Breslin asked if there were any further questions from the public for this witness. Hearing none, he asked the applicant to produce his next witness.

Richard Sewell, Verizon Director of Real Estate Operations, Design & Construction, was sworn in as a fact witness, not an expert witness.

Mr. Sewell gave a brief history on how the site was chosen in 2005 and how the property had been developed since then. He discussed how the security gates worked and indicated that there would be no change to that operation. The initial occupancy of 1400 employees had grown to 5100 and was proposed to grow to not more than 6000 within the next two years. When asked if the proposed increase in parking spaces would be adequate to support that growth, Mr. Sewell responded that at any given time there was approximately 70% occupancy

in the building and that the proposed parking would accommodate the increased population. Currently, some of the employees parked in Verizon's offsite parking facility located in Harding and were bussed to the campus. That would be eliminated by the additional parking provided by the proposed parking deck. When asked if the population would ever exceed 6000, Mr. Sewell stated that it could not.

Vice Chairman Breslin questioned the interior office lights and noted that some of them were higher than the top of the garage. Mr. Sewell responded that the lights turn off at 7:00 pm however depending on the activity, private offices could override the controls.

There were questions from the public concerning the existing helipad, emergency lighting and a request for clarification of the parking numbers. Mr. Sewell responded that the helipad would not be used and that the 70% occupancy percentage multiplied by the potential 6000 employees resulted in 4200 spaces needed. The proposal would provide 4291 spaces.

Vice Chairman Breslin asked if there were any further questions from the public for this witness. Hearing none, he requested a recess at 9:00 pm.

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Vice Chairman Breslin reconvened the hearing at 9:13 pm.

Kenneth Mackiewicz, PE, CEO of *Provident Design Engineering PLLC*, and traffic engineer for the applicant was accepted as an expert witness in traffic engineering and sworn in by Counselor Warner. He discussed the traffic and parking impact of the increase to 6000 employees and referred to his report of December 29, 2016 entitled, "Traffic Impact and Parking Study" which was marked **Exhibit A-4**. Mr. Mackiewicz noted that his observations had been conducted in May and June of 2016 at peak periods when school was in session. There were 12 intersections in and around the vicinity of the site including the two main driveways (North Maple and Madisonville). Distribution of traffic and peak hour volumes were established. Mr. Mackiewicz stated that he did not expect these patterns to change because of the additional employees.

Mr. Mackiewicz then discussed the "1.1.1 Level of Service Summary" located on pages 4 and 5 of his report. Of the 12 intersections studied, 11 were very good and within acceptable ranges for both existing and future situations. The North Maple Avenue and Route 202 intersection was rated "F" (poor level of service) for both existing and future situations. Based on his calculations which included other proposed construction projects at this intersection, he stated that there would be a 1-2% increase in traffic. He then advised the board members that Verizon would be willing to pay its fair share to upgrade the intersection, adding that this would be a regional solution involving both the state and the township.

Joseph A. Fishinger, Jr., PE, PP, PTOE, traffic engineer with *MV5* and retained by the Board, clarified the numbers and the A through F Level of Service rating system that Mr. Mackiewicz used in his report. It was noted that during peak hours, a "D" rating was considered acceptable however if the Level of Service rating dropped to an "E" or "F", mitigation could be warranted.

Mr. Fishinger then addressed the Fair Share methodology and preset formulas that would be used by the State in calculating the monetary contribution that would be made by Verizon.

In response to a question from Mr. Zaidel, Mr. Mackiewicz stated that because the increase in traffic caused by Verizon would be di minimis, no traffic studies on Route 202 itself had been done.

Ms. Mastrangelo asked if Mr. Mackiewicz had considered the traffic impact of the construction. He replied that because Verizon could control the timing of that traffic and because there would not be significant numbers of workers, there would be little if any impact.

Mr. Mackiewicz stated that the temporary parking on the campus' ballfield would not affect the flow and circulation of traffic on the campus. He continued by stating that, conservatively speaking, the true parking demand for 6000 employees was 4122.

Mr. Fishinger advised the Board that Mr. Mackiewicz had addressed all the concerns he had listed in his memo dated December 29, 2016.

Vice Chairman Breslin asked if there were any members of the public who had questions for this witness.

Richard Hallett, 220 North Maple Avenue, asked whether the project would be done in stages and how the delivery of the pre-stressed concrete beams would be scheduled. Mr. Mackiewicz responded that the deliveries would be scheduled at off peak times. Mr. Moschello added that the construction would start on the north side and continue south.

Cathy Mastriano, 233 Madisonville Road, questioned whether more employees would be exiting at Madisonville Road to continue to North Maple Avenue after construction was completed. Mr. Mackiewicz responded that after completion of the project, in his opinion, the employees would continue to use the same exit they had used prior to construction.

Todd Edelstein, 317 Riverside Drive, questioned the use of the jitney from the offsite parking location in Harding and the commuter bus from the railroad. Mr. Sewell responded that there were two shuttles to Harding and one to the Summit train station. He noted that although Verizon planned to keep the Harding site, the shuttles would disappear once construction was complete.

Barbara Hallett, 220 North Maple Avenue, asked if any consideration had been given to the light at the intersection of North Maple Avenue and Madisonville Avenue. Mr. Mackiewicz replied that the timing could be reviewed however the increase would have a di minimis effect.

Kathy Liu asked how the timing of the traffic lights would be reviewed. Thomas Timko, PE, Township Engineer, responded that a post construction analysis would be done and if necessary, the results would be sent to the County for review.

Ann Luckie, 214 North Maple Avenue, along with Ms. Genirs, asked for clarification of some of the entries in the 1.1.1 Level of Service table and Mr. Mackiewicz responded.

Vice Chairman Breslin asked if there were any further questions from the public. Hearing none, he advised the applicant and public that because of the late hour and the need for the Board to convene in closed session, the application would be carried to the February 16, 2017 meeting with no further notice.

CLOSED SESSION

Resolution authorizing a closed session for the purpose of: review of previously approved closed session minutes where the subject matter of said minutes involves pending or anticipated litigation, personnel, and/or other matters previously rendered confidential or excluded from the provisions of the Open Public Meetings Act.

Mr. Surano motioned, Mr. Lane seconded and by unanimous Voice Vote, the board voted to reconvene in closed session at 11:01 pm. The public was then asked to leave the room.

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At 11:21 pm, the Board returned to open session.

ADJOURNMENT

Hearing no comments from either board members or staff, Vice Chairman Breslin asked for a motion to adjourn. Mr. Surano moved, Ms. Genirs seconded and by unanimous Voice Vote, the meeting was adjourned at 11:25 pm.

Respectfully submitted,

Cyndi Kiefer, Secretary
Bernards Township
Zoning Board of Adjustment