

BERNARDS TOWNSHIP

PLANNING BOARD

Minutes

Regular Meeting

July 18, 2017

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 mailed to the Bernardsville News, Bernardsville, NJ, and to the Courier News, Bridgewater, NJ, and was mailed to all 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."

ROLL CALL:

Members Present: Baldassare, Malay, Moschello, Piedici, Ross, Zaidel.

Members Absent: Gaziano

Members Late: Kleinert (7:35 PM)

Also Present: Board Attorney Jonathan Drill, Esq.; Township Planner David Schley, PP, AICP;
Board Planner, David Banisch, PP, AICP; Board Secretary, Cyndi Kiefer.

Mr. Baldassare motioned that the absence of Mayor Gaziano be excused. Mr. Ross seconded and by unanimous Voice Vote, the motion was carried.

APPROVAL OF RESOLUTION

Mountainview Corporate Center, LLC; Block 11302, Lot 1; 180-181 Mountain View Blvd.; Final Site Plan for Bldgs. E & F; #PB15-007 (approved).

Committeeman Malay moved approval of the resolution as written and Mr. Baldassare seconded.

Roll Call:

Aye: Baldassare, Malay, Piedici.

Nay: NONE

Abstain: Moschello*, Ross*, Zaidel*.

*Ineligible to vote.

Motion carried.

PUBLIC HEARING *(carried from June 20 2017 with no further notice)*

Wenzel, Michael & Heather; Block 4701, Lot 19; 152 Annin Road; Conforming Conditional Use (Single Family Apartment); Lot Area, Lot Width, Front Yard Setback, Side Yard Setback, Combined Side Yard Setback, Pool located in Stream Buffer, #PB-17-006.

Present: Vincent T. Bisogno, Esq., Attorney for the Applicant
William G. Hollows, PE, PP, PLS, Engineer for the Applicant
Mark E. Yarrington, AIA, Architect for the Applicant
Heather Wenzel, Applicant

Committeeman Malay was ineligible to vote and left the room.

Ms. Kleinert arrived at 7:35 PM.

Vincent T. Bisogno, attorney with *Bisogno, Loeffler & Zelley LLC*, Basking Ridge, NJ, reminded the board members that he was representing the applicant and gave a short recap of the relief originally requested. He then stated that the applicants had revised the application by moving the proposed addition ten (10) feet back thereby eliminating the need for a combined side yard variance. The only relief sought was for pre-existing nonconforming conditions and none of those were being exacerbated by this application.

Mr. Bisogno advised the board members that in response to the concerns stated at the last meeting about the Stream Buffer Management Plan, the applicants were willing to provide a vegetative enhancement plan for Zone 1. In addition, the applicants were willing to work with the Board to further enhance the existing vegetation on the north side.

As William G. Hollows, engineer with *Murphy & Hollows Associates LLC*, Stirling, NJ, came to the podium to testify, Chairwoman Piedici noted that Mr. Hollows had already been accepted as an expert in the field of engineering during the June 20, 2017 meeting and allowed him to proceed.

Mr. Hollows introduced **Exhibit A-7**, a colorized version of Sheet 2 of 3 of the Variance Grading Plan by *Murphy & Hollows Associates LLC* last updated June 28, 2017, into evidence. It showed that the proposed addition was now located 62.4 feet from Lot 20. The combined side yard was 101.7 feet which was now conforming.

In addition, the proposed driveway back out area was relocated so that it was now 25 feet away from the property line as opposed to 13 feet. Nine (9) hollies were proposed along the northerly property line along with additional landscaping along the Zone 1 southerly side.

Chairwoman Piedici asked the board members and professionals if they had any questions.

Mr. Quinn noted that one 24" maple on the northwesterly side was only five (5) feet from the driveway and expressed concern that it might decline. Mr. Hollows testified that there would be very little grading in that area.

Chairwoman Piedici asked if there were any questions from the public.

Kristina Roser, 160 Annin Road, asked if the application was approved, would the applicants agree that no further pavement other than what was shown on **Exhibit A-7**, would be added to the property. Mr. Bisogno stated that the applicants would stipulate to that.

Mark E. Yarrington, architect with *Yarrington Architectural Group*, Bridgewater, NJ, reminded the board members that he was the architect for this project. He testified that he had revised the connection between the house and the apartment while maintaining the "less than 25% allowable" requirement for the apartment to house ratio. There was a .01% change from the original proposal.

Chairwoman Piedici asked if there were any questions from the board members or professionals. Hearing none, she opened the meeting to the public for questions.

Mrs. Roser asked if any consideration had been given to a layout other than a ranch style. Mr. Yarrington responded that they had given some thought to a two-story apartment but felt that it would not work.

Chairwoman Piedici opened the public portion of the meeting for comments.

Exhibit R-2, a paper copy of a power point presentation given by Mrs. Roser, was submitted into evidence. The presentation included views of the applicants' property from several areas of the Roser property. She commented on the size of the proposed apartment along with the number of proposed garage doors and their orientation in relation to the surrounding area. In conclusion she quoted portions of the Master Plan and several ordinances in support of her opinion that the project as proposed was not consistent with the area.

Hearing no further comments, Chairwoman Piedici closed this portion of the meeting to the public.

Mr. Bisogno summarized the application and noted that there had been no expert testimony indicating that the proposed addition did not meet the general conditions of the ordinance. He concluded his summary by stating that the only variances required were for pre-existing nonconforming deviations and that none of those were being exacerbated by this application.

After deliberating, Ms. Kleinert motioned approval of the application with the stipulations made during testimony and Mr. Baldassare seconded.

Roll Call:

Aye:	Baldassare, Kleinert, Moschello**, Piedici, Ross.
Nay:	Zaidel.
Abstain:	NONE

**Certified that he viewed the June 20, 2017 meeting and was therefore eligible to vote.
Motion carried.

Chairwoman Piedici requested a short break and the meeting was recessed at 8:37 PM.

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The meeting was reconvened at 8:51 PM. Committeeman Malay returned to the room to hear the next application.

PUBLIC HEARING

Bonnie Brae School; Block 9002, Lot 1; 3415 Valley Road; Preliminary/Final Site Plan, #PB17-007.

Present:	Michael Osterman, Esq., Attorney for the Applicant
	Craig Villa, PE, PP, Engineer for the Applicant
	Harry T. Osborne, AIA, Architect for the Applicant
	Bruce J. Davies, ASLA, PP, LEED AP, Landscape Architect for the Applicant
	Paul D. Rieger, MSW, CEO of Bonnie Brae School, representing the Applicant

Michael Osterman, attorney with *KennedysCMK*, Basking Ridge, NJ, advised the board members that he would be representing the applicant throughout these proceedings and gave a brief history and overview of the facility. He stated that the proposed improvements included construction of a new 12 bedroom cottage, renovation of the Osborne Cottage into a Family Resource Center, creation of a new five (5) space parking lot near the proposed Family Resource Center and finally, restriping the existing parking lot behind the theater which would create five (5) additional parking spots. With the exception of the three (3) design exceptions requested, there was no ordinance relief sought. He noted that the intent of the proposal was to better serve the existing population of 94 boys, not to *increase* that number.

The Board's professionals and the Applicant's witnesses were duly sworn in by Mr. Drill.

Paul D. Rieger, CEO of Bonnie Brae School, reiterated the scope of the project. **Exhibit A-1**, a rendering of the proposed Family Resource Center, was entered into evidence. He testified that the Osborne Cottage was currently vacant and once renovated, would be used for family visitation, alumni groups, offices and board work. The Admissions Office would be relocated to this building. A new cottage was proposed to alleviate overcrowding of the existing 94 residents and a total of ten (10) new parking spaces would be created. The applicant hoped to begin construction later this year or early in 2018 with a projected finish date of 12 to 18 months after work commenced.

In response to a question from Mr. Quinn, Mr. Rieger stated that the parking was manageable as it currently existed however the additional spaces would better serve the increased demand from employees, visitors and truck deliveries. Mr. Banisch asked if new directional signage would be required and Mr. Rieger responded that they were comfortable with how the existing signage was working.

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

Craig Villa, engineer with *Yannaccone, Villa & Aldrich LLC*, Chester, NJ, provided his professional credentials and experience to Chairwoman Piedici. After confirming that his license was current, Mr. Villa was accepted as an expert in the field of engineering.

Mr. Villa gave a brief description of the subject property and the structures contained within. He testified that the new cottage and the renovations to the Osborne Cottage would not increase the resident population or staff. Lot coverage was being reduced in the existing parking lot and landscaping was added to increase visual appeal. The new cottage would be located along an existing driveway with a large forest buffer behind all the buildings. In response to Mr. Quinn's report, revisions would be made to the existing detention basin on the north side of the property. No New Jersey Department of Environmental Protection (NJDEP) permits were required and an old Letter of Interpretation (LOI) showed that there were no wetlands in this area so there was no environmental impact. He also stipulated, as a condition of approval, to comply with Specific Comment #1 in Mr. Schley's memo dated July 17, 2017 which referred to stream buffer conservation easements.

Mr. Villa reviewed the first exception requested: §21-39.1.b.3 "Minimum size of parking spaces" (9' X 20" required; 9' X 18' proposed). The applicant proposed to construct the parking stalls at 9' X 18' rather than 9' X 20' in order to create *less* impervious surface. Previous approvals did not require curbing so the existing lot had no curbing or wheel stops. This created better water flow along with easier maintenance and the applicant was asking for approval of the new parking areas without curbing.

The second exception requested: §21-39.3.a.3(d) "Minimum width of a two-way parking area access road" (24' required; 12' proposed). Since the proposed new parking area was so small (5 spaces), Mr. Villa opined that a 24' wide entrance was not required. The proposed 12' roadway would be sufficient and also reduce additional impervious coverage.

The final exception request: §21.39.3.a.3(e) "Minimum width of one-way parking area access road" (15' required; 12' proposed). Mr. Villa reiterated that in his opinion, 12' was sufficient for the small lot and it was not necessary to increase the width to 15' thus adding impervious coverage. Mr. Quinn recommended that the applicant install signs and paint directional arrows.

Mr. Villa advised the board that the request for a waiver from §21-41.3 Maximum average illumination in vehicular areas (0.9 footcandles permitted; 1.26 footcandles proposed) was being eliminated. By changing some of the double fixtures to singles, the applicant would be able to reduce the intensity and comply with the ordinance. In response to a question from Committeeman Malay, Mr. Villa testified that the nearest residence to the new cottage was approximately 520 feet away.

Mr. Villa stated that the applicant would comply with the points listed in Mr. Quinn's memo dated July 12, 2017.

Mr. Quinn advised the board members that in his opinion, the second exception request (Minimum width of a two-way parking area access road) for 12' was too narrow and that he recommended a minimum of 20'. Mr. Villa stipulated to 20'.

Committeeman Malay asked Mr. Villa if the applicant could comply with comments made by the Fire Official and the Liberty Corner First Aid Squad. Mr. Villa responded that the applicant would comply.

Mr. Villa stipulated to all the engineering items in Mr. Schley's memo dated July 17, 2017 with the exception of Item #3 in the Specific Comments which addressed County right-of-way dedications. He testified that he had spoken to the County and there was no reason for any roadway dedications.

Mr. Villa referred to Item #9 in Mr. Banisch's memo and testified that the generator would handle both buildings. **Exhibit A-6**, a photo of the existing generator facility on the Bonnie Brae campus, was entered into evidence. He described the new generator and testing procedures and stipulated, as a condition of approval, to the comments made in the memo.

Chairwoman Piedici opened the meeting to the public for questions. Hearing none, that portion of the hearing was closed.

Harry T. Osborne, architect with *Gannett Fleming Architects Inc.*, South Plainfield, NJ, provided his professional credentials and experience to Chairwoman Piedici. After confirming that his license was current, Mr. Osborne was accepted as an expert in the field of architecture.

Mr. Osborne advised the board members that he is the grandson of Judge Harry V. Osborne, founder of the Bonnie Brae School and also serves on the Board of Trustees.

Mr. Osborne described the architectural plans for the new cottage and the renovation of the Osborne cottage, adding that the 12 beds in the new cottage would decompress the McNally building overcrowding. The renovated Osborne cottage would provide rooms for several families visiting with their children along with a welcome center and a patio in the back for family gathering. Upstairs there would be two activity rooms for conferences or offices and a room in the back possibly for the Board of Trustees. He noted that the elevator was not big enough to accommodate a stretcher as requested by the Liberty Corner First Aid Squad however in his opinion the upstairs area was too small to warrant a larger elevator. Mr. Baldassare added that the memo did not say that it was required.

Mr. Osborne stipulated, as a condition of approval, to the architectural comments in Mr. Schley's memo dated July 17, 2017. Referring to Item #17 in the Specific Comments section, Mr. Osborne testified that there would be no roof mounted utility equipment. He also stipulated to the comments in the Fire Official's memo dated June 30, 2017.

Chairwoman Piedici opened the meeting to questions from the board members and staff.

In response to a question from Mr. Banisch concerning what would happen if a stretcher was required for the second floor, Mr. Osborne testified that the school had a stair chair which met existing ADA requirements and would fit into the existing elevator. In addition, a new set of stairs was to be installed.

Mr. Schley referred to Item #20 in the Specific Comments section of his memo which requested the applicant to discuss how the proposed improvements promote the goals and objectives of the Green Buildings and Environmental Sustainability Plan Element of the 2010 Master Plan. Mr. Osborne stated that the new building would be built to LEED standards but would not be certified. He noted that over the last six (6) to eight (8) years, the school had instituted an intense sustainability program including solar panels which generated 90% of the electricity used in the facility.

Chairwoman Piedici opened the meeting to questions from the public. Hearing none, that portion of the hearing was closed.

Bruce J. Davies, president of *Davies Associates Landscape Architects LLC*, Parsippany, NJ, provided his professional credentials and experience to Chairwoman Piedici. After confirming that his license was current, he was accepted as an expert in the field of landscape architecture.

Exhibit A-5, a colorized version of plans furnished previously to the board members by *Davies Associates* (L-1 dated 05/01/17) was submitted into evidence by Mr. Davies. The landscape plan, as he described it to the board members, was designed to be low maintenance and provide color and texture throughout the year by using a variety of flowering trees, shrubs and other plantings. The plan met all the township's requirements and the tree replacement plan would be revised to address a large tree which had fallen in a recent storm. He stipulated to the comments in Mr. Schley's and Mr. Banisch's memos.

Chairwoman Piedici asked if there were any questions from either the board members or staff. Hearing none, she opened the hearing to the public for questions or comments. There were none and that portion of the meeting was closed.

Mr. Osterman summarized the relief sought by the applicant and requested that the application be approved.

After deliberating, Committeeman Malay motioned approval of the application with the conditions that had been stipulated to during the hearing. Ms. Kleinert seconded.

Roll Call:

Aye:	Baldassare, Kleinert, Malay, Moschello, Piedici, Ross, Zaidel.
Nay:	NONE
Abstain:	NONE

Motion carried.

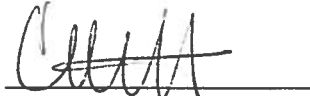
COMMENTS FROM BOARD MEMBERS AND STAFF

Mr. Moschello requested that meetings be made available on-line for streaming when a member is absent.

Ms. Kiefer stated that she would forward the request to the IT Department.

There were no further comments from the board members. Mr. Baldassare motioned, Ms. Kleinert seconded and by unanimous Voice Vote, the meeting was adjourned at 10:17 PM.

Respectfully submitted,



Cyndi Kiefer, Secretary
Township of Bernards
Planning Board