

TOWNSHIP OF DENVILLE
PLANNING BOARD
MINUTES

May 22, 2013

The Planning Board of the Township of Denville held its regular meeting on Wednesday, May 22, 2013. The meeting was held at the Township Municipal Building, 1 Saint Mary's Place and commenced at 7:30 P.M. Chairperson Maffei presided.

Secretary Probasco read Notice of Public Meeting.

Roll Call: **Present** – Chr. Louis Maffei, Mayor Thomas Andes, Christopher Golinski, Peter Nienstadt, Marilyn Kuntz, Sue Filauro, Mark London
Absent – Vice Chr. Glenn Buie, Kurt Schmitt
Professionals present – Tiena Cofoni, Esq., John Ruschke, PE, Jason Kasler, PP

PURCHASING

Motion to pay vouchers submitted by The Buzak Law Group (dated May 9, 2013) subject to the availability of funds, was made by Mbr. Kuntz, seconded by Mbr. London and unanimously approved by all Members present and able to vote.

Motion to pay vouchers submitted by Hatch Mott MacDonald (dated May 3, 2013) subject to the availability of funds, was made by Mbr. Kuntz, seconded by Mbr. London and unanimously approved by all Members present and able to vote.

RESOLUTIONS

**MS/SS 13-01: The Valva Family Trust and George Valva Co-Trustee
Block 10401, Lot 13
Michael Street and Echo Lane**

A motion was made to adopt the resolution by Mbr. Nienstadt, seconded by Mbr. London and unanimously approved by all members able to vote.

Roll Call: Ayes – Nienstadt, London, Filauro, Maffei
Recused - Kuntz

**PSP/FSPV 13-02: The MacCormick Agency
Block 50202, Lot 2
176 Route 46 West**

A motion was made to adopt the resolution by Mbr. Filauro, seconded by Mbr. Kuntz and unanimously approved by all members able to vote.

Roll Call: Ayes – Filauro, Kuntz, Nienstadt, London, Andes, Maffei

PUBLIC HEARINGS

**PSP/FSPV 13-03: Morris County School of Technology
Block 31301, Lot 3 & 18
400 East Main Street**

The public hearing for this application was carried from May 8, 2013. Richard Angowski, Esq. of Schwartz, Simon, Edelstein & Celso, LLC (100 South Jefferson Road, Suite 200, Whippany) represented the applicant, Morris County School of Technology. The applicant is requesting preliminary/final site plan approval for site improvements with associated bulk variance. Mr. Angowski asked Mr. Scott Moffitt to provide testimony before providing a summary.

Scott Moffitt, Superintendent of Schools (400 East Main Street) was present and sworn under oath. Mr. Moffitt provided an overview of the schools five year plan on long range facilities projects. The

parking lot is one of the projects in the five year plan along with HVAC. It is in disrepair and requires relining and resurfacing. The school sees the project as an opportunity to improve the traffic flow from the Fox Hill and Route 53 intersection at the same time as the parking lot improvements. The plan would also improve parking and ingress and egress to the site. The school hosts general functions for senior citizens and Denville Police Academy, basketball. As well as being Morris County's Point of Distribution for Emergencies, such as vaccines.

Richard Angowski, Esq. provided a summary of the May 8, 2013 meeting. Referenced the aquifer area and dumpster and overall disturbance. Mr. Gallagher will address more specific concerns regarding the lighting of the sign. Stating it will have a no net effect.

James J. Gallagher, PE of Pennoni Associates (105 Fieldcrest Avenue, Edison) was present and previously sworn and remained under oath. Mr. Gallagher reviewed (Exhibit A-2, Sheet C-0501) the existing conditions, ingress and egress and related traffic flow on the site. (Exhibit A-5, Sheet C-1001) Existing parking spaces of 269 with 324 spaces proposed. The ten blacktop corings reflect that the blacktop thickness ranged from 3.7" – 7.3" with aggregate thickness ranging from 5" - 6.8" depth. Total area of disturbance is 3.96 acres, with 3.36 acres of existing asphalt to be repaved, .16 acres of new sidewalks and asphalt proposed and .44 acres of lawn areas. Type A catch basin is proposed for stormwater and not a trench drain. Revised lighting and light poles as indicated on Exhibit A-6 with energy efficient LED lighting with shoebox lighting which meets or exceeds .5 foot candles at the property line. Less than what is currently on the site. The details of the new electronic sign were reviewed. The proposed sign would be in the same location as the existing at a minimum of 50' back from the ROW. The size is essentially the same size. The message displayed can be programmed to change instead of manual changes. The sign will broadcast messages as before but with improved functionality. Mr. Gallagher stated there were no detriments from the sign.

- **Exhibit A-1** – C-0401
 - **Exhibit A-2** – C-0501
 - **Exhibit A-3** – C-2201
 - **Exhibit A-4** – Two Color Photographs
 - **Exhibit A-5** – C-1001
 - **Exhibit A-6** – C-2201, revised date of May 21, 2013
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- C-0001 – Cover Sheet
 - C-0501 – Partial Demolition Plan (Exhibit A-2)
 - C-0502 – Partial Demolition Plan
 - C-1001 – Site Plan (Exhibit A-5)
 - C-1002 – Partial Site Plan
 - C-1501 – Grading and Drainage Plan
 - C-6001 – Construction Details
 - C-8001 – Soil Erosion and Sediment Control Plan, Notes and Details
 - V-0501- Boundary and Topographic Plan
 - V-0502 – Boundary and Topographic Plan

Michael Orlovsky, Building and Grounds Supervisor (400 East Main Street) of MC Vo Tech was present and sworn under oath. Mr. Orlovsky was previously the Maintenance Manager and is now a certified Education Facilities Manager. Mr. Orlovsky stated the sign installed in 1997 has outlived its life and has dry and cracking sockets. The technology fluorescent is being phased out on a federal level and becoming expensive and difficult to obtain bulbs from suppliers. The message is changed at least once weekly. No flashing messages are proposed. The sign can be used in emergencies and disasters. This includes Amber Alerts. Mr. Orlovsky stated the sign would be better looking and more functional.

Chr. Maffei opened to the board professionals.

Jason Kasler, PP inquired about the parking, dimensions and stantions, as well as the sign. Mr. Gallagher stated the existing parking spaces are 10' x 20' and the proposed would be 9' x 18'. The light stations will be raised by 2.5'. Mr. Angowski responded that there would be no video or flashing lights and that the applicant would have testimony to address any of the boards concerns regarding the signage.

John Ruschke, PE inquired about the proposed paving. Mr. Gallagher stated that there will not be a substantial amount of grading. Mr. Ruschke suggested that the NJDOT recommendations of 2.5" for base material and commented that the lighting has been addressed on the plans. The Township Engineer inquired about the wetlands transition areas and referenced the swale along Route 53. Mr. Gallagher confirmed that a NJDEP permit is not required. Mr. Moffitt stated that the swale is maintained by NJDOT.

Chr. Maffei opened to members of the public.

Kim Persson (18 Meadow Street) was present and sworn under oath. Stated that they had approximately seventy signatures from neighbors in opposition of the plans. Commenting on the

expansion being an encroachment on their quality of life. Mr. Angowski responded to the school being a good neighbor and an inherently beneficial use.

Lisa Lubertowicz (42 Fox Hill Road) was present and sworn under oath. Stated concerns for traffic and further renovations as it relates to the wetlands. Mr. Angowski responded regarding not being in possession of any documentation.

James Putnam (35 Fox Hill Road) was present and sworn under oath. Commented on the commuter trains impact on the traffic flow and the possibility of closing off Lackawanna Avenue. Chr. Maffei responded that this wasn't something for the board to decide.

Fran Dempsey (10 New Street) was present and sworn under oath. Commented on flooding, traffic, buses, trains and bringing back two lanes.

Dennis Carey (1 Thompson Road) was present and sworn under oath. Voiced concern about MC Vo Tech students parking off site and on neighboring streets. Commented on street traffic, parking, smoking and safety.

Patricia Kolbe (9 Bowers Place) was present and sworn under oath. Commented on traffic and safety.

William Kolbe (9 Bowers Place) was present and sworn under oath. Commented on being in opposition of the new parking space size and referenced a copy of the 1980 Master Drainage Plan. Mr. Angowski opposed the submission of the document from thirty-three years ago. The board attorney agreed that the document was unverifiable.

Rachel Connolly (37 Fox Hill Road) was present and sworn under oath. Referenced vacant parking spots, tractor trailers and the disruption to the neighborhood.

Fran Dempsey (10 New Street) provided further comments regarding the hours of traffic.

Kim Persson (18 Meadow Street) provided further comments regarding flooding.

Member of public commented that the changes in entrances/exits would not have an impact on traffic.

Chr. Maffei opened to other members of the public and seeing none, closed the public portion of the meeting.

At 9:22 pm Chr. Maffei announced a brief break. The meeting resumed at 9:34 pm.

Chr. Maffei opened to the professionals.

John Ruschke, PE inquired about projected number of students. Mr. Moffitt responded that there is no plan for additional students in the school and commented on the parking. Offsite parking is discouraged. Mr. Ruschke commented on the need for mitigating properties on a regional level and not on individual properties. Tiena Cofoni, Esq. inquired about number of students, number of staff and intended expansion of use. Mr. Moffitt advised that there is no plan to expand programs, classes or use. There are approximately 150 students and 80 members of full and part time staff. Jason Kasler, PP referenced the six dumpsters taking up five parking spots. Mr. Moffitt referenced that the location where the dumpsters will be located is currently used as parking. Richard Angowski, Esq. confirmed that the applicant would go back and look at the stormwater to see if further mitigation can be done.

Chr. Maffei opened to the board members.

Mbr. Golinski commented on positively towards the school and inquired about tree removal. Mr. Moffitt testified that new trees would be planted around the campus. Tiena Cofoni, Esq. advised that the board takes each application on its own merit. Approving one application does not set a precedent for another. Mbr. Nienstadt suggested the applicant do whatever is possible to minimize the runoff for the neighborhood.

Mbr. London inquired about pervious paving. The applicant agreed they would look at it. The Township Engineer advised that he is not an advocate of pervious paving and stated its usefulness is impacted if not maintained properly. Suggesting that the applicant look at ground water recharge utilizing the existing roof leaders.

Mbr. Filauro inquired about the parking being higher than the swale. The engineer confirmed. Mr. Ruschke responded that the sheet flow will be in a different direction.

Mbr. Kuntz commented on not having a traffic study regardless of the police commenting positively. Mr. Angowski replied that some items are out of the schools control.

Mayor Andes commented on the playground being for the community and the township may be able to maintain it. Suggested evaluating prohibiting a left turn and inquired about a smokers lounge.

Chr. Maffei suggested looking at one way only entrance and no right on red. Inquired about the responsibility of cleaning the culvert. The applicant responded that it is the responsibility of the NJDOT.

The items the board would like the applicant to address include stormwater control, existing sign, detail on proposed sign, sensor and light control information, exploring no left turn, tree plantings, more information on the playground and the legal perspective of a smoking lounge.

The public hearing for this application was carried to June 12, 2013 without further notice.

ADJOURNMENT

Motion to adjourn.

Denean Probasco, Board Secretary

Date Approved: December 11, 2013