

**Planning Board
Meeting Minutes**

October 11, 2017

The Planning Board of the Township of Denville held a meeting on October 11, 2017. The meeting was held in the Municipal Building, 1 St Mary's Place and commenced at 7:30pm. Chairperson Buie presided. **Secretary Unrath read NOTICE OF PUBLIC MEETING**

ROLL CALL:

Present: John Ciardi, Sue Filauro, Chairperson Glenn Buie, Mayor Thomas Andes, Glenn Buie, Kurt Schmitt, Doug Gabel, Marilyn Kuntz, Mark Venis

Absent- Louis Maffei

Prf. Present: Ed Buzak Esq., Jason Kasler, AICP, PP, John Ruschke, PE

MINUTES

A motion to approve the minutes from August 09, 2017 was made by Mbr. Kuntz, seconded by Mbr. Filauro and approved by all members able to vote.

PURCHASING

A Motion to pay vouchers submitted by **Mott MacDonald** was made by Mbr Kuntz, seconded by Mbr Filauro and unanimously approved by all members able to vote

A Motion to pay vouchers submitted by **Kasler Associates** was made by Mbr Kuntz, seconded by Mbr Filauro and unanimously approved by all members able to vote

A Motion to pay vouchers submitted by **Buzak Law Group** was made by Mbr Kuntz, seconded by Mbr Filauro and unanimously approved by all members able to vote

RESOLUTIONS

PSP/FSP/SS/TR 16-04

**Ame@46, LLC
123-124 W Main St / 14 Augusta St
Block 41206, Lot 9,10,15**

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

PUBLIC HEARINGS

PSP/FSP 17-02

**Universal Institute
40 Morris Ave
Block 60101, Lot 5.02**

Ed Buzak, Esq –This application is for an expansion of a group home. The board denied this application in August 2016. The applicants challenged the denial and the courts issued the matter come back to the Planning Board with a revised application. The plans have been reviewed by the engineer.

Henry Kent Smith, Fox Roth Child- (997 Lenox Dr, Lawrenceville NJ)- Attorney for the applicant. The existing group home is for neurological impaired patients. The number for an existing group home can't exceed 15 residents. There are still no changes to the use. The residents live at this home and get transported to a rehabilitation facility. The major change for this application is moving the addition closer to the rear of the property, instead of closer to Morris Ave.

Gerald Novak (46 Commerce Rd, Cedar Grove)- Sworn in and testified as a professional architect. Showed Exhibit A-1 as the site plan of the existing building. Mr. Novak explained the addition will abut the 3-car garage, but further explained the garage is not used for storing cars. One of the garages would be used as a breezeway to get to the outdoor patio area. The elevation of the addition would not be seen from Morris Ave, but only visible from the courtyard of the property.

Joseph Sparone (245 Main St, Chester NJ)- Sworn in and testified as a professional engineer. Exhibit A-2 is a plot plat rendering. The proposed addition is 3320 sq. ft. and to be built off the north-west corner of the building. The applicants are also proposing for a new 20ft wide driveway with a new curb. The parking lot would have a total of 14 new parking spaces. Also, an area for the van that transports the residents to the rehab facility. The addition is compliant with all the setback requirements. Impervious coverage is increased due to the storm water management improvements. The other proposed improvements for the property would be the sidewalks and trash exposure area. Exhibit A-3 shows the proposed shoe box style light fixture that would be used. A total of 3 lot fixtures are proposed around the parking lot. There is no signage proposed for this property. Exhibit A-4 showed the steep slope disturbance. The biggest disturbance is making the driveway not as steep and in compliant within the township regulations. Exhibit A-5 is the aerial map of the property and described that most of the trees that screen the house would be remaining. Exhibit A-6 shows those trees that a line the property and what you see when you drive down Morris Ave.

Open to board professionals

John Ruschke, PE- Questioned with Mr. Buzak if this is a final site plan approval or a plot plan. Mr. Buzak clarified based on the statutory limitations this application would be a site plan approval. There was a discussion about RSIS and if this application would be applicable. Mr. Ruschke stated if not than a new storm water management would have to be calculated. Mr. Ruschke expressed concern for the lighting fixtures for a residential area. Mr. Kent Smith stated they have no objection to re-looking at the lighting and make it more appropriate for the surrounding neighbors. It was recommended to have an arborist come look at the 68in tree to see if it's necessary for it to be removed. There was also a discussion about relocating the trash facility to the end of the driveway.

Jason Kasler, PP- Recommend that the light fixtures are on a dimming feature. Mr. Novak explained that there would be a motion sensor light. Mr. Kasler also brought up the issue of COAH, and Mr. Smith explained that group homes do get COAH credits.

Open to public

Katie Danbury (17 Morris Ave)- Questioned about the lighting and how to get the final approval for a 15-person group home. Stated that she is not favor of this addition because it does not fit in the residential area and it's clearly a commercial property expansion.

Stan Sebastian (35 Morris Ave)- Questioned if the breezeway was a separate entity. Mr. Novak explained that it is all one structure. Stated that the driveway and parking lot is clearly a commercial expansion. This would directly affect the surrounding neighbors in the future if they decided to sell their homes. Mr. Sebastian does state that the addition does fit the property well and is not against it. However, does feel that the parking area is too large for this property. Discussed a study that he did on his own about how many cars enter the property on a daily basis. He does not believe that 14 parking spaces are necessary for the amount of people that come to the property on a daily basis.

Ed Buzak, Esq- Stated that there should be some testimony from the applicants about the need for the additional parking spaces.

Mr. Novak (46 Commerce Rd, Cedar Grove)- Stated that there 4-5 parking spaces for staff .The other spaces are needed for visitors and maintenance services for the building. Mr. Smith stated that the parking lot would not be seen from Morris Ave with the additional landscaping and buffer.

Stan Sebastian (35 Morris Ave)- Stated that ordinance 19-5.711 no commercial vehicles must be regularly garaged or cannot be on the property.

Marge Dederbeck (26 Morris Ave)- Expressed concern for the visual site she would have of the parking lot. Mr. Smith stated the applicants would work with Ms. Dederbeck to put up landscaping to limit her view of the property.

Katie Danburry (17 Morris Ave)- Stated that after testimony she heard from the applicants lawyer she does still believe the parking lot would still be visible from Morris Ave.

Close the public portion

Break from 9:39-9:51

Mbr. Kuntz- Expressed concern if this is one addition or a separate living space from the breezeway. Mr. Novak stated that the breezeway connects the two living spaces and its one single living space. Another concern Mr. Kuntz expressed was that the rooms seemed to be their own apartments. Mr. Smith explained that for the state licensing requirements for this particular group home, there needs to be certain amenities for these particular residents. Stated that with the parking lot and wider driveway this is a commercial looking property.

Mbr. Schmitt- Stated that he does not see any problems with the parking lot or with the widening the driveways. The landscaping and buffers will block any site into the property from Morris Ave. This addition is to an extension of a residential building. Mr. Schmitt stated that his is in favor of this application.

Mbr. Filauro- Questioned why the applicant proposed a wider 20ft driveway. Mr. Sparone stated a wider driveway would be easier for cars and vans to get in and out. Mr. Smith stated the applicant is willing to widen the driveway to 17ft. Stated she too is in favor of limiting the amount of parking spaces at this property.

Mbr. Venis- Stated with the correct landscaping seeing the cars on the property would not be an issue. Mr. Venis is in agreeance with Mr. Schmitt and is in favor of this application.

Mbr. Gabel- Questioned how many trees would be removed from this property. Mr. Sparone stated that on page 3 of the site plan it shows 20 trees being removed from the property. Mr. Gabel suggested that the parking spaces should be angled or straight on to limit the amount of spaces.

Mbr. Ciardi- No questions

Mayor Andes- Stated he is in favor with Mr. Gabel in redesigning the look of the parking lot. Mr. Sparone stated that they would look at a new layout from an engineering standpoint. Mr. Smith brings up the point of "banked parking" that they would put the necessary parking, but if parking spaces should be needed than the board would already have been granted approval. This is something the board would need to approve. The issue of a commercial vehicle being left at the property. Mr. Andes stated that any commercial vehicle should be parked at Savage Rd. Mr. Smith clarified that this the van used to transport the resident is not a commercial vehicle, but a larger van. Mr. Andes stated he is in favor or lowering the lighting, and narrowing the driveway. St. Claire's hospital should also be the on-call emergency number for this facility.

Chr. Buie- Stated that he is in favor of the applicant coming back with a landscaping plan and a new parking layout if possible.

The meeting will be carried to November 8th, 2017 without further notice.

Old Business

October 11th, 2017

Minutes

NEW BUSINESS

Meeting adjourned at 10:58

Board Secretary, Melissa Unrath

Minutes Approved: November 8, 2017