

December 13,2017

**Planning Board
Meeting Minutes**

December 13 ,2017

The Planning Board of the Township of Denville held its regular scheduled meeting on December 13,2017. 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, Louis Maffei, Marilyn Kuntz, Kurt Schmitt, Chairperson Glenn Buie, Mayor Thomas Andes, Doug Gabel, Mark Venis

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

MINUTES

A motion to approved the minutes from October 11,2017 was made by Mbr, Kuntz, seconded by Mbr, Filauro and unanimously approved by all members able to vote.

PURCHASING

A motion to pay vouchers submitted by The **Buzak Law Group** 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 **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

RESOLUTIONS

NONE

PUBLIC HEARINGS

PSP/FSP 17-02

**Universal Institute
40 Morris Ave
Block 601.01 Lot 5.02**

Public Hearing carried form October 11, 2017

Gerald Novak (Professional Architect)- Showed Exhibit A-7 and the different angles from Morris Ave that look at the property of Universal Institute.

Joe Sparone- (Professional Engineer) is still under oath. Introduced Exhibit A-which was a rendering of the revised plans. These plans show the removal of the trash exposure and plot plan rendering. The parking spaces were reduced by 1 and the driveway was reduced from 20ft to 18ft. Mr. Sparone further discussed the landscaping berms.

Mr. Sparone showed Exhibit A9 which further explained the concept of banked parking. The last 6 parking spaces would not be built until it is deemed necessary. The "spaces" would be an open grass area till the spaces were built. This proposal of banked parking would reduce impervious coverage. Mr. Sparone explained the 2 underground systems and the appropriate storm water run offs.

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Chr. Buie- Asked the board members if they have a problem with the banked parking concept. Mbr. Ciardi questioned about the conforming use of the parking spaces, and Chr. Buie stated if the applicant needed the additional spaces they would need to come back to the board for approval.

John Ruschke, PE- Stated that the applicant should have a variance for the storm water. He also expressed concern for banked parking and how its already doomed to fail. The holidays aren't going anywhere so why not just approve the parking spaces that haven't already been deemed necessary by the applicant. The board members should consider the application without bank parking being an option.

Henry Kent Smith, Esq- Agreed with John R and the appropriate variance needed for storm water.

Joseph Sparone, PE- Discussed the water run off solution and upscaling the underground facility. This upsized facility would handle the extra water run off and water quality. The upscale basin would be built under the 6 parking spaces.

Ed Buzak, Esq- Agreed with Chr. Buie that the applicant would not need to come back to the board for the banked parking approval. There were questions brought up about a waiver if additional parking spaces are needed. It was stated if additional parking spaces are needed besides the ones already granted the applicant would need to come back for board approval.

John Ruschke, PE- Questioned about the lighting that would be proposed and it is stated that they are motion censored.

Jason Kasler, PP- Questioned about the trash exposure and the vehicle on the premise. Mr. Novak stated the trash would be picked up by a private company and the vehicle is not a business van.

Open to the public

Stan Sebastian (35 Morris Ave)- Expressed concern for the parking spaces that are going to be built in the front yard and the market value of his property. There was also a discussion about the license for having a group home. Mr. Smith put into exhibit A10 to show the license for the group home.

Lissa Lasso – (15 Microlab Rd) Vice president and Chief Finical Officer of Universal Institute. She explained the process of obtaining a license for a group home. The license is renewed every year upon inspections.

Stan Sebastian (35 Morris Ave)- Questioned the "business" vehicle parked in front of the facility. Mr. Buzak stated that it is not in the boards jurisdiction to decide if a vehicle is business or not. Mr. Sebastian brought up the idea of re-locating the parking to the back. Mr. Lasso and Mr. Smith both stated "No" to putting parking in the back.

Robert Danbury (17 Morris Ave)- Expressed concern for what he feels is a business vehicle parked in front of the facility. It does not look residential and further explained that the rest of the property has to park on the street, questioned why can't this facility do the same.

Sebastian (35 Morris Ave)- Stated that she is against the parking lot in front of the property and it is not residential looking.

Public portion closed

Open to board members

Mbr. Kuntz- Questioned why only 4 residents would be living in the addition and the other 11 residents live in the other part of the house. Ms. Lasso explained that the newest addition is ADA compliant and

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that every resident would have their own spacious living space. Mbr. Kuntz stated she is not in favor of the bank parking.

Mbr. Venis- Clarified with the applicant the appropriate berms would be put into place and the trash facility would not be needed.

Mbr. Schmitt- Stated he does not see the need of re-locating the parking again and is in favor of this application.

Mbr. Filauro- Clarified that the applicants load the bus in the back of the facility. Ms. Lasso stated that in her other facilities she does not have any problems with her bus being stored on property. Mr. Novak explained the loading and unloading process and does not see it adequate to be parked anywhere else. Also expressed concern for the trees and lighting. Mbr. Filauro questioned the lighting that would be used for this property. After much discussion it is proposed that this facility would be using motion detector lights and not photocell lights. This was clarified by both the architect Mr. Novak and the engineer Mr. Sparone.

Mbr. Maffei- Questioned the applicants of why the parking lot was never proposed with just one long row and it would not affect so much of the front yard. Mr. Sparone explained the landscaping and environmental concerns for changing the parking. Mr. Smith also explained that by making a longer driveway it would have more approach to the neighbor, and less landscaping.

Mbr. Gabel- Clarified that the improvements in the driveway would still be easy for emergency vehicles to enter the property. The drainage system on the plans are for all 14 spaces proposed. There were discussions about the existing slope and tree visibility. Mr. Sparone explained that everything proposed is what works best for the applicant and the surrounding properties.

Mbr. Ciardi- Questioned the applicant if there was a different location that the van could be parked and would not be visible to the public. Ms. Lasso explained that where the vehicle is proposed would be the only accommodating spot. There was a discussion about the snow removal and the applicant stated it would take all the necessary steps.

John Ruschke, PE- Clarified with the applicant and attorney about their testimony for the on-site vehicles. The larger van would be parked in the front of the facility and would be seen from the driveway.

Mayor Andes- Stated that Diamond Spring and Morris Ave have seen a lot of businesses and are trying to regulate it. Clarified with the applicant that the trash removal timing should be treated as any other residential property. Mr. Andes questioned the applicant why they would not consider moving the addition to the back. Ms. Lasso stated that reconfiguring the addition would not be internally possible.

It was stated from Mr. Smith that group home would not be getting COAH Credit.

Chr. Buie- Stated that he would like to see as many trees saved as possible and have the appropriate screening around the property.

Ed Buzak, Esq- Discussed that after going to court with the previous application, it was brought back to the board after both the planner and engineer looked over the revised plans. Stated that this is a permitted use in a residential zone. The type of service this property facilitates is allowed in a residential zone. Mr. Buzak justified the applicant's application by saying they attempted to accommodate all parking needs and be less intrusive as possible to the neighbors.

A motion to approve this application was made by Mbr. Buie, seconded by Mbr. Maffei and denied by the rest of the board members

AYES- Buie, Maffei

NAYES- Kuntz, Ciardi, Gabel, Filauro, Andes

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OLD BUSINESS

NEW BUSINESS

Meeting adjourned at 10:53 PM

Board Secretary, Melissa Unrath

Minutes Approved: February 14, 2018