

HILLSBOROUGH TOWNSHIP PLANNING BOARD

PUBLIC MEETING MINUTES

April 05, 2018

Chairman, Shawn Lipani called the Planning Board Public Meeting of April 05, 2018 to order at 7:33 p.m. All stood for the Pledge of Allegiance. The meeting took place in the Courtroom of the Hillsborough Township Municipal complex.

Chairman Lipani announced the meeting had been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 ("Sunshine Law").

ROLL CALL

Committeeman Carl Suraci - Absent

Robert Wagner, Jr. - Present

Committeeman Frank DelCore - Arrived 8:02pm

Robert Peason - Absent (*Recused per Mr. Bernstein*)

Stephanie Forrest - Present

Neil Julian, Vice Chairman - Present

Sally Becorena - Absent

Shawn Lipani, Chairman - Present

Kenneth Hesthag, Secretary - Present

Ron Skobo (Alt. #1) - Present

Sam Weinstein (Alt. #2) - Absent

Also present: David K. Maski, PP, AICP, Planning Director; Eric Bernstein, Esq., Board Attorney (Eric M. Bernstein & Associates); William H.R. White, III, PE, CME, Board Engineer (Maser Consulting P.A.); Christina Restuccia, Covering Court Reporter; and Caz Bielen, Board Videographer (Premier Media, LLC).

On behalf of the Board, Chairman Lipani sent congratulations to (absent) Board Member, Ms. Becorena, on the birth of her daughter.

DISPOSITION OF MINUTES

- February 22, 2018

A motion to approve was made by Secretary Hesthag, seconded by Ms. Forrest.

Roll Call: Mr. Wagner - yes; Ms. Forrest - yes; Mr. Hesthag - yes; Chairman Lipani - yes. Motion carries.

DISPOSITION OF RESOLUTIONS

- Scott and Gina LUTZKY - File 17-PB-10-MSP

A motion to approve was made by Mr. Skobo, seconded by Mr. Wagner.

Roll Call: Mr. Wagner - yes; Mr. Skobo - yes; Chairman Lipani - yes; Vice Chairman Julian - yes. Motion carries.

PLANNING BOARD BUSINESS

None

SPECIAL COMMITTEE REPORTS

None

BUSINESS FROM THE FLOOR

None

CONSIDERATION OF ORDINANCES

None

PUBLIC HEARING - SUBDIVISION/SITE PLAN APPLICATIONS

- **APEX LAND ASSOCIATES, LLC (Apex Sports and Events)** - File 18-PB-01-MSP - Block 175, Lot 23.01 (formerly portion of Block 177, Lot 23.01) - Mountain View Road. Applicant seeking preliminary and final major site plan approval; submission waiver from submitting a CIS; and Tree Mitigation Waiver; to construct a 209,795 sf. indoor athletic and recreation facility, comprised of three (3) connected building components: 100,850 sf. hard shell main building; 86,400 sf. air-supported dome easterly structure; and 22,545 sf. air-supported structure to rear of property; three outdoor synthetic fields; parking; and associated stormwater, on property governed by the provisions of the *Belle Mead GSA Redevelopment Plan*, and Amendment Ordinance 2017-21. (EC Review: 03-26-18)

Chairman Lipani introduced the application and called for presentation of the application.

Alexander Fisher, Esq. of Savo, Schalk, Gillespie, O'Grodnick & Fisher, representing the Apex Land Associates, LLC, confirmed the Applicant is seeking a phased preliminary and final site plan approval. He said two of the fields will be synthetic, while the third field will be grass. The third field will be phased to

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eventually become a synthetic field. Mr. Fisher said the project is a permitted use in the zone and requires no variances.

Mr. Fisher stated he has several witnesses to provide testimony: Greg Wilke, Principal of Apex; Tom Decker, PE, Project Engineer; Eric Sullivan of Sports Facility Management; Gary Dean, PE, Traffic Engineer; Brian Clark, AIA, Project Architect; and Frank Banish, PP, Project Planner. Also available are Garth Llewellyn, PG, LSRP; and Edward Kuc, Principal Environmental Consultant for the project.

Gregory Michael Wilke, Principal of Apex Land Associates, LLC, was sworn in and gave the following testimony:

Mr. Wilke gave a brief summary of Apex, stating his company is not a large corporate entity. He said Apex Land Associates, LLC is a business venture amongst three parties: Greg and Jennifer Wilke; his friend Tim Casey; and his brother Jeff Wilke. The management of the facility will be by Sports Facilities Management (SFM). He stated the two Principals of SFM are more than qualified, having run similar facilities over the past fifteen years.

Mr. Wilke explained he and his wife, Jennifer are residents raising their four children in Hillsborough, and as of 2012, are also business owners of HRC Fitness, formerly the Hillsborough Racquet Club.

Mr. Wilke said the proposal is to build a 210,000 sf. state of the art facility, including hardwood courts for basketball, volleyball, and futsal; a kid's adventure area including play climb and rock climbing; a full-sized synthetic turf multi-purpose field; a sports performance and training area with batting cages and pitching area tunnels; and three outdoor synthetic turf multi-purpose fields. Mr. Wilke said the programs offered at the facility will provide a solution to local and regional sports, recreation, and event needs. The result of this project will assist in the development of athletes; encourages healthy lifestyles; and creates a welcoming social experience for youth, adult, and family participation; as well as making a positive impact on the local economy. He said Apex is a perfect complement to the outdoor sports and recreation activities that will be offered by the Township and County at Mountainview Park. Mr. Wilke stated careful thought is being put in to ensure the best experience for every user, whether an athlete, spectator, or entertainment seeker.

Mr. Wilke said Apex will offer sports performance training areas for local club organizations to run their practices and play games. The sports performance training area is not meant to train individual athletes. There will also be spaces designed for the recreational user. Mr. Wilke said conversations on Facebook have brought his attention to the desire from the public for additional activities for kids that are not just sports related. He said the goal is to build a facility that offers the community the best balance between sports, recreation, and entertainment uses, within the constraints of the zoning ordinances.

Mr. Wilke said indoor climbing is one of the newest action/entertainment activities that is transforming indoor climbing into a mainstream recreational activity. Play-climb and other permitted recreational activities will be available for recreational use, birthday parties, school and youth organization field trips, holiday programs, fund raising programs, and team-building programs, etc.

Mr. Wilke said another key element of the facility will be the indoor full-sized turf field that will allow for regulation play in all long-field sports such as soccer, lacrosse, field hockey, rugby, etc., and will be able to accommodate softball and youth baseball as well. Mr. Wilke said there is no such facility close to Hillsborough. The indoor field will be able to host and promote a variety of field configurations, competitions, and training formats across various age groups, all within a convenient and controlled environment. The long field can be divided into three fields to allow for multiple games and activities all at one time. The turf field will be developed to accommodate a 200 ft. softball and youth baseball field for competitions, camps and practices.

Mr. Wilke said the (subject) property is part of the old GSA Depot property, which has contaminated land and is in need of remediation. He said there are many other approved uses at this location, including an office complex that could theoretically be over 300,000 sf. with 1,300 parking spaces. Mr. Wilke said they are proposing to remediate 40 acres of contaminated soil and construct a sports and recreation facility that supports the development of our youth and an active adult community.

Mr. Wilke thanked the Board and public for hearing the application. He also thanked residents of Oxford Place and other residents who have begun an open dialogue via one-on-one conversations and/or at the meeting held for those residents within 200 ft. of the property.

No questions from the Board.

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Open to the public.

Chairman Lipani called for questions related specifically to the testimony given by Mr. Wilke. He instructed the public to wait on any question to which one of Mr. Wilke's professionals would answer, such as the engineer or architect.

Mr. Fisher reiterated there will be testimony yet to come from various professionals present.

Douglas Schaaf - 79 Oxford Place

- Mr. Schaaf asked to see a map showing where the facility will be placed.

Mr. Fisher answered that the engineer will have exhibits and go into detail as to where everything will be located.

Suzanne Ochse - 425 Willow Road

- Ms. Ochse said she is glad to hear the owners are local residents so they are aware of the dynamics of the town, and said the proposal is a good idea in theory. Ms. Ochse said her concern is with the parking, and asked if it is possible to build a parking deck, similar to the Bridgewater Commons, in an effort to reduce the impervious surface.

Mr. Fisher said the question should be addressed to the engineer and operations management witnesses.

- Ms. Ochse again asked if the owner would be willing to consider the proposal for a parking garage.

Mr. Wilke said he will have to rely on the advice of his experts as to how best to facilitate the parking. He said he would be willing to look into a parking garage, as far as asking the question of his experts. He said the proposed engineered plan is the best way to develop the project.

George Cox - 69 Oxford Place

- Mr. Cox asked whether or not the fields will have lights.

Mr. Wilke said the fields will be lit.

Mr. Fisher noted there will be testimony from the engineer and operations manager specifically about lighting.

- Mr. Cox expressed his dissatisfaction with being only 200-300 ft. away from the proposed lights.
- Mr. Cox asked if a property along Route 206 might be a more appropriate location for such a facility.

Mr. Fisher stated the use is a permitted use in this zone at this site. There is no other zone which allows this specific use.

Mr. Wilke said the original site was proposed off of Hillsborough Road, which was zoned for farmland. Mr. Wilke said he has had conversations with several of the families within 200 ft. of the property. The plan proposed was designed to minimize the sightline of the lights. The operations manager will further discuss the lighting.

Mr. Wilke was asked if the lights will be different than those on the adjacent County field.

Mr. Wilke explained there is a difference in that baseball lights need to be more horizontal to light up the sky. Lights for lacrosse fields, for example, stay directional to the ground. Mr. Sullivan will be able to address the lighting in further detail.

- Mr. Cox suggested the Board members take a look at the current lighting visible on Oxford Place. He suggested with a 50% reduction, the lighting is excessive.
- Mr. Cox said his understanding is that the remediation of the property would be done regardless of the application. He questioned why it was mentioned.

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Mr. Wilke said the remediation on the subject property (40 acres) is not included in the current remediation project. However, the 40 acres would be remediated by Mr. Wilke, as part of his application, if approved. All of the work in the north and west is separate and independent of this 40 acres. The Government is not responsible for its clean-up.

Dennis Sitarik - 71 Oxford Place

- Mr. Sitarik said he and his neighbors are not happy with what has been going on behind their properties, let alone to have the addition of a sports complex. He spoke against having to look at a parking deck.
- Mr. Sitarik said he was not aware of the "townhall meeting" that was held and asked for more details on the next meeting.

Mr. Fisher said the meeting was not an official public meeting; it was an informal meeting held with some of the residents.

Mr. Wilke stated those residents within 200 ft. of the property were sent an invitation by letter to attend. The limited number was intended to keep the meeting more manageable and productive.

Mr. Fisher added 200 ft. notice is the distance required under the Municipal Land Use Law (MLUL). Mr. Wilke said the rest of the Hillsborough community would be able to learn about the project at the Board meeting.

Mr. Bernstein noted the arrival of Committeeman DelCore.

Meryl Bisberg - 4 Hickory Hill Road

- Ms. Bisberg said her understanding was that the former GSA site property would be remediated. She asked the Board how the Township would be able to regulate the remediation if done by a developer. Ms. Bisberg asked for more information about decontaminating the surrounding property.

Mr. Fisher stated the remediation is supervised by an LSRP. The LSRP will be able to explain the process during his testimony.

Chairman Lipani reminded the public that the questions should only be geared to the testimony of this witness.

Jean Trujillo - 5 Eric Court

- Ms. Trujillo said she is a member of the School Board, but clarified that her opinions are neither authorized by nor are the views expressed or opinions of the School Board.
- Ms. Trujillo thanked the applicant for engaging the neighbors. She expressed that many people are excited about this project, just not in that location. Ms. Trujillo asked if the dome structure will be permanent or seasonal.

Mr. Wilke stated the dome will be up 12 months of the years; it will not be taken down.

- Ms. Trujillo asked for clarification of the reference to "seasonal" in ordinance 2017-21.

Mr. Fisher confirmed the word "seasonal" was taken out of the revised ordinance.

Mike Snowdon - 55 Oxford Place

- Mr. Snowdon said his property is directly behind where the structure will be located. He commented that he has been in conversations with Mr. Wilke and feels comfortable that Mr. Wilke will work to hide the structure as best he can, and continue ongoing communication.

Mr. Fisher said there will be testimony provided that there will be a significant number of trees placed in that area.

No more questions. Mr. Wilke stepped down.

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Mr. Fisher called the Applicant's Engineer to testify.

Exhibits:

A-1 Vicinity Plan - Color rendering dated 03-21-18

A-2 Site Plan - Color rendering with proposed landscaping, dated 01-31-18

A-3 Proposed Buffer - dated 04-05-18

Thomas Decker, PE, of Van Cleef Engineering was sworn in, shared his credentials which were accepted by the Board, and gave the following testimony:

Mr. Decker said Exhibit A-1 shows the location of the site (in color), and he identified surrounding roadways. He reviewed that the existing site is on the eastern portion of the overall GSA Depot site. The County developed the westerly portion much the same as the Applicant intends to remediate the easterly portion. Further testimony will be discussed in detail by the LSRP.

Mr. Decker said when the County installed the ballfields to the west; they did not remove the contaminated material but capped it in place. He said according to DEP regulations, capping can be done by hardscape, such as paving or sidewalks, etc.; or it can be capped by a certain thickness of soil. The thickness of soil depends on what activities are going to be there. For the ball fields, the parking areas were capped with asphalt; the fields and grass area around them were capped with clean topsoil that was brought in to cap the material. All of it was done under the guidance of a LSRP and complies with State regulations.

Mr. Maski asked Mr. Decker to identify what an "LSRP" is for the benefit of the audience.

Mr. Decker stated an LSRP is a Licensed Site Remediation Professional. The function of the LSRP is to review the site and provide guidance for remediation. The LSRP has special qualification with DEP, where they basically function as DEP's eyes for the site. The County had its own LSRP for the westerly portion of the site. The Applicant has engaged their own LSRP for the easterly portion.

Mr. Decker said Mr. White's office reviewed the remediation measures and was satisfied.

Mr. Decker said several of the foundations from the previous buildings, as well as parking areas, driveways and so forth, remain on the site. There are some wooded and vegetative areas. Ditches and swales have been identified on the site. A Letter of Interpretation (LOI) was issued by DEP as part of the County's efforts on the project. That LOI is still valid. The Applicant has applied for and awaiting approval, to basically fill in those areas previously developed on the site. There are no streams on the site or in the vicinity, so there is no need to apply for a stream corridor.

Mr. Decker explained Exhibit A-2. He said as stated, the proposal is to construct a 209, 795 sf. state-of-the-art athletic and recreation facility, comprised of three connecting buildings. The hard-shell building is located in the south-west corner of those three buildings. The hard-shell building is 100,850 sf., at a maximum building height of 48 ft. 6 in. Housed within it will be four regulation basketball courts with mezzanine seating; a play-climb area; team and multi-purpose rooms; administrative offices; and a café and food preparation area to serve the patrons.

Mr. Decker said to the east of the hard-shell building will be the larger of the two air supported domes. This dome is 86,400 sf., with a maximum height of 75 ft. This dome will be set 200 ft. back from the rear property line, which complies with the redevelopment plan. The dome is approximately 400 ft. away from the house on adjacent Lot 37. The dome will be inflated year-round. It will house a 210 ft. x 330 ft. all-purpose field which can be single-play or divided up into three smaller fields, and also contains a baseball diamond.

Mr. Decker said there will be a smaller 22,554 sf. air-supported dome structure to the rear, which will also be inflated year-round. It has a maximum height of 35 ft.; is 247 ft. from the rear property line, and 470 ft. from adjacent Lot 37. Mr. Decker said between the subject property and the residential properties is the Federal property, which is currently being cleaned up. This property does not have a residential property abutting it. Mr. Decker said the Federal remediation site has recently been replanted. Mr. Decker said there will be batting cages; sprinting track; and turf and training areas housed inside the smaller dome.

Mr. Decker said there will be two synthetic turf fields to the west, adjacent to the County property. These turf fields will be constructed in Phase I. A third field in the northwest corner will be constructed as a grass field. Under Phase II, at a date to be determined, would convert this field to a turf field. Each of the (outside) fields is 225 ft. x 336 ft. Each would support multiple sports, such as soccer, lacrosse, field

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hockey, football and so forth. Each field will have four light fixtures, two on each side. Further details on the lighting will be provided.

Mr. Decker said the site complies with use and bulk requirements in accordance with the redevelopment plan; there are no deviations. Mr. Decker pointed out there is an error on the plans with regards to the overall lot coverage. He said in the course of designing the stormwater management, the wet ponds are considered as an impervious surface. However, when calculating the lot coverage from a zoning standpoint, the ponds do not qualify as a hardscape. Mr. Decker said the lot coverage under Phase I is 38.48%, and 43.54% under Phase II. Those numbers increase slightly when the banked parking is installed to the north. He said in all cases, the project is within the allowable 50% maximum lot coverage. Mr. Decker said the turf fields are included in the lot coverage calculations. He said while the ponds do not count as lot coverage, the turf fields do. Under Phase I, the fields will have liners and stormwater underneath each field to attenuate the stormwater. The liners are there to prevent water getting into contaminated subsoil.

Mr. Decker reviewed the access. He said the site is able to be accessed from Mountain View, and also from the drive leading to the County park. Both entrances have an entrance lane and two exists, one dedicated for turns to the left; one dedicated for turns to the right. There is a dedicated drive in front of the main building that does not have any parking spaces. This drive would allow a parent to drop off their child and then circulate through the site without interacting with the on-site parking. There is full circulation throughout the entire site. The Fire Official has reviewed the plan and found no issues with the circulation. Mr. Decker said Mr. White had a comment in his report regarding the westerly access off of the drive going into the County park. He said an access easement for installation of that drive is obtainable.

Mr. Decker stated the total number of parking spaces for this facility is 794 spaces. In an effort to minimize the impervious associated with that parking, the redevelopment plan has a provision for "banking" of parking spaces. Up to 20% of the parking required for the hard-shell can be banked. "Banked parking" is parking that would not be constructed initially. In this case, it would allow this facility to operate with 666 parking spaces, and 126 parking spaces would be reserved should the facility need additional parking. That parking would have already been approved, incorporated into the stormwater management design, and incorporated into the maximum lot coverage. Mr. Decker said under Phase I the lot coverage is at 38.48%, which increases to 41.48% with the banked parking. Under Phase II when the northwest turf field is installed, the lot coverage will go from 43.54% to 46.54%; all below the maximum 50% allowable.

Mr. Decker said the ordinance required 30 ft. wide parking aisles, and 10 ft. x 20 ft. parking spaces. Waivers have been requested to allow for an 18 ft. stall width on the spaces where there is a 2 ft. overhang. Likewise, wherever this is a sidewalk that runs in front, the sidewalk has been designed to be 6 ft. wide, rather than 4 ft. wide. The spaces are being proposed at 10 ft., not 9 ft. x 18 ft., so the deviation is only requested on the parking depth, not width.

Mr. Decker said Mr. White raised the question in his report as to how it will be determined additional parking is needed. He said the Applicant is proposing that 18 months after issuance of the final CO, the Traffic Engineer would evaluate the site as to the parking demands to identify if the operation needs the banked spaces.

Mr. Decker said both Mr. Maski and Mr. White have commented that the proposed trash enclosure is small for the facility. He said they have spoken with the operations manager, SFM, who concurred. The site will instead have two six-yard dumpsters for trash, and one six-yard dumpster for recycling. There will not be a compactor. Trash pick-up would occur twice per week on off-peak hours. An additional pick-up would be scheduled on weeks where there is a tournament. The fields will have trash containers adjacent to them. They will be emptied by staff, as needed, and placed in the dumpsters. The size of the dumpster location should double, increasing to a 10 ft. x 40 ft. area.

Mr. Decker explained the loading area. He said there is an area at the rear of the large dome. Because the dome is supported by air, the loading area operates as an airlock. The (delivery) door is closed on the inside. When there is a delivery, the truck would pull through the outside door. The inside door would remain closed until the outside door closes. At that time, the truck would pull into the loading area inside. Mr. Decker said there are two doors located on the northern side of the hard-shell between the inflatable dome and the hard-shell. Deliveries would be scheduled during off-peak hours. He said more information can be provided by SFM. Deliveries will not impede traffic circulation of the site.

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Mr. Decker addressed pedestrian traffic. He said all ramps will be ADA compliant. Spot elevations have been requested by Mr. White, which will be provided. The sidewalks will be 4 ft. wide, except where they abut parking spaces, in which case they will be 6 ft. wide to provide a 2 ft. overhang. He said there is an approximate 8 ft. wide walking / biking path that the County put in along their access and around to access the ballfields. The Applicant is proposing a connection from the front of the building to that path. Mr. Decker said there will be cross-walk locations to access the fields to the west. There are accesses at the islands so pedestrians do not have to go through the parking lot. There will not be walkways around the turf fields.

Mr. Decker said there will be a sidewalk network that runs around and between the buildings, primarily for emergency exists. There are emergency exits in the domes, but because there are airlocks, most of the access will be through the hard-shell. Patrons would enter through the front of the hard-shell and then walk through to access the domes. More information can be provided by SFM.

Mr. Decker said Mr. White commented on having a sidewalk in front of the facility. He said there are no other sidewalks along Mountain View. The proposal is to provide a walking path connection from the Apex system to the County system. There is no sidewalk system to the east that a sidewalk could tie into.

Mr. Decker addressed the stormwater. He said the turf fields have a stone based underground system that only collects clean water that comes off of the turf fields. That water does not need to be treated. There are two wet ponds that will have standing water in them. They were designed according to DEP regulations. He said the stormwater management for the site has been approved by DRCC. Each pond will have an aerator. Both will be lined and interconnected with the pipe that runs under the easterly access drive. Mr. Decker said the Applicant and professionals believe having the wet ponds in front would be an amenity to the facility rather than a conventional surface detention basin which would be a large depression at the front of the site. Mr. Decker said Mr. White suggested the Applicant consider stocking the ponds with some kind of a fish to help control insects and weed control. The applicant is taking that under consideration.

Mr. Decker said the water quantity has been reduced per State and local requirements. Groundwater recharge is not permitted on the site because of the contaminated soil. The drainage from the basins and turf fields is collected in a drainage system throughout the site and discharges to the westerly entrance, towards the access drive of the County park. He said Mr. White raised an issue as to the capacity of the downstream drainage facilities. Mr. Decker said they are working with the County to provide their calculations as to when their drainage system was installed under their driveway. Once received, that information will be provided to Mr. White.

Mr. Decker said the site will be served by sanitary sewer. The sanitary sewer line will be coming down through the southeast corner of the building, through the easterly access drive and connect to the existing system on Mountain View. The stormwater collection system is a series of drainage pipes. He said wherever possible, the inlets will be installed in the grassed area with curb breaks along the parking area to allow the water to drain through the curb break into a grass swale before going into the inlet. This is similar to what the County designed for its site to the west.

Mr. Decker next addressed lighting. He said there will be 15 ft. tall light poles throughout the parking area, in conformance with the ordinance. The lighting plan has zero foot candles at the property lines. The only area where there will be light spillage will be to the west, onto the County owned property. Mr. Decker said Mr. White requested that some of the pole locations should be relocated to better align with some of the parking lot striping, so that the lights are offset from the parking spaces. The Applicant will comply. Mr. Decker said the field lights are 60 ft. in height. They are the same lights as at the County ballfields. As Mr. White pointed out, the Applicant should instead go with LED lighting. The Applicant will comply.

Mr. Decker said, as Mr. Wilke indicated before, the lighting on the turf fields is different than on the baseball fields. The lights on the turf fields are 60 ft. in height and turned more on the horizontal because they have to be able to light the middle of the field. All three fields will have four lights; two on each side. The intention is that the lights for the fields will only be lit when the fields are being used. The Applicant is looking to have them lit at night up to 11:00 pm. Mr. Decker stated Mr. White requested there be fall zones, which would be 60 ft. from the center of the pole. He said the fall zones will be added to the plan. Mr. Decker said at the most, the fall zone would encroach 12 ft. into the area of a parking space.

Mr. Decker addressed the landscaping. He said native species have been proposed, as is required by ordinance. He said they will work with Mr. White's office to make any changes necessary to satisfy Maser's Landscape Architect. Mr. Decker stated that the Applicant and professionals met previously with the

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Environmental Commission. At that time, there was significant discussion with regards to buffering in the northern area adjacent to the lots on Oxford. He said the Commission asked that the Applicant consider preserving some of the existing trees along the northern area. Mr. Decker said after consideration and a recent site-walk, Exhibit A-3 was prepared in response to the Commission's concerns. He said based on discussions, the proposal is to preserve a 1.3 acre section of the existing trees in that area, and extend the buffer to the east. The trees in some of that area are not good quality. The Applicant is proposing to bring in a tree spade to remove any of the existing trees that would be removed but are in decent shape, and move them to help plug in some of the holes to add to the buffer to the neighboring residential properties. Within the area (area shown on the display), there are 72 trees that range in size from 6 in. to 24 in. in diameter, and some 30-40 ft. tall. Most are Cedar trees, some are Oak, and some are other deciduous trees. These trees would be used to supplement the buffer. The area would be a solid fence that would provide additional buffering. He said that would be better than clearing the area and replanting with new 4 in. caliper trees that will need to mature. The proposal is to continue the 6 ft. high fence along the remaining northern perimeter. Mr. Decker said by preserving the wooded area, that area would not be remediated. We cannot put in 1-2 ft. of new soil in, without killing the trees. The fence would also contain that area. The fenced area would be preserved by deed to identify its location. He said the LSRP can testify that this is completely compliant with DEP regulations. The fence will also help with deterring pedestrian traffic walking through neighboring properties to and from the site.

Mr. Decker noted Mr. Wilke has spoken with some of the property owners on Oxford. Requests have been made to plant additional Evergreens on each of their properties. He said Mr. Wilke is prepared to install as much as 100 6 ft. - 8 ft. Evergreen trees on off-site properties to help with the buffering.

Vice Chairman Julian explained that the Environmental Commission was concerned with the buffer and wanted to see more trees and/or berms used.

Mr. Decker said there is a rise to the property in that area that sits at the same height as the residential properties. He said there are other trees within the site that were identified as being potential trees that could be saved. Those trees are located in the area designated as "land banked parking". Mr. Decker said they will look to see if they can accommodate the equivalent number of parking spaces elsewhere to see if some of those trees could be saved.

Vice Chairman Julian said it is often difficult to visualize just from a map; you will need to go out to the site to get a better visual from the neighbors' properties.

Committeeman DelCore said the Environmental Commission was of the understanding that all of the trees would be removed. The berm with new plantings would act as the buffer. Committeeman DelCore said using existing mature trees should be a better buffer than a berm with new trees.

Mr. Decker agreed. He said the berm would not need to be as high since the trees are much taller. Evergreens from the site will be used to fill in some of the gaps in the tree canopy.

Vice Chairman Lipani agreed.

Chairman Lipani asked if the neighbors understand that if the trees were to be saved and relocated, that area would not be remediated. He asked the Board's professionals to comment.

Township Engineer, Mr. White said it is allowable. Agreement to allow it is ultimately up to DEP, not the Board. Mr. White said Maser's LSRP reviewed the proposal and agreed it was acceptable, but the area would need to be fenced in so people could not come in contact with it. The fence has to be maintained and probably need to have signage on it to warn the public.

Mr. Wilke clarified that the fencing around the area is an acceptable means of "remediation" as per DEP.

Vice Chairman Julian said that would be an "engineering control".

Mr. Decker agreed.

Committeeman DelCore said the third field would be part of Phase II for the turf, but part of Phase I for the lighting.

Mr. Decker agreed.

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Mr. Hesthag suggested some of the relocated trees could be strategically placed to block some of the light from the fields.

Mr. Decker said they will work with Mr. White and Mr. Maski out in the field, along with the neighbors, to utilize the trees as best they can.

Committeeman DelCore said it was said at the Environmental Commission meeting that the ponds would be fenced.

Mr. Decker said wet ponds are required to have a fence and a safety ledge designed so that if anyone were to fall in, it would be into shallow water adjacent to that area.

Township Planner, David K. Maski, PP, AICP, asked to have comments from his report addressed on the record.

Mr. Fisher said some of the comments would be addressed by some of the other experts.

Mr. Maski asked that details for the cross-walk treatments be provided.

Mr. Decker confirmed they will comply.

Mr. Maski asked for more information on the loading process and types of trucks expected to visit the site. He asked that the Applicant come up with a better solution than using drive aisles at the west side of the building for parking of delivery trucks while unloading. Mr. Maski said the site is supposed to have adequate loading spaces, but the plan proposes loading in a traffic aisle. He said that does not seem to meet the ordinance. He said a waiver would need to be requested but the preference is to provide a designated loading zone.

Mr. Decker acknowledged a designated loading zone would be provided by eliminating parking spaces.

Mr. Maski noted the spaces would need to be relocated elsewhere in order to meet the parking requirement.

Mr. Decker agreed.

Mr. Maski asked for more details on the trash enclosure.

Mr. Decker said the trash enclosure will have a 6 ft. high solid vinyl fence around it, with a solid gate in front to obscure the view. The landscaping will consist of Norwood Spruce trees.

Mr. Maski asked if the trash enclosure will be similar in materials to the complex.

Mr. Decker deferred the question to the Architect.

Mr. Maski asked about the access for trash collection.

Mr. Decker said they plan to move the trash enclosure so that it is squared off with the parking spaces rather than leave it on an angle. The garbage truck would either pull in or back in, depending on whether the truck is a rear-loading or front-loading truck.

Mr. Maski asked Mr. White if a right-of-way dedication would be needed on Mountain View Road.

Mr. White said typically that type of road requires a 60 ft. right-of-way. There is already a half-width of over 30 ft. so no dedication is necessary.

Mr. Maski asked how one would access the County park property from Apex if not driving.

Mr. Decker used Exhibit A-1 to explain the route. He said there is an 8 ft. wide walking / biking trail alongside the length of the drive access to Mountain View Park. Apex will have a "Y" connection to that access by way of a westerly crosswalk which provides access to the pathway throughout the County park.

Mr. Maski asked if there is currently a fence between the County property and the subject property, and if so, whose fence it is.

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Mr. Decker said right now it is the County's fence because the County still owns the subject (Apex) property. He said that fence is there primarily because the western portion has been remediated, the 40 acre easterly section has not. The entire easterly section is enclosed by a fence. He agreed that there is a possibility to have better connections in the back of the property if this property is developed, rather than have to walk out to the front of the property.

Mr. Maski commented that the details of the fence should be provided.

Mr. Decker agreed.

Mr. White commented that there was testimony regarding the trigger for if / when the construction of the banked parking spaces is needed would be up to the Applicant's Traffic Engineer. He said the redevelopment plan calls for the Planner and Planning Board to make that determination.

Mr. Maski agreed.

Mr. Fisher said the study was offered but can instead be determined by the Planner and Board, if preferred.

Mr. Bernstein asked if the Applicant would be willing to make as a condition of approval, that they will seek approval from the Planning Board for the banked parking spaces.

Mr. Fisher said they had hoped not.

Mr. Bernstein suggested a discussion be had with the Applicant. He said at an appropriate time, seeking approval of the banked parking lot would require reappearance before the Board for approval.

Mr. Fisher indicated he would address it after the break.

Mr. Bernstein said the second issue is the access through Mountain View Park. He said the access easement from the County would be a condition of approval. A copy of which would need to be provided to the Township.

Mr. Fisher agreed.

Break 9:10pm - 9:19pm

Chairman Lipani noted the Board does not take new testimony after 10:00pm, unless agreed to by the majority of the Board.

Chairman Lipani called for questions for the Engineer related to his testimony.

Douglas Schaaf - 79 Oxford Place

- Mr. Schaaf said there was testimony that you will be saving 72 trees. He asked how many trees will be removed for this property.

Mr. Decker referenced Exhibit A-1. He said originally, all of the trees were going to be removed due to the capping of the site. The exact number will be provided.

- Mr. Schaaf asked what happens to all of the wildlife.

Mr. Decker said that question can be answered by the environmental consultant at the time of his testimony.

- Mr. Schaaf said since the GSA has been cleared, the habitats have relocated to his neighborhood. He commented he did not know what the implications of clearing more land will be. He asked when the trees would be cleared, if the proposal goes through.

Mr. Decker said the clearing of the trees would be one of the first things that would need to be done.

Mr. Fisher said issues related to DEP permits can be addressed by Mr. Kuc.

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Mr. Wilke said if approval is granted by the Board, everything else is in place. He said he hopes to have the turf fields constructed and operational by next spring. In order to accomplish that, they would need to have a shovel in the ground by August / September of this year.

- Mr. Schaaf asked about the regulations on when trees can be taken down.

Mr. Fisher reiterated that the environmental consultant, Mr. Kuc, will be able to address the matter during his testimony.

- Mr. Schaaf said the light from the County's ballfields reaches into his house in the evening. He stated he is concerned about having more lights, and that the lights will be on until 11pm. Mr. Schaaf said that raises "quality of life" and "property value issues".

Christine McAvoy - 142 Mountain View Road

- Ms. McAvoy said her house is directly across from "Pond A". She asked for more details on the fencing around the ponds.

Mr. Decker said the fencing around the ponds will be a 4 ft. high split-rail fence that has wire mesh running around it so it is not for climbing. The fences will have gates to allow access for maintenance.

- Ms. McAvoy said she attended the "meet and greet" meeting. She said at that meeting, they were told the plan was to remove the trees on Mountain View and plant new landscaping in front of the pond. Ms. McAvoy asked if the landscaping could have some height to it provide her with a more pleasing view from her house.

Mr. Decker said 485 Evergreens and 534 deciduous trees will be removed. They will be planting 199 Evergreens and 358 deciduous trees. These calculations were done before the decision to save 72 trees was made.

Mr. Decker confirmed all of the trees in the front will be removed. Street trees will be planted, in accordance with the ordinance, as well as the required buffers. He said it is not feasible to leave the trees that are there because those trees would then need to be fenced.

Mr. Decker explained that the site needs to be remediated from the contamination. If they leave the trees, they would not be able to cap the area because as soon as a clean layer of dirt is put on top of the root structure; it kills the trees.

- Ms. McAvoy said the view now from her property looks out at 8 ft. tall trees. She said she does not want to look out at a pond with an air dome without trees.

Mr. Decker answered that there will be shade trees as well as other buffer plantings planted along the entire frontage. He showed Exhibit A-3.

- Ms. McAvoy said there are currently Cedar trees and Evergreen trees that do not shed leaves in the Fall. She asked that some consideration be given as to the replacement of the trees that they be similar so that she does not have to rake leaves that blow onto her property.

Mr. Decker said the Township ordinance requires that shade trees be planted. Shade trees are deciduous trees that will have leaves.

- Ms. McAvoy said the Township makes waivers for everything else; could there be waivers for the trees? She stated she now gets litter from the park that blows onto her property.

Mr. Decker said the landscape plan was done by Van Cleef so he could address the questions. He said in those areas, they plan to have a few Maple trees, and a Hawthorne tree. They are looking at Japanese Black Pine, Serbian Spruce, and American Holly; all of which are Evergreens. The Evergreens are mixed in at a lower elevation to mix in with the deciduous trees at a higher elevation. The Evergreens will be 6 ft. high at planting.

Chairman Lipani added the Evergreens will act as a wind buffer.

- Ms. McAvoy told of the disruptions she and her neighbors have had to endure during remediation of the GSA Depot through the State, and later through the County. She spoke of truck and equipment

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noise and traffic at all hours of the night, with no means to control it since it was a “government” project. Ms. McAvoy said since this project would be “private”, if there are work start / stop hours that would need to be followed, as opposed to having no rules for the government.

Mr. Fisher said there are township ordinances that limits the hours of construction, and noise, which the Applicant will comply with.

Dennis Sitarik - 71 Oxford Place

- Mr. Sitarik said lights are a problem now with the County fields; lights will be a problem here as well. He said the upper field is the field closest to his house. He said the banked parking is also the closest parking area to Oxford, which will also have lighting. Mr. Sitarik asked for consideration to move the field and parking area so that it is not in such close proximity to Oxford Place, due to the concerns with the lighting. He also asked how the traffic will be managed.

Mr. Fisher said the traffic engineer will address the traffic.

Chairman Lipani said that expert will testify at the next meeting.

- Mr. Sitarik said he also has a concern with water runoff due to the berm.

Chairman Lipani noted the proposal has been changed to eliminate the berm.

Mr. Decker concurred, saying in lieu of the berm they are now proposing to preserve 72 existing trees at their current elevation. It will not affect the drainage patterns. The fence will be a 6 ft. high vinyl fence, maintained by the Applicant.

- Mr. Sitarik said the County will be putting a fence back in once the remediation of the other property is done. He said he will then have another fence in his back yard from this project.

Mr. Decker asked Mr. Sitarik if he was aware what type of fence would be installed for the GSA project.

- Mr. Sitarik said he believed it would be a chain-link fence.

Mr. Decker said the fence associated with this proposal would be a solid fence. The view of the fence will pretty much be obscured by the view of the trees on the other side of the fence.

Vice Chairman Julian said the fence is an engineering control for the remediation, which also acts as a buffer which impairs the sightline. There has to be a choice.

- Mr. Sitarik asked why this portion of the GSA property does not need to be remediated in the same manner the other portion was.

Mr. Fisher said the LSRP would be the one to address the different forms of remediation and what the DEP calls for.

George Cox - 69 Oxford Place

- Mr. Cox said the issue with the lights for those on Oxford Place, is the third field. He asked if the fence will go along the back of the third field.

Mr. Decker pointed out (display) that the fence currently encompasses the northwest corner. It is not intended to run along the property line.

- Mr. Cox said the neighborhood used to have a forest; now they have “a tree”. He said a fence behind the third field would make it better for the people who were there first.

Mr. Wagner asked if the neighbors are looking for a fence taller than 6 ft.

- Mr. Cox said he is looking for anything that will block the visual of people playing and all of the headlights from the cars coming in; as well as the noise. Mr. Cox pointed out the location of his house on the display. He said having a 60 ft. light is distracting. He again asked if there would be a fence to keep people from making their way into the neighborhood.

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Mr. Decker said he understands the concerns. He showed Exhibit A-3 and again stated the trees in that area will be preserved and add more trees with transplanted trees from the site, to fill in gaps, and will be planting some additional trees. Plus there will be a fence (remediation). The easterly drive will be blocked by the fence and landscaping. Mr. Decker said the traffic coming in is quite a distance away for the headlights to reach the (back) area.

Mr. Wilke said he would be willing to look into putting a fence in the area Mr. Cox is concerned with. Mr. Wilke asked if he could resolve the concerns by extending the fence on the northern side (A-3).

- Mr. Cox said he is concerned with the area / property line behind the third field. He said extending the fence would be a help.

Mr. Wilke said he would have no problem doing so.

- Mr. Cox said he was surprised that since the property is contaminated that all of the trees are not being removed and replaced with 2 ft. of clean soil. He stated the area behind his house was stripped down 12 inches, then dirt was brought in. He asked why that was all necessary if the area could have been capped in the like. Mr. Cox asked if digging up the soil and replacing it is the best way to remediate, then why isn't this area, where children will be brought in to play, done in the same way.

Mr. Fisher said the LSRP will address the various ways to remediate a property.

- Mr. Cox asked the question again.

Chairman Lipani offered that it may have something to do with what was found to be in the soil. He reiterated that the LSRP will address the question at the time of his testimony.

- Mr. Cox said he has been living with this for two years now, and had no options.

Mr. Fisher stated the LSRP will explain how this is the conservative method of remediation, as per daycare standards and schools.

- Mr. Cox raised the issue of the parking waivers requested. He said he imagines that the larger the parking space, the safer it is. He said he does not know why the waivers are so easy, when there are children here as well.
- Mr. Cox commented that this development has obviously been going on for some time. He said it is disappointing to be informed at the eleventh hour. He said it could have been done better for the citizens of the township, to have an opportunity to review and give input before the time it is going for votes.

Glen Watson - 22 Arthur Road

- Mr. Watson said he reiterate with what Mr. Cox just said.

Susan Gulliford - Hunt Club Road

- Ms. Gulliford said 794 spaces are required, for which a design waiver is being requested to make the spaces 2 ft. shorter. She asked who will be the typical visitors to the site.

Mr. Fisher said the operations witnesses can testify to that.

- Ms. Gulliford questions whether or not narrowing the parking aisles from 30 ft. to 25 ft. is a good idea, given the use. She asked if it has been looked at as a safety factor for children.

Mr. Decker said that is a question for the Traffic Engineer.

- Ms. Gulliford asked, in the area where the parking is being "banked", it is being capped with clean fill. She said when the time comes that the banked spaces are needed, that fill would then be disturbed to put in the macadam, which would then be the capping. She asked if that area would need to be cleaned up again.

Mr. Decker answered by saying the LSRP can address the question.

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- Ms. Gulliford said both of the driveways are full movement accesses. She asked how far apart the driveways are as they come out onto Mountain View; for the driveway for Apex, and the driveway for the park.

Mr. Fisher noted one is on Mountain View; the other is on a private-access County road.

Mr. Decker scaled Exhibit A-2 and responded that the span is approximately 420 ft.

- Ms. Gulliford spoke about the number of trips associated for a different project in the area, and asked how wear-and-tear items, such as with the macadam, striping, snow plowing, would be taken care of.

Mr. Decker said he will defer to the Traffic Engineer since is deals with the number of trips.

Committeeman DelCore asked Ms. Gulliford to specify the area she is concerned with regarding wear-and-tear.

- Ms. Gulliford she was concerned with the area from the park driveway onto Mountain View.

Mr. Fisher said the maintenance of that road will be determined by the County. The agreement would be between the Applicant and Somerset County.

- Ms. Gulliford started to address the sign waiver.

Mr. Decker said the architect will be discussing the graphics and the size. He said there is one waiver which requests two signs.

- Ms. Gulliford said her concern was with the size.
- Ms. Gulliford said it was mentioned that this facility will bring money into the township; local businesses will benefit. She asked if the applicant would consider not putting in a food court in order to help the local business such as the Diner, pizzeria, deli, etc.

Mr. Fisher said the operations witness will testify how the food court will be a true accessory to the use.

- Ms. Gulliford said she had a number of other questions. She was guided by Mr. Fisher that other witnesses would be able to address her concerns.

Chairman Lipani cautioned the public that if an issue has not been brought up already, the question would not be for this witness. He said the questions should only be based on testimony given.

- Ms. Gulliford asked where the dumpster will be going.

Mr. Decker said the dumpsters will be located in the northeast corner of the parking lot. It will be fenced and have landscaping around it.

- Ms. Gulliford questioned if it would be better to have it away from the back of the homes on Oxford.

Jessica Snowdon - 55 Oxford Place

- Ms. Snowdon asked about off-peak hours.

Mr. Fisher said the operations witness will testify to the operations during peak and off-peak hours.

- Ms. Snowdon said the dumpster is very close to the back of her property and her neighbor's property. She asked about the pick-up times.

Mr. Fisher pointed out that the township has an ordinance regarding this matter.

Committeeman DelCore agreed, saying there is an ordinance regarding the time of collection. The same goes for commercial enterprises as for residential properties. He said he believes the earliest time was 5am.

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- Ms. Snowdon asked if the dumpster could possibly be moved closer to Mountain View or somewhere else on the property. She said there is going to be a lot that will be affecting their properties. Ms. Snowdon said to have a dumpster on top of everything else...

Mr. Fisher asked Mr. Decker to provide the distances.

Chairman Lipani said it sounds as if the suggestion is to move the dumpster to the opposite corner, away from the houses.

Mr. Decker said the problem with moving the dumpster area there is the proximity to the fields with bees and so forth. It would be much closer to the fields.

- Ms. Snowdon pointed out her property on the display.

Mr. Decker reiterated there would be the fence around the dumpster, and with the trees behind the dumpster, you would not be able to see the dumpster area at all.

- Ms. Snowdon said she is more concerned with the noise at 5am for little kids.

Mr. Wagner offered that some residential collections can come at 5am.

- Ms. Snowdon commented that she basically has two front yards now.

Secretary Hesthag asked approximately how far away the back of the dumpster area is from the houses.

Mr. Decker said from Lot 37, it is approximately 340 ft.; and approximately 490 ft. away from Lot 38.

- Ms. Snowdon said at the Environmental Commission meeting, they were informed the lights would be 50 ft. tall, and that operation house would be to 10pm. Now we are being told it will be closing at 11pm.

Mr. Fisher said that would be addressed by the operations manager.

Robert Darby - 51 Oxford Place

- Mr. Darby commented he would much rather see mature trees as a buffer rather than having a berm with an 8 ft. tree on top. He suggested having the trees as a buffer along the complete north side of the property.

James Burke - 121 Mountain View Road

- Mr. Burke said he lives three houses away from the project entrance. He said all of the trees were removed on the east boundary for installation of a drain. Mr. Burke asked if there will be any additional trees planted in that area.

Mr. Decker said there are currently no trees proposed along that boundary. He said the buffer is required when it abuts a property zoned residential. The abutting property in that area is not zoned residential and not being used as residential.

- Mr. Burke asked the Board if there are any future plans to extend Pleasant View from Mountain View, or Pleasant View from Amwell Rd., to be extended into the park.

Mr. Bernstein said there are no plans we are aware of at this time before the Board of Township Committee. He said there are a number of "paper streets" throughout the township.

- Mr. Burke agreed with the earlier speaker, that the driveways are close. He said there are mixed feelings about the project but that he is for it. He said there are issues with the dump trucks going up and down the road. He spoke in favor of the project.

John Anderson - 49 Oxford Place

- Mr. Anderson said he reiterated what Mr. Darby said. He said the buffer zone along the area in the north, is just short of giving him a break. He asked if the buffer could be extended along the property to the east border.

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Mr. Wilke and Mr. Anderson discussed the idea of continuing the fence.

- Mr. Anderson said he is also concerned with the placement of the dumpster.

Mr. Fisher stated again that there would be fencing and buffering from trees.

Chairman Lipani asked for a continuance date, since no new testimony would be taken at 10:10pm.

After discussion, Mr. Fisher agreed to May 3.

Mr. Bernstein stated the motion being sought is for the continuation of the application to the May 3, 2018 meeting.

A motion was made by Mr. Skobo, seconded by Mr. Wagner. All were in favor; motion carries.

Chairman Lipani noted for the public to mark the date on their calendars since no further notice would be given.

CORRESPONDENCE

None

Chairman Lipani announced the next meeting is scheduled for April 12.

ADJOURNMENT

A motion to adjourn was made and seconded. All were in favor, none opposed; motion carries.

The meeting was adjourned at 10:15 p.m.

*Submitted by:
Debora Padgett
Administrative Assistant / Planning Board Clerk*