

HILLSBOROUGH TOWNSHIP PLANNING BOARD

PUBLIC MEETING MINUTES

May 03, 2018

Chairman, Shawn Lipani called the Planning Board Public Meeting of May 03, 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 - Present

Robert Wagner, Jr. - Present

Committeeman Frank DelCore - Arrived 7:37pm

Robert Peason - Absent (*Recused - APEX*)

Stephanie Forrest - Absent

Neil Julian, Vice Chairman - Absent

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.); Michael Lombardozi, CCR, Covering Court Reporter; and Caz Bielen, Board Videographer (Premier Media, LLC).

DISPOSITION OF MINUTES

- **April 05, 2018**

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

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

- **April 12, 2018**

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

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

DISPOSITION OF RESOLUTIONS

None

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) *Revised plans received 04-23-18. Continued from April 05, 2018 without further notice.*

Exhibits:

A-1 Vicinity Plan - Color rendering dated 03-21-18 (*introduced at 04-05-18 hearing*)

A-2 Site Plan - Color rendering with proposed landscaping, dated 01-31-18 (*introduced at 04-05-18 hearing*)

A-3 Proposed Buffer - dated 04-05-18 (*introduced at 04-05-18 hearing*)

A-4 Site Layout & Environmental Areas of Concern

A-5 Test Pit Photo - Doc

A-6 Capping Examples

A-7 Site Plan - colorized

A-8 APEX Sports & Events - Colored Floor Plan

Figure 1 Test Pit Location Map

Alexander Fisher, Esq. of Savo, Schalk, Gillespie, O'Grodnick & Fisher, representing the Applicant, said there were a number of environmental questions raised at the last hearing. Mr. O'Grodnick said testimony will be offered by the project's LSRP; Operations Manager; Traffic Engineer; Architect; and Planner.

Mr. Bernstein noted for the record, certifications for examination of the record were received from Committeeman Suraci and Committeeman DeCore, making them eligible to vote on and participate in the hearing.

Chairman Lipani instructed the audience to limit questions to the testimony being given.

Garth Llewellyn, PG, LSRP of Appalachia Hydrogeologic & Environmental Consulting, LLC, was sworn in, provided his credentials, was accepted by the Board, and gave the following testimony:

Mr. Llewellyn said he would be discussing three main topics: environmental areas of concern; site compounds and contaminants of concern; and site remedial approach. He explained **Exhibit A-4** has been applied to the APEX portion of property to be acquired. The AOC areas are described by identification numbers. There is a railyard area; underground storage tanks; former above-ground storage tanks; and a variety of other AOCs. (Many of) the AOCs are being addressed by Somerset County. There are two that APEX will be responsible for: the railyard area, and historic fill. Mr. Llewellyn said the railyard is depicted in grey on the display.

Mr. Llewellyn said **Exhibit A-5** is a photo document of various test pits advanced throughout the site. Test pits "TP-4" and "TP-13" show more natural soils; another shows varying degrees of historic fill. Mr. Llewellyn described the contaminants as "PAHs" or polycyclic aromatic hydrocarbons and some metals. He said if you were to go out into the parking lot and grab a handful of asphalt; that is essentially what these contaminants are. He said in an environmental media, this is not the worst materials to come in contact with.

Mr. Llewellyn said this site is being remediated by both engineering and institutional controls. He said the most common engineering control used is called "capping". The real exposure danger is ingestion and dermal contact and inhalation. One of the ways to mitigate it is to place a clean surface on top of those compounds. Mr. Llewellyn stated this site does not have any contaminated groundwater. All that is being mitigated is exposure via direct contact.

Mr. Fisher clarified that the contaminants do not leach into the groundwater.

Mr. Llewellyn agreed. He referred to **Exhibit A-6**, which he described as some capping examples. He said a "cap" essentially has a few main components to it: a barrier at the surface, which is usually clean fill with a vegetative cover, or a unitary cover, such as a turf field. He explained a minimum capping requirement for a non-athletic vegetative lawn area would consist of a minimum 6 inch clean fill. Below that would be another layer of clean material used as a buffer to further separate an individual at the surface from impacting material below. Next is a visible contaminant boundary marker, which is an indicator that you are approaching the area of concern, which can range from a geotechnical fabric or a natural variation in the soil tone. He said the soils in Hillsborough are typically a red-brown silt-clay matrix, which is very distinguishable from clean fill. He noted the examples shown on the display. Mr. Llewellyn said there are other considerations, such as at a play area, where you would want a minimum of two feet of clean material verses one foot.

Mr. Llewellyn explained you can also use fencing as a means of mitigation, as an engineering control. He said by using fencing, you are limiting access to a certain area. Mr. Llewellyn said beyond that are institutional controls, such as a deed restriction limiting activity on a portion of a property.

Mr. Llewellyn said the methods being used here are "presumptive remedies". He said DEP provides the standards. When complied with, preapprovals are not required. He stated one can build a school or childcare facility on a site that uses this criteria.

Mr. Llewellyn said **Exhibit A-7** is a site rendering. He said the building, parking lots and turf fields are engineered structures. Once they are built on top of the media, there is no risk of exposure to touch, smell

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or inhale any dust from contaminants. The remediation for the site is nearly a “site-wide cap”, combined with institutional controls, for which inspections would occur to assure the integrity of the cap is not compromised over time. He said there is a rigorous process that DEP has put in place to make sure there is reporting put in place.

Mr. Llewellyn said the one exception for the cap is into the northeast area near Oxford Place. He said the Township Environmental Commission recommended the residential neighborhood may want some additional buffering for sight and sound. The existing natural vegetation would be left in place, primarily because there are no plans or activity use for that portion of the property. He said it makes sense to put an engineered structure, such as a fence, to restrict access and put in a deed notice, which is essentially an institutional control. All of the engineering and institutional controls get named in the deed notice which gets recorded with the County to restrict the property from being used for anything unauthorized.

Mr. Llewellyn said there would likely be a semi-annual inspection of the fencing to assure it is being properly maintained. If at any point in the future it is found to be breached in some manner, every necessary precaution would be taken to make sure it is fixed or modified to make sure the general public is not gaining access to this (fenced) area. He reiterated that the compounds of concern are those similarly found in asphalt, so the areas of concern are not immediately dangerous to life or health. Mr. Llewellyn said the controls are definitely conservative and protective of human health and environment.

Mr. Llewellyn said there was a question asked at the last hearing as to whether the best approach would be to excavate. He said that would be one approach but not the only option such as this, which is adequate to address the area of concern.

Mr. Fisher asked if DEP finds the methods equally satisfactory.

Mr. Llewellyn said DEP will give a final approval on this. He said a Remedial Action Work Plan gets submitted to NJDEP. That Work Plan outlines all of the institutional controls, then the site plan build-out goes forward, which is considered the “remedial action” phase. Afterwards, there is a Remedial Action Report along with the Deed Notice, as discussed earlier, gets submitted to the County. Those items then get sent to DEP, who would then issue a Remedial Action Permit. Once that permit is issued back to the LSRP, a Response Action Outcome (RAO) is issued. The RAO is a letter which states the site complies with all of the rules and regulations of the DEP, and thereafter, it can be opened. Inspections are required every two years; there needs to be a biannual certification which summarizes all of the inspections by a professional.

Chairman Lipani asked if all of the areas not immediately covered with a building, parking lot or field turf, are to be capped with fill.

Mr. Llewellyn confirmed the remaining areas will be capped with certified clean fill material.

Mr. Maski asked Mr. Llewellyn to outline the area that would be fenced in.

Mr. Llewellyn showed the area on the exhibit. He stated that area would be completely fenced on all sides.

Mr. Maski asked if that area could have trees or vegetation added to it, or if it needs to be kept “as is”.

Mr. Llewellyn said you could add trees.

Mr. Maski asked if trees die or are blow over, if they can be replaced.

Mr. Llewellyn said DEP can be contacted for any type of alteration made. If there is a substantial alteration of the cap, that would constitute a modification of the Permit. He gave the example of proposing to put asphalt onto what was a paved surface. That would be a modification that would need to be applied for with DEP.

Mr. Maski said nothing in the fenced area gets removed; whatever contamination is there will stay there.

Mr. Llewellyn agreed.

Open to public.

Chairman Lipani asked for any questions on the testimony given by the LSRP.

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Sally Treonze – 555 Mountain View Road

- Ms. Treonze said she is a life-long resident of the Township and has lived on Mountain View Road for some time. She asked if the clean fill will be trucked in and if so, how many trucks they anticipate and what route they will be taking.

Mr. Llewellyn said clean fill would be trucked in. In terms of the access, he said wherever they are authorized to bring in clean fill is where they will be bringing it in.

- Ms. Treonze said the reason for her question was because there has been a tremendous amount of truck traffic for the remediation that has occurred for the Mountain View Park. She also noted there may be a weight limit for trucks.

Chairman Lipani said trucks exceeding the weight limit would not be allowed to travel on that road.

- Ms. Treonze again asked if the trucks would be coming in off of Route 206.

Mr. Llewellyn stated wherever they are authorized to bring the fill in is where the trucks will travel.

- Ms. Treonze asked Mr. Llewellyn if he had any idea as to how many trucks would be used.

Mr. Llewellyn said he did not know the exact numbers, but that there will be quite a few. He confirmed it would be a temporary situation, pre-construction to construction of the facility, bringing fill in for the remediation.

Mr. Fisher added that unlike the County portion (fields), this project is subject to the Township's ordinances on time limitations for constructions

George Cox – 69 Oxford Place

- Mr. Cox asked if the discussion about continuing the fence along the back of the property has been agreed to and will be implemented as part of this plan.

Mr. Fisher confirmed the Applicant agreed at the previous hearing to extend the fence.

Chairman Lipani clarified that the fence being discussed by the LSRP is only for the section related to the remediation fencing.

Mr. Fisher reiterated the fencing along the back of the property will be extended, as discussed.

- Mr. Cox asked about noise pollution.

Chairman Lipani said that question should be directed to the Operations Manager at the time of testimony.

Mr. Maski commented that at some point during the hearing, more details on the additional fencing will need to be stated.

Brian Geniton – Brook Drive

- Mr. Geniton asked Mr. Llewellyn what percentage of the property is represented in the soil samples.

Mr. Llewellyn, using Exhibit A-5 as the display, stated for historic fill material, the LSRP is not required to sample everything; only required to characterize it to a sufficient extent, which was the purpose of the test pits. The test pits were also done to analyze the railyard, which came back perfectly clean. He said the County has taken out the rails and ties. Samples were then taken which showed virtually clean material.

Mr. Llewellyn said as for the historic fill, in conjunction with this site, operations began circa 1940. At that time there was a tremendous amount of activity with the rail and truck on the property, as well as vehicle exhaust. These same compounds found on this site are also common on residential properties next to major thoroughfares. He said because they are using a presumptive remedy where it will be capped on top; this sufficiently mitigates the exposure to those compounds.

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Mr. Llewellyn explained that the dots on the display (A-5) represent test pits. He said they advance enough test pits to get a general understanding as to the distribution. Mr. Llewellyn said the Army would move dirt from one area to another so essentially the compounds would be spread all over the site. This "spill" is not localized and is spread throughout the entire site. Hence the purpose for doing the capping and engineering and institutional controls.

- Mr. Geniton said it makes sense that the entire property will be capped. He asked for an explanation of how erosion and digging for the purpose of constructing the building will be addressed with regards to the soil.

Mr. Llewellyn said the building is essentially the cap for that area of the property. The specifications for the building structure call for some base material with a concrete slab on top. There are also specifications for crawl spaces as well. Those are all part of the presumptive remedy package discussed earlier. The building is the cap; as is the parking lot; as is the turf fields; as is the grass areas which have been remediated with clean fill.

- Mr. Geniton asked what the response time would be in case of a breach, such as fallen trees due to a storm.

Mr. Llewellyn said the property owner would need to draw attention to some type of breach. There will be a semi-annual inspection by a professional looking for any signs of demarcation. APEX would be responsible to address day-to-day issues, such as a pothole in the parking lot; a tear in the turf field, etc. The play area will have two feet of clean fill. In the area being fenced, it is restricted so there will be no exposure. The integrity of that fence would be inspected. If there were signs some has tried to break into it; it would be fixed and if warranted, additional security would be added to assure it would not be broken into again.

- Mr. Geniton asked if the Township will have access to what takes place on the site.

Mr. Llewellyn said all of the records are available to the public under OPRA. The public has every right to check up on what has been done on an ongoing basis.

No further questions for the LSRP.

Mr. Fisher called Mr. Sullivan to testify.

Eric Sullivan of Sports Facility Advisory / Sports Facility Management was sworn, provided his credentials, was accepted by the Board, and gave the following testimony in response to questions asked by Mr. Fisher:

Mr. Maski asked what Mr. Sullivan's role will be for this facility; whether he will be managing this facility or brought in as an outside consultant.

Mr. Sullivan said SFA will be the full-time management company of the site. He explained that his company began the project with Mr. Wilke and the APEX team, with a formal feasibility study which looked at the market, the influence of competition, and assessment for the demand and need for a sports and recreation events facility in Hillsborough. The conclusion was that there is sufficient demand that this project would be feasible. At that time, the programming opportunities were discussed for both the physical and operational opportunities.

Mr. Sullivan said since that time, his company has helped come to the site plan proposed. He stated SFA will be the full-time operations Management Company for this facility, which means SFA will hire and train the staff, and will be responsible for the day-to-day execution of the business plan, on behalf of APEX ownership.

Mr. Sullivan said he would address the site, how it functions, and the facility operations. He displayed Exhibit A-7. Mr. Sullivan said a facility is always designed with "guest experience" in mind. This facility provides ample parking, with two points of access, with the main point of entry in the center at the front of the site. The fields are shown on the display with a soccer striping plan but they are considered multi-purpose long fields. The fields can be used for soccer, lacrosse, football, field hockey, ultimate Frisbee, and a number of other different sport and recreational uses. In addition to the fields, shown on the left of the display, there are also green grass open lawn areas that are currently proposed as "warm up areas". There is no specific intended use for those areas other than warm up or cool down areas for teams.

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Mr. Sullivan entered the floorplan as **Exhibit A-8**. He first detailed the floor plan of the 86,400 sf. air supported dome structure. There will be a series of airlock doors to go through before entering the indoor field area. The indoor fields can also be used for multi-surface turf sports, under weatherproof training for infield and youth modified games. Anything oversized, such as bleachers, benches, goals, etc., would need to come into the air supported structure through the rear access and back airlock.

Mr. Sullivan said the smaller air supported dome, which is just over 22,000 sf., is primarily set up for team training. This dome will be set up with an area for batting cages and pitching tunnels, and an open turf training area to be used for SAQ or speed-agility-quickness training.

Mr. Sullivan said the heart of the operational uses for the campus will be within the hard structure. Once through the main entry, four full-sized basketball courts are located to one area. The courts are 84 ft. by 50 ft., which are full sized to high school and AAU sanctioned standards. Ten volleyball courts run across the basketball courts. The courts can be set in a variety of 26 different ways to accommodate a wide variety of activities such as cheer, dance, martial arts, wrestling, band practice, etc.

Mr. Sullivan described two inter-active play areas just off the main entrance. He said one is an obstacle high challenge ropes course and an area for play structures for all ages, equipped with the type of equipment used for *American Ninja Warriors*. This area offers an "active play" area for kids and adults. There is a full-scale rock climbing gym just past the play areas. There will be bouldering elements, for low, unharnessed climb; and top-rope elements for a harnessed full-climb experience. Just past the climbing area is an interactive family recreation open space.

Mr. Sullivan showed the location of the café. He said the quick order food service is intended as an on-site amenity, which also offers outside seating to be used during warm weather months. Multi-purpose rooms in this area will be available for meetings; talks; and small scale birthday parties. Corporate offices will be located to the right of that area. The main quick service and prep area will be located downstairs. A mezzanine is being proposed down the center spine of the facility to offer parents and spectators elevated viewing area and comfortable place equipped with lounge seating and Wi-Fi.

Mr. Sullivan said there is functional storage built-in throughout the facility in different pockets. This allows efficiency to be able to switch from one activity to another, so as not to be stuck with one programming modification.

Mr. Sullivan said the plan is to have 5 to 6 full-time employees on-site at opening. Typically, there will be anywhere from 5 to 25 part-time staff members. The part-time employees could include working in the café; referees; coaches; officials, etc.; to help promote the overall "guest experience".

Mr. Sullivan referenced Exhibit A-7. He said at the last hearing, there was a request to have a designated loading area, which has since been added to the site plan. There will be panel truck, Fed-Ex, UPS type trucks, making deliveries one to three times per week for food, drink, office supplies, and things of that nature. He said in the rare event a large delivery needs to be made by an eighteen-wheeler; it would be scheduled during non-open hours. Mr. Sullivan said trash will be picked up two times per week.

Mr. Sullivan reviewed the hours of operation. He stated the overall hours of operation are expected to be 8am - 11pm for both indoor and outdoor programming. Evenings, weekends, and when the kids are out of school are the busiest times for this type of facility. Peak traffic times are generally 4pm - 9 pm Monday through Friday; and 8am - 9pm on the weekends.

Mr. Sullivan said there was a concern raised at the last hearing as to whether or not the dome glows. Mr. Sullivan stated he can attest from the multiple facilities his company manages, that the domes do not glow. There is a three-opaque layer construction; and outer vinyl layer; an internal sandwich of a radiant barrier with two layers of insulation; and an internal vinyl layer that all makes up the actual structure of the air-supported dome. Mr. Sullivan said unlike a dome used for tennis, where up-lighting is used so you can see the ball go "up" into the air; the lighting here will be downcast since the focus will mostly be field based sports. The dome does not glow or emit light.

Mr. Sullivan said the mission of SFA is to impact the communities they serve in a positive way both economically and from a health perspective. He said they not only work actively with local officials and emergency responders, but also with the National Recreation and Parks Association on a national level, which puts out stringent guidelines to follow. These standards include everything from hiring from a Best

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Practices standpoint; emergency safety procedures; first-aid response procedures; and emergency plans, including “active shooter” preparedness. Mr. Sullivan stated the Company has an umbrella of insurance through Safe Hold. Safe Hold does a full sweep of the property semi-annually to do a full risk mitigation walk-through to make sure the facility is compliant with everything and up to date with emergency responses, signage, and equipment.

Mr. Sullivan said the best practice with respect to injuries / emergencies, is to maintain open communication with First Responders such as Police, Fire, and EMTs, to make sure they have a good understanding of the building; communicate where the incident may be taking place; and then make sure they can safely and efficiently attend to the individual.

Mr. Maski referenced the section of the Redevelopment Plan regarding parking. He asked Mr. Sullivan in his experience, what can be expected related to parking capacity.

Mr. Sullivan said on average, they look for three parking spaces per 1,000 sf. He said for this facility, with the banked parking, they are providing four spaces per 1,000 sf. He said the average for their network of facilities is 2.8 spaces per 1,000 sf. on average. He said steady full parking lots are expected but for APEX, additional parking spaces have been provided.

Mr. Maski asked if that was without the banked parking. He asked if the parking lot will be sufficient to satisfy the highest operations demand.

Mr. Sullivan stated it would be sufficient.

Township Engineer, Mr. White asked what would be the largest event the facility could handle, and how many vehicles would be anticipated.

Mr. Sullivan said on a day when there is a tournament going on inside and one outside, the maximum capacity calculation is between 5,000 to 5,500 people during the course of a 14-hour day. On a non-event day, where there are no tournaments going on, only league play, training and weekly programing, maximum capacity would drop to a maximum 4,000 to 4,500 people over the course of a 14-hour day. He said the traffic expert can address the number of vehicles that involves.

Chairman Lipani said those numbers address the turnover for the site. He asked what the capacity for the buildings is at one time, according to what the Fire Marshal would allow.

Mr. Sullivan said their calculations show about 300 people inside the facility, on average.

Chairman Lipani asked for more information on the hours of operation.

Mr. Sullivan clarified the facility will be open 8am to 11pm seven days a week, with the “peak” hours being 4pm to 9pm during the week.

Committeeman DelCore asked about the power generation needed to maintain the domes, and how is a power outage handled.

Mr. Sullivan said he would defer to the construction professional to address that.

Chairman opened the floor to the public for questions related to Mr. Sullivan’s testimony.

Jean Trujillo - 5 Eric Court

- Ms. Trujillo stated a disclaimer that she is a member of the Hillsborough Township School Board. The opinions expressed are her own; and are neither authorized by nor express the opinions of the Hillsborough Township School Board.
- Ms. Trujillo asked if the sports teams expected will be Hillsborough teams or teams outside of Hillsborough. She noted that several of the local sports clubs are non-profits. She inquired about the pricing to be able to sustain the facility.

Mr. Sullivan said the radius of influence is an expected 30-45 minute drive time for regular reoccurring programs; the radius for tournaments is an expected up to 4-6 hour drive time for a tournament or event on a Saturday or Sunday. The price is based on a local market price index.

- Ms. Trujillo commented that the expectation is to drum more business from outside of Hillsborough.

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Mr. Sullivan disagreed. He said the radius of influence would encompass all of Hillsborough.

Mr. Fisher asked what relevance the question had relevant to whether or not the application meets the site plan ordinance.

- Ms. Trujillo raised the concern as to whether or not the facility would be able to be sustainable during the five year pilot program.

Mr. Fisher answered that the point was irrelevant to the question of whether or not it meets the site plan ordinance.

Committeeman DelCore offered that it might be part of the business plan as opposed to the site plan.

Mr. Sullivan said from a sport perspective, football, soccer, diamonds, baseball, softball, ultimate Frisbee, field hockey, are all sports being looked to program. The concern with pricing seems to be how non-profits will work in the pricing mix. He said one aspect of the feasibility analysis was to look at who are the participants in the radius of influence and how are they currently registered to play. There could be groups from Parks and Recreation; School; non-profit; and competitive for-profit. Conversations have been had with organizations like the Jr. Raiders to understand what their programing needs are; how many fields they are using per hour; when they need them; and what they are able to pay. The price and index review is very competitive and affordable. He said they have already worked with Ownership on "Hillsborough" vs. "Non-Hillsborough" rates for certain programs as well.

Doug Schaaf - 79 Oxford Place

- Mr. Schaaf said his concern is with the hours of operation. Mr. Sullivan again stated the hours will be 8am to 11pm. The peak hours will be 4pm to 9 pm during the week, and 8 am to 9pm. The fields will be lit until 11 pm.
- Mr. Schaaf said he is concerned with the lights and how it will impact the neighborhood and quality of life. He requested that if the Board approves the application, it would be with the limitation that the field lights go off at 9pm.

Mr. White asked if the concern stems from the lighting levels at the County Park.

- Mr. Schaaf said they have that issue now as well and not looking to compound it.

Mr. White said they have requested that the lighting be changed to LED lights. The lighting will also be different in that the (APEX) lighting will be directed at the field.

- Mr. Schaaf said there was testimony that football will be played, which is a higher ball play sport than lacrosse and field hockey. The lighting, regardless of position, will be able to be seen a long way away.

Mr. Fisher said the proposal is for a permitted use. The lighting on the plans is downward facing. The ordinance does not have a time limitation in it. A use variance is not being requested so there is no need to justify the potential impacts. As previously discussed, this Applicant is going above and beyond with providing additional trees, downward facing lighting, cut-off times, and extra fencing and buffering.

- Mr. Schaaf again questioned the visibility of the lighting.

Mr. Fisher stated if an area is zoned for something to exist; then the impact is expected. The Applicant is trying to take reasonable steps to accommodate, but cutting off lighting well before leagues end is not something the Applicant could agree to.

- Mr. Schaaf asked the Board to take the homeowners into consideration who are also trying to enjoy their properties. This is not like an office park that would operate until 6 or 7pm. This use will have lights on until 11pm. He said he is sure the Applicant would not like to have lights shining into his house at night.

Mr. Fisher said this is turning into comment rather than questions about the testimony. He said the question was if the field lighting could go off at 9pm; the answer is no.

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- Mr. Schaaf again said he would like to register his concern and find out if there is anything the homeowners can do.

Chairman Lipani asked what time the lights go off on the County fields.

- Mr. Schaaf said the lights go off at 10pm.

Secretary Hesthag commented he is aware they are on until 10:30 or later, and go off after a game is done. Secretary Hesthag asked if the field lighting can be turned off if a game is not scheduled, if not a safety concern.

Mr. Sullivan said as an operational cost consideration, if a field is not being used, it will not be lit. Once a game is over, the field lighting is shut off; the parking lot lighting allows everyone to get to their vehicles safely.

Secretary Hesthag asked if the back field, which is closest to the (Oxford Place) neighborhood could be used as a "third option" for field usage. If the other two fields are applicable to the activity scheduled, they would be used as the priority options.

Mr. Sullivan agreed. He said they can make that a priority to program last.

- Mr. Schaaf asked the Board; if the lighting fits the ordinance, does the public have an ability to change the ordinance, and if so, how to go about doing so.

Board Attorney, Mr. Bernstein said it would require the Township Committee to change the ordinance relative to the lighting. It is the Board's purvue to deal with the hours of operation. The testimony given so far is that the lighting will not spill over beyond the property's boundary lines, unlike the County Park, where there is no such requirement.

- Mr. Schaaf said there is no barrier from the third field.

Mr. Fisher stated there has been testimony from the engineer there will be zero foot-candles of light spillage at the property line.

Chairman Lipani said so if it is not light out and you are at the property line, you will be in the dark.

- Mr. Schaaf asked what recourse they will have once the facility is built, if it turns out not to be the case.

Chairman Lipani said the facility will need to pass through all of the inspections.

Committeeman DelCore said if they are not in compliance with the ordinance, there are zoning aspects that would bring them into compliance, depending on the approval.

George Cox - 69 Oxford Place

- Mr. Cox asked where the mechanical room is that powers the dome.

Mr. Fisher said the Architect will address the questions.

- Mr. Cox asked if it is indoor or outdoor.

Mr. Sullivan responded, outdoor.

- Mr. Cox questioned the degree of noise pollution associated.

The Board directed Mr. Cox to save his question for a different witness since the noise had not yet been testified to.

Mr. Fisher offered the Architect will address the question directly.

- Mr. Cox encouraged the Board members to stop on Oxford Place on the way home to see all of the lights now visible 300 yards away. He said now imagine those lights closer up by 250 yards, in

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someone's back yard. Mr. Cox said even though the lights are facing downward, you will be able to see the light emitted, and will be an affront to your vision.

- Mr. Cox asked when designing and recommending locations for a facility of this kind, if it is an ideal location to be surrounded by a residential community on three sides.

Mr. Fisher objected saying the use is permitted in the zone so it does not need to be justified.

- Mr. Cox commented that the zoning was just recently changed for this property. He said a business should be allowed to make money, but there may be a better place to put it. Mr. Cox continued offering comment.

Chairman Lipani directed the speaker to save his comment for a time later in the hearing; this time is reserved for questions on the testimony given.

Brian Geniton – Brook Drive

- Mr. Geniton asked for more detail on how Hillsborough was determined to be a good profitable area for such a business.

Mr. Sullivan said his company was hired to assess the feasibility of a multi-sport project in Hillsborough Township. The project was looked at from the trade market area; influence of competition; number of participants in sports; and local clubs. He said their analysis shows it is a viable market opportunity. There are a lack of facilities to serve the immediate area and need. Mr. Sullivan said from a business standpoint, it is a financially viable endeavor.

- Mr. Geniton said he has questions for the Traffic Engineer but asked where the two points of entry are located.

Mr. Sullivan referenced Exhibit A-7 to show the entry ways.

- Mr. Geniton asked if the sixteen facilities SFA run have the same operations schedule being proposed for this facility.

Mr. Sullivan said SFA has a diverse portfolio of facilities; most run similar hours. This facility is consistent with every facility of this kind they operate.

- Mr. Geniton asked if there is a similar facility one can visit to see something comparable to get an idea of how it will look in Hillsborough.

Mr. Sullivan directed Mr. Geniton to visit www.sportadvisory.com to look at their portfolio and travel to any of the facilities they actively manage.

- Mr. Geniton asked if there was a similar facility in mind.

Mr. Sullivan said one similar with indoor and outdoor activities is located in Spartanville, South Carolina.

- Mr. Geniton commented on field availability.

Mr. Sullivan reiterated that as per the request of the Board, it was agreed that the third field would be the third programming priority.

- Mr. Geniton asked if the facility were to be sold, if there would be some guarantee the same would carry over to the new owner.

Mr. Fisher said that would be a condition of approval which would run with the land.

- Mr. Geniton asked Chairman Lipani if there is an ordinance for noise and light.

Affirmative response.

Break 8:56 – 9:10

Mr. Fisher called the Traffic Engineer to testify.

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Gary Dean of Dolan & Dean consulting Engineers, LLC was sworn in, reviewed his credentials, was accepted by the Board, and gave the following testimony:

Mr. Dean said he has worked with the Applicant at his other facility in Hillsborough, HRC Fitness Center on Brower Lane. He said the Applicant's long range effort is to provide additional recreational elements in Hillsborough. He said this site became available after a different site on Hillsborough Road no longer became viable.

Mr. Dean offered by way of background, that he represented Health Quest and Emerald Sky facilities. He said each of these facilities are analogous to a degree to this particular proposal in that they provide outdoor and indoor recreational components, as well as an inflated structure for instructional sports and fitness related activities. He noted the Branchburg Sports Arena is also similar with its turf fields. Mr. Dean stated his firm has also been involved with several other related facilities, including the Bridgewater Sports Complex.

Mr. Dean said as for this application, his firm prepared a Traffic Impact Study, dated February 1, 2018. The report includes the typical elements in a traffic study, which is to first identify ambient or base traffic conditions in and around the subject site. That provides a framework from which future traffic conditions can be projected.

Mr. Dean said for this use, the traffic counts were conducted in mid-June of 2017, before schools let out for summer recess, and also in July, when the adjacent ballfields were busiest with recreational activity. Manual counts were done at the intersection of Mountain View Road and Route 206, and automated traffic recorders were installed on Mountain View Road so that longer range traffic patterns could be established.

Mr. Dean said the study showed there was relatively light traffic on Mountain View Road that was slightly higher on the evening peak hour. The focus was on evening rush hour traffic and on mid-day. The evening peak hour which was 5:15pm to 6:15pm was just under 400 vehicles per hour; 240 going to Route 206, and roughly 153 traveling west from Route 206. The traffic on Saturday was roughly half of that.

Mr. Dean said Route 206 is a very busy roadway, with approximately 2,000 vehicles per hour along the highway. The intersection at Route 206 and Mountain View Road is controlled by a traffic signal. The DOT has recommenced work on the southern section of the Hillsborough bypass that is estimated to be completed concurrent with the opening of this facility. The timing of these simultaneous projects is fortuitous.

Mr. Dean said the movements on Route 206 are controlled with quicker movements, resulting in longer delays on Mountain View Road, as expected, but at a favorable level of service "D" which is a function of the traffic signal. Route 206 is at a level of service "B". Levels of service are characterized "A through F", with "A" being the most favorable, and "F" being a location where it may take several signal changes to be able to get through the light. Mr. Dean said the bypass project will introduce more capacity and affect the intersection operation in a positive way.

Mr. Dean explained the next step in a traffic study is to estimate how much traffic can be expected. The analysis was done for the "what if" scenario; what if every field, every court, and every activity is maxed out to capacity at the same time. During the evening hour, that kind of maximum capacity result, could yield just over 200 vehicles coming into the site; and about 140 leaving. As one game or program ends, there will be a compliment of traffic entering at the same time. The facility is projected to be busier on Saturday, with the projected traffic counts for the same matrix could yield a capacity of 223 entering vehicles, and 173 exiting vehicles.

Mr. Dean said they then evaluated the 35-45 minute radius projected direction of travel in the marketing area. The expectation is that 40% of the traffic to exit and go west on Mountain View, with 20% of that to continue onto Pleasant View. The majority of the traffic will go east towards Route 206. Mr. Dean said their analysis assumed the bypass would be completed. Left turns will no longer be permitted northbound on Route 206 to west on Mountain View Road. DOT will be constructing a reverse cloverleaf jug-handle as part of the bypass project. The analysis has been evaluated with those improvements in mind, under two conditions: without the proposed facility being constructed vs. with the proposed facility and additional site traffic.

Mr. Dean said there is one movement for which they attribute a difference to the site. Using Exhibit A-1 as a reference, Mr. Dean said, on the approach to Route 206, in the future, once DOT has completed the bypass, levels of service on Mountain View will improve from what is currently "D" to "C". The right turn

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movement to go south to Montgomery / Princeton on Route 206 will change from level of service "C" without the site, to level of service "D" with the additional site traffic. That may be remedied by controlling the signal times but because the facility has not opened yet, it is impossible to project that minor change in level of service.

Mr. Dean said the only other criteria in level of service pertains to the level of site traffic to safely enter and exit the site property. A "worst case" maximum capacity exercise was evaluated as if there was only one driveway entering and exiting using the main entrance on Mountain View Road. Even under that condition, the site traffic would operate at level of service "C" during the week, and "B" on Saturdays when it is busiest, mainly because of the lighter traffic east and west on Mountain View Road. To the extent that the County's driveway is able to be used, the traffic would be able to be diluted to make the level of service even better. There is full site circulation around the entire building perimeter. Mr. Dean said he has independently reviewed the various turning templates and can confirm that all types of vehicles will be able to be accommodated.

Mr. Dean said there are roughly 200 banked or deferred parking spaces. He said he is a believer that if parking is not needed to be built it should not be. The benefit of environmental sensitivity, especially given the site, would be beneficial to not create additional stormwater runoff. If the demand ever exceeds Mr. Wilke and Mr. Sullivan's expectations, the ability to add those spaces adds a certain level of comfort.

Mr. Dean gave the example of Health Quest, which has treadmills and workout equipment, and provides much greater density of people in a given space. That parking was provided at 4 spaces per 1,000 sf. This proposal, without using the banked parking, is right in line with that. Mr. Dean said he is confident there is sufficient parking for the site, especially given the ability to construct more spaces if necessary. The dimensions of the spaces are 9 ft. by 18 ft. and 9 ft. by 20 ft. Mr. Dean said the biggest passenger vehicle made today is a Chevy Suburban at 18 ft. 3 in. He said he does not see the need for deeper parking spaces. The narrower parking aisles are appropriate. He said a 30 ft. aisle provides unnecessary blacktop with no perceived benefit for low speed parking maneuvers. The 9 ft. by 18 ft. parking spaces are a standard by which most motorists are familiar.

Mr. Dean said addressing a comment from Mr. White, should there be a time when there needs to be a mass exodus, and the potential to have police control, the vehicle can park in the nearest parking space; a designated space is not needed.

Mr. Dean said a written response to Mr. White's memo was submitted, dated April 11, 2018. The report addresses how the projected trip generation was determined. A comparative level of service table was provided. He said there was a question raised as to what would happen if the facility was built prior to the bypass being completed. The signal at Route 206 will remain and has the capacity to accommodate additional traffic, but this facility will not realize the projected volumes upon opening. Mr. Dean said he is confident it will be a safe and efficient operation, regardless of the bypass being completed.

Mr. White said to Mr. Dean, the ratio testified to was 4 spaces per 1,000 sf., the square footage being the hard and soft shell structures.

Mr. Dean agreed.

Mr. White asked how the field use is accounted for.

Mr. Dean said it is ancillary. It is calculated with a higher density and slightly different use than what is being proposed, but as far as a "recreational complex", it is equated to the building area.

Chairman Lipani asked for more information on the safety of left-hand turns and associated queuing for the times when there is a large output of people.

Mr. Dean said with only three outdoor fields, it does limit the number of participants at one time. Any queuing or back up would be completely self-contained within the site. If a team leaves at one time, there may be queuing in the driveway. He said in looking at the "worst case" peak loading, it would only be one or two cars. That is princely driven by Mountain View Road being relatively quiet on Saturdays. A variety of worksheets have been appended for the various queuing. Having the two driveways allows secondary relief out through the County access.

Secretary Hesthag asked for clarification for the parking.

Mr. Dean said with entry from the easterly drive, the first 200 ft. between the detention basins, there are only two openings that lead to east/west aisles. There are no parking spaces along the main driveway.

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Once you get to the third aisle, which is roughly 230 ft. in, is where the first parking space on the southeast corner would be backing out, and all along the easterly side of the building.

Secretary Hesthag asked Mr. Dean to talk about the width of the area where there is parking to the right and to the left. He asked that a comparison be made to an aisle at Shop Rite.

Mr. Dean explained, coming into the site, there is a 15 ft. wide entering aisle, which is a little above average. There is a generous 11 ft. exiting lane to go left; and a separate lane to go right. That then tapers down into the area where one can back in and out, to a 25 ft. width aisle. He said that actually exceeds a standard road width. That allows room to back out of a space and leave. Mr. Dean said he does not recall the details for the Shop Rite center, but the aisles in and around the Starbucks are 25 ft.

Mr. Skobo asked if there are two exiting lanes.

Mr. Dean said there are two separate lanes at both locations; one to exit east and one to exit west. One would not need to exit onto Mountain View Road if going from Apex to the County Park but can stay within the park system.

Mr. Dean clarified the distance is 10 ft. wide.

Secretary Hesthag said many teams come one hour early to gear up for a game, so theoretically, you could have double, or four teams at the site for one field. He asked if that was taken into consideration when determining the number of parking spaces.

Mr. Dean said to a certain extent he had to defer to Mr. Sullivan. He said the increased number of spaces takes into account activity on the lawn area. During tournaments, teams tend to come early when outdoor fields are active to set up tents and be social, but inside will not be as busy.

Mr. Hesthag said at 12:00, you can have a team playing the next game and a team there playing the game after that, so it requires a lot of parking spaces.

Mr. Dean said the matrix was designed to look at all of the programming capacity for all of the fields, with an overage for incoming teams.

Chairman Lipani called for public comment.

Jean Trujillo - 5 Eric Court

- Ms. Trujillo repeated that the views expressed are her own; not that of the Board of Education. She asked how the traffic and parking is handled for tournament days when a team may be scheduled to play at 8am and again at 12pm. She said the previous testimony given was that for tournaments, people would be coming from 4 to 6 hours away. Players coming from a distance may not leave; they may just stay if scheduled for a later game.

Mr. Dean said in those cases, there tends to be more ride-sharing. Teams coming from a distance tend to rent vans or have multiple teammates per vehicle.

- Ms. Trujillo asked if there are parking spaces for buses.

Mr. Dean said no.

- Ms. Trujillo asked if a team would be allowed to take a charter bus from 4 to 6 hours away.

Mr. Dean said yes but the bus would not remain on site.

- Ms. Trujillo asked if there will be enough parking spaces on tournament days to accommodate families who may stay extended periods when there is a gap in between game times.

Mr. Dean said there will be.

- Ms. Trujillo asked how that is calculated.

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Mr. Dean said it is part of the matrix; looking at cars in, cars out, scheduling of the teams with an overlap for when there is not a constant influx for those events. The operator would not over-program the building so there would be enough parking and facilities to accommodate those guests.

Sally Treonze – Mountain View Road

- Ms. Treonze commented that the number of people competing on the County fields has increased since June and July of last year, when the traffic study was done. There are many more teams scheduled there now than last year. Ms. Treonze asked Mr. Dean if he would consider recounting the vehicles due to the higher capacity of teams competing on those fields, and cars going in and out of Mountain View Park.

Mr. Dean said he does not have a basis to support that assumption. The facilities were there and whatever was occurring not only before school let out, but after school let out, which would be peak recreational use. Mr. Dean said had he done his counts in February, the study would have come into question. He said the study was done during a time when there was field use at the County Park.

- Ms. Treonze asked if future expansion has been taken into consideration. She said her understanding was that there would be additional fields on the County property, which means more traffic.

Mr. Dean said no consideration was given; it would be a guess at this point.

- Ms. Treonze asked the Board if that is a consideration and if road improvements would need to be addressed.

Committeeman DelCore said that would be dealt with at the time, if there were additional site improvements to be dealt with on the site. If the County decided to build more fields, it would be taken into consideration once those improvements were done.

- Ms. Treonze asked the distance between the two roads and exists. She commented it is a close area for mass exiting for a tournament.

Mr. Dean said he believed it to be 400 ft.

Secretary Hesthag commented he has been in and out of the County fields. He said there are a lot of streets just as close or closer to one another. He said the normal east – west traffic on Mountain View if not that high so it will be a lot easier to exit as compared to exiting off of Amwell Road.

Mr. Dean confirmed the distance is 440 ft., so it is some distance away.

- Ms. Treonze expressed concern with visibility under the current conditions. She asked who will be in charge of cleaning up the issue with visibility.

Committeeman DelCore asked if the concern was related to shrubbery or the site triangle.

- Ms. Treonze said both.

Mr. Dean said the Apex property is east, or left, from Mountain View Park. The property will all be cleared and replanted with a landscaping plan, with the new plantings set far enough back. The site triangle is shown (on the plan) to allow that clear visibility across the frontage to make it safer. He said if looking to the west is a concern, they can coordinate with Mr. White to be sure that is addressed within the right-of-way, even though the Applicant does not control it. That would be something for DPW more than anyone else.

- Ms. Treonze said she appreciated that because there is a very bad bend to the left.
- Ms. Treonze asked if repaving of the roadway in that area is related to this site.

Chairman Lipani responded no.

Mr. Maski said if the road is damaged during construction it would need to be repaired.

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Committeeman DelCore added it is not being widened or redone as part of this application.

John Warn - 14 Arthur Road

- Mr. Warn asked for more information on the pedestrian walkway in the Park.

Mr. Dean used Exhibit A-7 to show the continuous pedestrian crossing, starting at the front of the main building, with high visibility cross-walks that bisect the main parking lot that continues southwest and continues into Mountain View Park.

- Mr. Warn expressed concern with the pedestrian traffic going across the County's driveway.

Mr. Dean said it is the same as is for any normal intersections, where vehicles stop prior to the pedestrian crossing, yielding to pedestrian.

- Mr. Warn asked for more detail on entry from the east for front drop-off.

Mr. Dean said the plan has been designed to facilitate the counter-clockwise drop off to the building. When dropping off in front of the building and exiting from the site, most likely the vehicle would continue out to Mountain View Park and exit. Generally though, a parent will drop off their child in front of the building, then go park the car and meet them inside. The drop-off area can accommodate both functions.

- Mr. Warn said in reference to the traffic study, not all seven of the fields were active last July. He asked Mr. Dean how many fields were being used at the time of the study.

Mr. Dean said he did not know.

Committeeman DelCore noted Hillsborough Baseball had its full slate of games for all grade levels played at those fields last year from April through July.

- Mr. Warn and Mr. Dean briefly discussed the number of cars expected at the fields.

Mr. Dean pointed out the study was for 4,000 people, not vehicles. He reiterated the peak hour expected 350 vehicles. Whatever traffic going in and out of the baseball fields was included in the count as ambient traffic.

Brian Geniton - Brook Drive

- Mr. Geniton asked Mr. Dean if he had done a year-round study, or just the two-month.

Mr. Dean responded just the two-month.

- Mr. Geniton said Mountain View has a history of closing during certain times of winter. He said this will be an all year-round facility. He asked how this facility will deal with the road being closed due to snow.

Mr. Dean said if the road is closed, people cannot come to the facility. If it is impassible due to weather, the facility will not be open.

- Mr. Geniton asked Mr. Dean if he is aware there are no shoulders, sidewalks or curbs on Mountain View Road.

Mr. Dean responded, yes.

- Mr. Geniton asked if anything will be done to "fix" the road.

Chairman Lipani again stated there are no road improvements to be done as part of this application.

- Mr. Geniton asked why buses were not included.

Mr. Dean said they hope teams a distance away will use buses, which means there will be fewer cars; less traffic and parking needed.

- Mr. Geniton asked how buses will impact parking.

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Mr. Dean said they do not need the parking for cars if buses are coming in. From an operational perspective, if the parking is empty and not being used for certain tournaments because they are attracting more buses, his expectation is that the buses will be allowed to park on the opposite side of the fields because the parking spaces will be empty. Otherwise, the buses will have to leave the site; there are no provisions made on the facility for a specific "bus parking" zone. He said it is too hard to predict whether teams will or will not use buses.

- Mr. Geniton said the other studies / facilities mentioned, such as in Flemington, are on major roadways. He asked why in this case, was an under-developed road selected.

Mr. Bernstein objected to the question. He instructed Mr. Geniton that if he is going to testify, he needs to be sworn in and be cross-examined. He said the questioning has moved beyond the testimony given by the witness.

Mr. Fisher said, perhaps a more direct question would be, is this road sufficient to handle the traffic for the site.

Mr. Dean said it is.

- Mr. Geniton asked about emergency vehicle travel to the surrounding neighborhoods, especially during peak hours.

Mr. Dean gave the comparison that Mountain View Road is like a pipe, which currently handles a trickle, but it has capacity to accommodate a greater flow. He said he is not predicting queuing or back-up on Mountain View Road associated with APEX or the County facility. Mr. Dean said in the event of an emergency, weather on Mountain View or Route 206, vehicles would be expected to pull to the side to let the emergency vehicles pass, as is the Law in New Jersey. It is not expected that there will be a problem on Mountain View Road, based on its design and capacity, and the traffic anticipated for this facility. Gridlock is not projected.

Mr. Fisher asked the Board to allow the Applicant's Planner to testify out of order since he will not be available for the next hearing.

A motion to extend new testimony to 10:30 was made and seconded. All were in favor.

Francis C. Banisch, PP, AICP was sworn in, provided his qualifications, was accepted by the Board, and gave the following testimony:

Mr. Banisch said the purpose of his testimony has a narrow focus on the waivers since this application does not require justification for a use variance or multiple bulk variances. Mr. Banisch said since the time Mr. Maski issued his March 15 memorandum, and the back-and-forth responses among the professionals; the subject of those waivers has been somewhat refined. The design waivers relate to two things Mr. Dean has talked about, which are the size of the parking stalls and width of the parking aisles.

Mr. Banisch said the standard parking multiplier is a 60 ft. width, which gives you a 24 ft. island and two 18 ft. spaces. The islands for this plan are 25 ft., not 24 ft.; and the parking spaces are 10 ft. wide, not 9 ft. which give more room for the opening of car doors and more room to maneuver parking spaces. He said although the standard is generous, the parking exceeds what is required now with the 10 ft. by 20 ft. spaces. Mr. Banisch said he does not believe the waivers in any way compromise the sites ability to meet the parking needs that go along with this facility.

Mr. Banisch addressed the sign waivers. He said at the time of the Planner's memorandum, there were a number of disparities on the sign regulations and what was proposed, which included an increase in the size of the building-mounted sign, substantially beyond what is permitted; 40 sf. is permitted, 90 sf. was proposed. In the interim, the sign has been modified so that it meets the 40 sf. requirement.

Mr. Banisch said there are two freestanding monument signs at 48 sf. each requested, where only one 40 sf. sign is permitted. There still are two signs, but neither will be larger than 40 sf. One sign will be at each of the driveways, which is justifiable being that there are two driveways. The provision of having adequate signage to assure efficient travel to and from the site advances a variety of the public purposes of the MLUL, and easily justified.

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Mr. Banisch said there is a submission waiver from submitting a Community Impact Study. A CIS is typically done for a use such as a residential neighborhood that would generate pupils and school costs. The pupils generated for this site will already be in the school system, coming to this site for recreation.

Mr. Fisher stated as per the MLUL, a Community Impact Statement focuses on impacts on population, schools, and associated affordable housing obligations.

Mr. Banisch agreed. He added there will be a non-residential affordable housing fee associated with the development of this facility. There is no impact from school pupils to be assessed associated with this project.

Mr. Banisch said there is a design waiver requested related to exterior materials. Corrugated aluminum Butler buildings are not permitted. He said he does not believe the design is anything like that. The combination of the use of fenestration; the banding that gives distinctive detail to the building, and combination of materials, will come off as a high quality product. Although an engineered material, the materials are being used in a variety of ways.

Mr. Fisher said the Architect will give testimony and provide extensive samples at the next hearing.

Mr. Fisher said this is a permitted use in the zone. There are no variances being sought.

Mr. Banisch agreed.

Mr. Fisher stated that because there are no variances, the Applicant does not have to justify the existence or placement in the zone for this location.

Mr. Banisch agreed.

Committeeman DelCore asked about the sign waiver.

Mr. Maski confirmed the Board can grant the sign waiver, if so inclined.

Mr. Fisher said the order of witnesses was taken out of order due to scheduling conflicts. The Architect will testify that landscaping will be provided to the satisfaction of the Board and professionals.

Mr. Banisch said as a Planner, his testimony is usually last. He said he is familiar with all of the architectural details of the building that has not yet been testified to, due to the need to go out of order.

No questions for the witness.

Testimony concluded.

Mr. Maski said the Township Committee introduced an amendment to the Town Center ordinance at their last meeting and referred it to the Planning Board for review. To ensure the Board has time to discuss the ordinance, the suggestion is to schedule it before the application.

Mr. Fisher said they only have the Architect left to discuss the architectural and signage.

A motion to continue the APEX application to the May 10, 2018 meeting, without further notice, was made by Mr. Skobo, seconded by Committeeman Suraci. All were in favor, none opposed; motion carries.

Chairman Lipani informed the public present there will be no further notice given for this application. The hearing will continue on May 10.

CORRESPONDENCE

None

ADJOURNMENT

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

The meeting was adjourned at 10:12 p.m.

Submitted by:

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Debora Padgett
Administrative Assistant / Planning Board Clerk

APPROVED