

REGULAR MEETING

Lebanon Township Planning Board
Municipal Bldg 530 West Hill Road Glen Gardner, N.J.

October 4, 2011

The 845th Regular Meeting of the Lebanon Township Planning Board was called to order at 7:04 p.m. by Chairman Gary MacQueen. Present were: Mr. Milkowski, Mr. Schmidt, Mr. Gerlich, Mr. Piasecki, Mr. Rich, Ms. Bleck, Mr. Weiler, Planner Bolan and Engineer Risse. Attorney Gallina arrived at 7:10 p.m. **Excused:** Mr. Piazza. Attorney Gallina apologized for being late and said it was due to an accident on Route 31.

This notice was published in the "Annual Meeting Notice Schedule" adopted by this board on January 11, 2011, mailed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board in the municipality building on September 28, 2011.

PRESENTATION OF MINUTES: September 20, 2011 Regular Meeting

Motion by Mr. Piasecki and seconded by Ms. Bleck to approve the minutes with a minor correction. Unanimously approved.

FYI: NJSLOM Article "NJ After COAH"

INFORMAL:

GenPysch, P.C.	Block #43 Lot #1.01
1065 Highway 22 W.	Route 513 & Trimmer Road I5
Suite 3D	
Bridgewater, N.J. 08807	

Discuss converting building into a Substance Abuse Facility

Attorney Lloyd Tubman of Archer & Greiner, Dr. Henry Odunlami and Planner Brian Slauch of Clark Caton Hintz were present to discuss the proposal. Attorney Tubman said she represents GenPysch. The property in question is located at the intersection of Route 513 and Trimmer Road with the entrance on Trimmer Road in Block 43 Lot #1.01 in the I5 zone. The property consists of 15 acres with one building on site being 8000 square feet which they plan on renovating. Dr. Odunlami said he is the founder of GenPysch which was started in 2005 as a Mental Health Outpatient Facility. They are licensed by the State of New Jersey and with the State Department of Health and Division of Addiction Services. Gen Psych has grown to become one of the largest mental health outpatient programs in NJ with the only full Dialectical Behavioral Therapy Intensive Outpatient Program and Partial Hospitalization Program in NJ. Dr. Odunlami said he operates four outpatient facilities in New Jersey and one in Sumter, South Carolina. Dr. Odunlami said they have a staff of 8 Psychiatrists, 3 Advanced Practice Nurses; Psychologists, Nurses, 10 Physicians, Nurse Practitioners and along with numerous highly trained therapists which provide a wide spectrum of treatment to clients. Nursing and auxiliary staff are present 24 hours, 7 days a week for the protection of residents' medical and comfort needs'. Dr. Odunlami is also affiliated with Carrier Clinic in Belle Mead, NJ.

Dr. Odunlami went through the process from when a person is admitted until discharge. Chairman MacQueen asked if the board had questions. Mr. Milkowski asked if the supervision was 24 hours and for how many patients? Dr. Odunlami said it would be for a least 16 patients, 4 full time staff 24/7 which consists of 2 nurses, 1 mental health worker and one security guard for each shift. Mr. Rich asked if they have ever had any bad experiences with people escaping from the facility and causing problems in the community. Dr. Odunlami said no since they are at the present time an outpatient facility. The problems come when you become an involuntary facility. Georgette Jungles, Administrator for Gen Psych said most people don't want to leave the program when they are done because they are treated very well and with respect by the staff. Those people who don't want to be in treatment don't have to be. This is a voluntary program. Even in a residential program the people are there voluntarily and are for the most part high end white collar. Ms. Jungles went on to say the program consists of a treatment team that is specially trained in treating substance abuse disorders and offers evidence-based clinical therapy in both group and individual settings. There is Cognitive Behavioral Therapy, Alcoholics Anonymous/Narcotics Anonymous and Substance Abuse Education. Ms. Jungles said they also provide Wellness Therapies, Mindfulness Meditation, Yoga, Tai chi, Acupuncture and Massage Therapy. Ms. Jungles explained how each of these treatments work for their residents while they are under their care. Also, the counselors meet with the family of the patient because there is a lot of dysfunction in the families and on Sundays there is education for the families on addiction.

Chairman MacQueen asked if the board had any questions of the applicant. Mr. Piasecki asked if they will be relying on the location police, fire and rescue. Dr. Odunlami said the residents are medically cleared before entering their treatment program and they have the staff to handle most emergencies. If something happened that they were unable to handle, they would call 911. Mr. Piasecki asked about daytime emergencies. Dr. Odunlami said if their staff couldn't handle the situation, they would call 911. Mr. Piasecki referred to the 16 beds and 4 staff minimum. What would the normal amount of staff be during the daytime? Dr. Odunlami listed the staff during the daytime and in the evening. There are approximately a total of 16 staff members. During the daytime the average would be 6-8 staff members.

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Mr. Piasecki asked how many outpatients they have. Dr. Odunlami said they do not have any outpatients. Ms. Bleck asked what are the ages of the patients. Dr. Odunlami said they range for 18-65. Mr. Schmidt asked where the clients go after they leave the facility. Do they go home or to a halfway house. Dr. Odunlami said most go back home after being an inpatient for 30-90 days. They would continue as an outpatient at their Bridgewater facility or the Lawrenceville facility. At the conclusion of the questions, Planner Brian Slaugh of Clark Caton Heintz was sworn in to give testimony. Planner Slaugh said it was at the recommendation of the board's staff to come and talk informally with the Planning Board. Planner Slaugh said for them to come before the board, the board would have to agree that this use is an institutional use in the Industrial zone. This property consists of 15 acres. The building is 8000 square feet with approximately 50 parking spaces. Only 6% of impervious coverage has been use. The I5 zone allows 40%. The closest house is to the south of the property with a well vegetated hedge row along the property line and across the road are industrial uses. They will be doing renovations to the building. They plan is to have 16 beds. They do not take court mandated patients. The entrance to the property is off of Trimmer Road. There are some environmental constraints and zoning requirements. There is a stream that runs along the northwest side of the property which is a Category 1 stream with a 300' buffer. The wetlands on the property are associated with the stream. Planner Slaugh noted the setback requirements for the I5 zone are 50' all the way around. For Institutional Uses the setbacks for front & rear are 60'. This use meets the conditional use standards along with the industrial standards for this zone. This use is not a non-profit but a quasi public use. GenPysch gets funds from the state. There is a demand in Hunterdon County for a substance abuse facility.

At the conclusion of Planner Slaugh testimony, Chairman MacQueen asked if the professionals and board had questions. Planner Bolan said the main question is whether this is an institutional use. Planner Bolan said he had questions regarding the setbacks to Planner Slaugh. The setbacks front & rear are 100' not 60'. Planner Bolan went on to say that Institutional Uses are not a permitted use in the Industrial Zone, they are a Conditional Use in the Industrial Zone and this meets all the conditions for an Institutional Use. Mr. Schmidt asked if the applicant was going to purchase the property or just rent. Dr. Odunlami said they are leasing the property with a purchase option. Planner Bolan asked Planner Slaugh to go through the Quasi public use and how they will meet this aspect of it and also the indigent person. At the conclusion of Planner Slaugh explanation, the question was asked if this operation is similar to a hospital with drugs etc being dispersed. Dr. Odunlami said it was but on a smaller scale but functions like a hospital. If a person is in withdrawal they will go to an emergency room and then they will be sent to us for treatment. We have a pharmacy and the DEA is very strict. Our Pharmacist will be at the facility about 20 hours per week. Mr. Milkowski asked if there will be any boundaries around the facility so people don't wander off. Planner Slaugh said they would be open to any suggestions during the review process. Mr. Rich asked if any of their other facilities have fences. Planner Slaugh said no. Mr. Gerlich asked if the patients can go out side. Dr. Odunlami said they are supervised when they are outside. Attorney Tubman asked the board what the policy was about Site Plans or Site Plan Waiver and for a change of use. Planner Bolan said a Site Plan would be required. Attorney Tubman asked for guidance on what the board will want to see. Planner Bolan and Engineer Risse went over what would be needed on the Site Plan. Planner Bolan asked if they are successful would they want to expand the facility. Dr. Odunlami said that would be a consideration down the road. Attorney Tubman said if they decided to build another building they would be back to the board with another Site Plan. Engineer Risse noted they will need a permit since the usage is 150 gallons per bed for 16 beds which will bring them over the 2000 gallons.

Mr. Schmidt asked if they had looked into the septic system to make sure it can handle the usage. Dr. Odunlami said there are 8-10 bathrooms. Mr. McCrone owner of the property said there are 8 working bathrooms, 1 large kitchen and 3 showers. There were other bathrooms that were converted into closets. Mr. Schmidt asked when the facility was built. Mr. McCrone said in early 1983 and the septic system was redone once. At the conclusion of the discussion, Attorney Tubman thanked the board for all their input. Chairman MacQueen asked Planner Bolan for his professional opinion on whether this application would stay with the Planning Board or go to the Board of Adjustment. Planner Bolan said it has the similar characteristics of the uses named in the ordinance. Chairman MacQueen asked the board members for their opinion at this time. Mr. Milkowski did not have an opinion at this time and wanted to think about it more. Attorney Gallina said it seemed to have a lot of the characteristics of a hospital setting along with the quasi public type usage. Mr. Gerlich, Mr. Schmidt, Mr. Rich, Ms. Bleck, Mr. Weiler and Chairman MacQueen said it met the criteria to stay before the Planning Board. Mr. Milkowski and Mr. Piasecki felt they needed more information. Planner Bolan said if the board wanted to defer this applicant to the Board of Adjustment for an interpretation they could that. Planner Bolan said this board can make that decision or leave it to the Zoning Board. Mr. Rich noted that the majority of the Planning Board and the professionals feel this is an institutional use and to be heard before this board. Mr. Rich made a motion and seconded by Mr. Schmidt that this meets the criteria and to stay before the Planning Board. Mr. Piasecki asked if the board was making a determination that it is an institutional use or that it sounds like an institutional use and could come here without prejudice. If so, Mr. Piasecki said he is okay with it. Attorney Gallina said at this time a motion isn't appropriate. The applicant is only looking for guidance. Attorney Gallina said from the board's discussion that the applicant will come to the Planning Board and if something arises during the public hearing then something may change. At the conclusion of the board's discussion, Attorney Tubman thanked the board for their input.

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ITEMS FOR DISCUSSION:

a. **Proposed Grading Ordinance 5th Amendment** – Engineer Risse

Engineer Risse said on the last draft the heading had been left off. The ordinance refers to existing lots of record that exceed the steep slope ordinance requirements which have been corrected in this latest draft. Chairman MacQueen asked if the board had any questions or comments. Mr. Schmidt questioned whether the Highlands would be involved. Engineer Risse said since these are existing lots of record the Highlands would not have jurisdiction. The person building has to turn in a grading plan but there were no standards. This ordinance now has the standards for people to follow. Mr. Rich thanked Engineer Risse for doing a good job on the ordinance. Chairman MacQueen asked for a motion. Motion by Mr. Rich and seconded by Mr. Gerlich to approve these changes and send to the Township Committee for introduction and public hearing.

ROLL CALL	Yes: Mr. Milkowski	Mr. Rich	Absent: Mr. Piazza
	Mr. Schmidt	Mr. MacQueen	
	Mr. Gerlich	Ms. Bleck	
	Mr. Piasecki	Mr. Weiler	

b. **Solar in Commercial & Industrial Zones Amendment to Ordinance** – Planner Bolan

Planner Bolan went over the changes from the last meeting. Under A minimum width was changed from 300' to 450' and lot depth changed from 400' to 550'. The maximum height was not changed since the Solar Company that came before the Zoning Board only asked for 10' in height. Planner Bolan said if they didn't think 10' was adequate they would have asked for a higher footage. In C the word roads was added, in D the following was added "as necessary, with the landscaping designed to achieve a mature height of 15-20". In E, the wording was added "recommended by the Soil Conservation District", the board discussed this at length. On page 3 J & K were added and under M (Abandonment) the whole section was revised. Planner Bolan went over the changes in the Abandonment Section. Planner Bolan noted that everything else has stayed the same. At the conclusion of the board's discussion, Chairman MacQueen opened the meeting to the public for comments regarding the ordinance. There were no public comments. Motion by Ms. Bleck and seconded by Mr. Rich to approve the changes to the ordinance and send to the Township Committee for introduction and public hearing.

ROLL CALL	Yes: Mr. Milkowski	Mr. MacQueen	No: Mr. Schmidt	Absent: Mr. Piazza
	Mr. Gerlich	Ms. Bleck		
	Mr. Piasecki	Mr. Weiler		
	Mr. Rich			

Ms. Glashoff asked Planner Bolan and Engineer Risse to get the final copy to her as soon as possible so it can be on the Township Committee's agenda of October 19th for Introduction.

PRESENTATION OF BILLS & REPORT:

a. John Gallina, Esq. \$630.00

Ms. Glashoff had one additional bill to add to the total of **\$50.00** for her luncheon/seminar while at the Conference in Atlantic City next month. This brings the grand total to **\$680.00**. Motion by Mr. Gerlich and seconded by Mr. Piasecki to approve the bills as amended. Unanimously approved.

CORRESPONDENCE:

- a. H.C. News Article re: NJ Overtakes California in Commercial Solar Power
- b. NJ Planner – August 2011

OPEN TO THE PUBLIC

Being no further business to come before the board, nor comments from the public, motion by Mr. Piasecki and seconded by Ms. Bleck to adjourn the meeting at 8:35 p.m. Unanimously approved.

CHAIRMAN GARY MACQUEEN

GAIL W. GLASHOFF, PLANNING BOARD CLERK