

REGULAR MEETING

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

December 2, 2014

The 886th Regular Meeting of the Lebanon Township Planning Board was called to order at 7:02 p.m. by Vice Chair Doreen Bleck. Present were: Mr. Milkowski, Mr. Laul, Mr. Schmidt, Mr. Piasecki, Mr. Rich, Mr. Weiler, Mr. McKee, 2nd Alternate Skidmore, Attorney Gallina and Planner Bolan. Engineer Risse arrived at 8:00 p.m. **Excused:** Mr. MacQueen & Mr. Gerlich.

Notice of this meeting was published in the ‘Annual Meeting Notice Schedule’ adopted by this Board on January 14, 2014, faxed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board in the Municipal Building on November 21, 2014.

PRESENTATION OF MINUTES: October 21, 2014 Regular Meeting

Motion by Mr. Piasecki and seconded by Mr. Rich to approve the minutes as presented. Unanimously approved.

Mr. Skidmore left the Dias due to a conflict of interest.

NEW BUSINESS:

Muller Toyota Block #3 Lot #5.01
P.O. Box 5000 Highway 31 B2
Clinton, N.J. 08809

PUBLIC HEARING Amended Preliminary & Final Site Plan/variances/design waivers
(Report from Engr. Risse)

Attorney Mark Winter was present to represent the applicant Muller Toyota. Also present was Engineer Joseph Modzelewski on behalf of the applicant. Attorney Winter stated that the site plan includes a stand-alone Parts/Service Building with Bulk Variances. The stand-alone sign which includes a totally illuminated sign 50’ 3” in height. Attorney Winter noted that none of the design exceptions are changing except for two things. The applicant no longer needs the exception for the driveway less than 50’ from the intersection of Route 31 and Buffalo Hollow Road. Engineer Modzelewski will discuss what the changes are and the removing of a row of head to head parking. At a prior hearing the board expressed their concerns regarding the property with the egress and ingress on Route 31 which would have intensified. The board recognized at that point some of the difficulties of Route 31. The applicant applied to outside agencies including NJDOT for approvals. Based on the DOT’s review, there have been modifications made, very favorable ones moving the entrance about 200’ south on Route 31. Board Engr. Risse found this to be less confusing relocating the entrance and agreed with it. Attorney Winter thanked the staff for processing this application so quickly.

At this time Attorney Gallina said he would like to mark the following into evidence: **A1**-Affadavit of Proof of Service, **A2**-Notice of Hearing, **A3**-Certified List of Property Owners & Utilities, **A4**-POD Slips, **A5**-Publication of Notice in Hunterdon Review. All the notices are in order and the board can proceed with the hearing. Vice Chair Bleck noted that Engineer Risse has not arrived as yet and preferred not to continue until he arrives. The board decided to take care housing keeping items at this time. Ms. Bleck asked if Mr. Milkowski was able to reach Engr. Risse. The answer was no.

Mr. Skidmore returned to the Dias.

ITEM FOR DISCUSSION:

2015 Budget Updated

Ms. Glashoff reviewed for the board the updated 2015 budget stating that there were very few additions to the budget. The main addition was the bills on tonight’s agenda. Motion by Mr. Piasecki and seconded by Mr. Laul to approve the 2015 Budget as presented

PRESENTATION OF BILLS & REPORT:

- a. John Gallina, Esq. \$ 290.00
 - b. Michael Bolan, PP \$1,254.00
 - c. Bayer/Risse Engrs. \$2,231.25
 - d. H.C. Planning & Zoning \$ 30.00
- Total: \$3,805.25**

Mr. Rich reviewed the bills along with the addendum to the Bill Report which included an additional **\$1,020.20** bringing the new grand total to **\$4,800.65** and recommended approval of all the bills. Motion by Mr. Rich and seconded by Mr. Laul to approve the bills as amended. Unanimously approved.

Ms. Glashoff informed the board that she and Planner Bolan had discussed COAH and asked Planner Bolan to give the board an update. Planner Bolan informed the board that he will have to prepare a Housing Plan

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for next year and instead of taking the money out of the Trust Fund, he suggested putting the money in the budget to off-set the cost. Planner Bolan informed the board that we may be able to get a grant for part of the Housing Plan from the Highlands, but that we will have to start working on the Plan before we can apply. Planner Bolan stated that the Highlands is not going to do anything about a grant until everything is finalized with COAH. Planner Bolan noted that Builders are already going to court because COAH has not followed the Supreme Court decision. Ms. Glashoff informed the board that there isn't a lot of money in the COAH account and that it would be very helpful to have the funds in the board's budget. Mr. Piasecki asked how much money was in the Trust Fund. Ms. Glashoff said around \$35,000.00. Ms. Glashoff informed the board that COAH has informed us that we are done with Rehabs but that we will have 20 units of something to deal with. Mr. McKee said under the circumstances, the board should consider putting the money back into their budget. Motion by Mr. McKee and seconded by Mr. Weiler to reopen the discussion on the budget. Unanimously approved. The board discussed this issue and decided to amend the budget and create a line item of \$3,600.00 to off- set the cost of the Housing Plan. Motion by Mr. Rich and seconded by Mr. McKee to amend the 2015 budget to include \$3,600.00 for the Housing Plan. Unanimously approved.

The board took a recess at 7:35 p.m. Ms. Glashoff checked her messages and called Steve on his Cell Phone. Ms. Glashoff informed the board that he should be arriving by 8:00 p.m. The board reconvened at 8:00 p.m. when Engineer Risse arrived. Mr. Skidmore left the Dias due to a conflict of interest and the board continued with the **Public Hearing on Muller Toyota.**

At this time Engineer Joseph Modzelewski was sworn in to give testimony. Attorney Winter asked Engineer Modzelewski to go over the amendments made to the Site Plan. Engineer Modzelewski said as a results of the comments made with DEP & DOT, there were some modifications that were made. Engineer Modzelewski said the changes he made per the DOT, they changed their mind and had him move the entrance. They moved the entrance as far south as they could and still maintained the required setback. The exit is still in the same location but only moved a couple of feet. In conjunction with this they had to relocate some of the drainage. Those were the changes they made for the DOT. Regarding the DEP, their approval is pending and they are hoping to have their approval by next week. Sheet 4, the Layout Plan is the same, Sheet 6, is the Landscaping Plan and per DEP they had to eliminate 1 row of inventory parking. Also, there is additional landscaping to compensate per DEP. Engineer Modzelewski said they included a structure that will split the water quality flow away from the rest of the flow and directed it to this side of the site (pointing to the sheet) to an outlet. DEP liked that proposal. Engineer Modzelewski said even though you are not required to provide it. It will treat it to a 50% reduction which had made the DEP happy. This has worked out to everyone's satisfaction. Engineer Modzelewski said they still have the landscaping that was approved by the board, but they now have enhanced it even further. Also, they have provided landscaping in the back near the gravel areas.

Engineer Modzelewski referred to the lighting plan. They eliminated one site lighting in the back portion and one was relocated. Over all the lighting plan hasn't changed. At the end of Engineer Modzelewski testimony, Vice Chairwoman Ms. Bleck asked Engineer Risse for his comments. Engineer Risse referred to his report stating the Stormwater Management System has been modified to include a water quality treatment manhole. The water quality design storm is diverted away from the Special Water Resource Protection Area at the northwestern corner of the property and passes through a mechanical treatment device that discharges to the southwestern corner of the property. Engineer Risse noted other minor revisions to pipe slopes and pipe lengths were made as were changes in the northwestern outfall location and type of headwall. These revisions represent improvements to the stormwater management system. The driveway entrance/exit was modified to be shifted towards the southwestern corner of the lot and away from Buffalo Hollow Road. Additional plantings have been added to areas of gravel that are to be re-vegetated. Engineer Risse said that areas that were previously approved for inventory parking have been eliminated reducing the impervious coverage with the parking spaces for customers and employees remaining unchanged. Lastly, the lighting plan is largely unchanged except for one light fixture was removed from the area of the stacked inventory parking and a light fixture was relocated in the area where the driveway entrance and exit was relocated. Mr. Schmidt asked Engineer Modzelewski if he asked DOT when customers are dropping cars off you still only have access and exit going in one direction. Engineer Modzelewski said that nothing is going to change with DOT. Mr. Schmidt said all you would have to do is make the front of the island the same as the back and then people could go either way. Mr. Schmidt said that people will have to drive down the road to turn around which doesn't make any sense. Engineer Modzelewski said that DOT has been adamant about it.

Vice Chair Ms. Bleck asked Planner Bolan for his comments. Planner Bolan noted the prior approval had included 97 inventory parking spaces and now there are only 78 parking spaces. Nothing has changed regarding the signage and variances previously approved. The applicant confirmed that the entrance is within 300' of the Muller site across Route 31. This standard has been satisfied. Regarding the Landscape Plan, this is addressed on the new plan. Planner Bolan said the applicant has eliminated the need for a design exception which requires that driveways not be located closer than 50' to the closest ROW line of an intersecting street. The relocated driveway appears to provide a less confusing and safer access point. Planner Bolan said that one of the primary reasons for this resubmission is the change in access resulting from the DOT review. With the driveway shifted south the concern about the proximity of the driveway to

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Buffalo Hollow Road and the concern about the awkward movement from Route 31 to the service reception bays and the front of the building have been mitigated. At the conclusion of Planner Bolan's report, Vice Chair Bleck opened the hearing to the public. Being no questions nor comments from public, motion by Mr. Rich and seconded by Mr. Piasecki to close the public portion of the hearing. Unanimously approved. At the conclusion of the board's deliberations, motion by Mr. Piasecki and seconded by Mr. Laul to amend the Site Plan as presented with the same conditions from the original approval.

ROLL CALL **Yes:** Mr. Laul Ms. Bleck **Abstain:** Mr. Milkowski
 Mr. Schmidt Mr. Weiler **Absent:** Mr. MacQueen
 Mr. Piasecki Mr. McKee Mr. Gerlich
 Mr. Rich

Attorney Gallina will prepare the Resolution for the January 13, 2015 Planning Board Meeting.

CORRESPONDENCE: a. Law of the Land Articles

OPEN TO THE PUBLIC

Being no further business to come before the board, nor comments from the public, motion by Mr. Rich and seconded by Mr. Skidmore to adjourn the meeting at 8:20 p.m. Unanimously approved.

VICE CHAIR DOREEN BLECK

GAIL W. GLASHOFF, PLANNING BOARD CLERK