

**MONTGOMERY TOWNSHIP PLANNING BOARD  
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY  
REGULAR MEETING  
AUGUST 20, 2012**

Vice Chairman Matthews called the meeting to order at 7:30 p.m. and read the opening statement that adequate notice of the meeting had been posted and sent to the officially designated newspapers.

**BOARD MEMBERS PRESENT:** Vice Chairman Matthews; Mr. Conforti; Ms. Davis; Mayor Trzaska; Mr. E. Willson; Mr. Glockler, Alternate No. 1

**ALSO PRESENT:** Francis P. Linnus, Esq., Board Attorney; Jason Cline, Board Engineer; Cindy Coppola, Board Planner; Ms. Savron, Secretary

**I. PUBLIC COMMENT – 5 MINUTES PER PERSON**

Vice Chairman Matthews read the public comment statement. There was no public comment.

**II. RESOLUTIONS**

**Applicant: Somerset County Improvement Authority**  
Block 25001 Lot 27.02  
Capital Review of Solar Panels at Montgomery High School

A motion to memorialize the resolution was made by Mr. Conforti, which was seconded by Mr. Conforti. This was carried on the following roll call vote:

Ayes: Conforti

Nays: None

**Applicant: Somerset County Improvement Authority**  
Block 19001 Lot 12  
Capital Review of Solar Panels at Montgomery Lower Middle School

A motion to memorialize the resolution was made by Mr. E. Willson, which was seconded by Mr. Conforti. This was carried on the following roll call vote:

Ayes: Conforti, Matthews and E. Willson

Nays: None

**Case PB-04-12**                      **Applicant: County of Somerset**  
Block 1001 Lots 14 and 16  
Submission Waivers and Minor Subdivision

A motion to memorialize the resolution was made by Ms. Davis, which was seconded by Mr. E. Willson. This was carried on the following roll call vote:

Ayes: Conforti, Davis, Matthews and E. Willson

Nays: None

**Case PB-06-12**                      **Applicant: County of Somerset**  
Block 2001 Lots 1, 2, 3 & 4  
Submission Waivers and Minor Subdivision

A motion to memorialize the resolution was made by Ms. Davis, which was seconded by Mr. E. Willson. This was carried on the following roll call vote:

Ayes: Conforti, Davis, Matthews and E. Willson

Nays: None

**III. ADMINISTRATIVE BUSINESS**

**A. SURVEY REVIEW**

**Applicant: Carrier Clinic**  
Block 1001 Lots 14 and 16  
Block 2001 Lots 1, 2, 3 & 4  
Verification of As-Built Survey in Accordance with Ordinance 11-1399

Ms. Savron explained that the ordinance included a provision that Carrier was to prepare a signed and sealed as-built survey. The survey was to be submitted to the Township Planning Board and forms the basis for any future applications in terms of coverage limitations, etc. The survey has been received and has been placed in the file. Copies have been made available to all the Board's professionals.

A motion to accept the survey was made by Ms. Davis, which was seconded by Mr. E. Willson. This was carried on the following roll call vote:

Ayes: Conforti, Davis, Glockler, Matthews, Trzaska and E. Willson

Nays: None

## **B. SUBMISSION WAIVERS**

### **Case PB-10-12 Applicant: Carrier Clinic**

Block 1001 New Lot 14.02

Submission Waivers Associated with a Preliminary and Final Site Plan Application

Richard Schatzman, Esquire represented the applicant. Mr. Schatzman referenced his letter dated August 17, 2012 which was in response to the completeness letter dated August 13, 2012 and outlined additional submission waivers the applicant was requesting. The proposal is for the construction of a single family home south of East Mountain Road and west of Route 601. The home is for five young women who have trouble at home and need a place to rehabilitate. The State is giving Carrier Clinic the money to house the women.

The first submission waiver would be the fact that Lot 14.02 has not been created yet. Carrier asks that this be waived for completeness and have the application processed. Mr. Schatzman thought the deeds should be filed by the time the application is scheduled for a public hearing. Ms. Coppola had no problem with waiving it for completeness. Mr. Linnus said the Board will not proceed with the public hearing until the lot is created. Ms. Coppola noted that there is no existing tax sheet number provided because the lot is not shown on the tax map yet. This should also be waived for completeness purposes only (Checklist #19).

John Cilo, Jr., 195 West High Street, was sworn in. Mr. Cilo gave the Board his qualifications and was accepted as an expert. A waiver from Checklist Items 44 and 45 is being requested because vertical alignments and centerlines of the existing street are not necessary. Mr. Cilo said the proposal does not include anything that affects the County road. The existing driveway and existing parking lot are being utilized so there is no need for improvements at the intersection or driveway on East Mountain Road. Mr. Schatzman said there are three shifts, three employees one shift, three employees a second shift and two employees the third shift for eight people during the course of a day coming and going that affect this project. Mr. Cline said he did not have an object to granting a waiver. The checklist was marked as not relevant but it was more appropriate to proceed with a waiver request.

A submission waiver is needed for a Traffic Impact Statement. When the zoning was changed a Traffic Impact Statement prepared by Harvey Yesowitz was submitted in 2010. The TIS was reviewed by John Rea who accepted Mr. Yesowitz's recommendations. Mr. Schatzman contacted Mr. Melick, the Assistant County Engineer, and asked what the County's plans are for improving Route 601. Mr. Melick said there is nothing in the 6-year Master Plan for the County to improve any part of Route 601. However, if the Township wants improvements to be made, the Township and Carrier should contact the County. The Traffic Impact Statement had recommended a turning lane on Route 601 into East Mountain Road. As part of the County subdivision applications the right-of-way dedication will be along Route 601 and East Mountain Road. Ms. Coppola and Mr. Cline thought a Traffic Impact Statement was not necessary for this application.

The applicant is requesting a waiver from Checklist #56 (preliminary) and Checklist #12 (final) for plans and profiles of all storm and sanitary sewer and water mains. Mr. Cilo explained that they will use a one and one half inch force sewer main from the house to the existing lines. Nothing will be dug up. The existing water pipes will also be extended. Mr. Cline said he would like more detail regarding the size, material and details of the connections of the force main. Mr. Cline asked what the size of the water line. Mr. Cilo said it was two inches but he will verify it. Mr. Schatzman said it will be a partial waiver and Carrier will provide more details on water line and sewer line.

Carrier would like to defer the final grading plan until the building permit. Mr. Cline said he would prefer it be a condition of the Board's approval and submitted for conformance review by the Board professionals. Mr. Schatzman agreed.

A partial waiver is requested to show the critical areas within the lot of the project. Ms. Coppola said there are a number of items that are deficient because information within two hundred feet of the proposed lot has not been provided.

Ms. Coppola agreed to the partial waiver provided that any offsite improvements that might affect this property, inclusive of wetland buffers, stream corridors, etc. are shown on a survey and on the plans. Although there may not be a stream on the site, there may be a stream corridor. She had no problem with waiving the requirement for critical areas within two hundred feet as long as the information on the site is provided (Checklist Items 23, 24, 25 and 26). She requested that a scale be provided on the location map and the soil limit lines added to the plan to determine where the Bowmansville soil is.

Mr. Schatzman indicated that the remaining items in the completeness letter will be submitted.

Mr. Linnus said after further consideration he has a problem with the application being deemed complete prior to the lot being perfected. He recommended that the application remain incomplete until the lot is perfected. He is concerned with the time the Board has to act once the application is deemed complete. Mr. Schatzman said he would agree to an open ended extension. The filing of the deeds is out of the applicant's control.

Ms. Coppola discussed the items on the checklist the applicant marked as needing submission waivers. A partial waiver from showing everything within two hundred feet of the tract boundary is needed but everything else will be provided

(Checklist #34). A waiver is requested from providing a landscaping plan (Checklist #37). Mr. Schatzman said there is a note on the plan that the landscaping will be deferred to Mr. Bartolone. The applicant would like Mr. Bartolone to direct where the landscaping will be. The applicant is requesting a waiver from lighting (Checklist #40). Ms. Coppola does not recommend the waiver. Mr. Schatzman said the applicant will provide a lighting plan. Mr. Cilo said that this is being treated as a residential unit and the applicant proposed to put lights around the house. The applicant does not want to provide street lighting. Ms. Coppola said there is on-site parking proposed which has to be adequately illuminated for pedestrian safety. The applicant should review the ordinance requirement. Mr. Cline noted that this could also be classified as a group home in that it is a staffed group home with ten parking spaces. It falls somewhere between a residential unit and a group home.

Mr. Cline discussed the waiver for stormwater management plan information (Checklist #50-55). Mr. Cline agreed that while it has the characteristics of a single family home the new house is approximately 1,000 square feet of new impervious and the new parking area is estimated to be about 3,300 square feet of additional impervious. Basic calculations have been provided on the plan. Mr. Cline recommends a partial waiver but he needs additional information. Mr. Cilo said he had spoken to Ms. Elliott who told him to provide downspouts into the grass. Mr. Cline agreed that the downspouts or a drywell would be appropriate if it was only the house, but not for the increased parking area. Mr. Cilo said that the applicant is utilizing the existing parking area and is not increasing the parking area. Mr. Cline responded that the plans show an expansion of the lot. Mr. Schatzman said the plans will be changed to show that there is no expansion of the parking area. Mr. Cline said if there is no additional impervious surface for the parking area he does not have a problem with waivers for stormwater associated with the house. Mr. Schatzman summarized that if there is no additional impervious surface added for parking then the waiver would be granted. If there is stormwater management would need to be provided to Mr. Cline's satisfaction.

Ms. Davis asked about the 10 proposed parking spaces. Someone from Carrier replied from the audience but was inaudible.

Mr. Cline suggested the applicant review the plan for ADA compliance. The sidewalk should be widened from 4' to 5'.

Ms. Coppola said they are requesting a submission waiver from the Environmental Impact Statement (Checklist Item #62). As long as the information on the critical areas is provided she would recommend the waiver. On the final checklist the applicant is requesting waivers from providing letters from the utility companies and from the Township Engineer (Checklist #17-19). Ms. Coppola recommended those items be waived for completeness.

Mr. Schatzman summarized. The applicant may proceed with their application but a public hearing will not be scheduled until the subdivision deeds are filed. Waivers were granted for the vertical alignments and centerlines of the existing streets and traffic impact statement. Additional information will be provided regarding the storm and sanitary sewers and water mains. The final grading plan will be a condition of approval and submitted at the time of conformance review. The survey will show the critical areas on newly created Lot 14.02. The landscaping will be worked out with Mr. Bartolone but will be waived for completeness purposes. The lighting has to be shown from the building to the parking lot. The drainage will be waived to the extent that there is no more impervious coverage. The sidewalk should be increased to 5'. Everything else in the completeness letter not waived will be provided.

The meeting was opened the public. There being no public comment, a motion to close the public hearing was made by Mayor Trzaska, which was seconded by Ms. Davis. The motion carried unanimously.

A motion to grant the submission waivers as presented by the applicant, as modified by the Board professionals and accepted by the Board was made by Mayor Trzaska, which was seconded by Ms. Davis. This was carried on the following roll call:

Ayes: Conforti, Davis, Glockler, Matthews, Trzaska and E. Willson

Nays: None

### C. EXTENSION REQUEST

**Case PB-15-07                      Applicant: Mark Hornung and Lauren Jones**  
Block 11001 Lot 34  
Extension of Final Major Site Plan

Richard Schatzman, Esquire represented the applicant. Mr. Schatzman explained that the applicant received approval to construct an addition on August 11, 2008. The addition is outside the stream corridor but the house is within the stream corridor so site plan approval was required. The property is located in Planning Area 5 so is not subject to the Permit Extension Act. Two extensions have been granted and the application expires August 11, 2012. The applicant is requesting the third extension. The dedication for the widening of Servis Road and the declaration was filed. The other conditions are construction related.

Ms. Coppola and Mr. Cline recommended the extension be granted.

The meeting was opened to the public. There being no public comment, a motion to close the public hearing was made by Mayor Trzaska, which was seconded by Mr. E. Willson. The motion carried unanimously.

A motion to approve the extension was made by Mayor Trzaska, which was seconded by Mr. Conforti. This was carried on the following roll call vote:

Ayes: Conforti, Davis, Glockler, Matthews, Trzaska and E. Willson

Nays: None

#### IV APPLICATIONS

##### A. Case PB-05-08 Applicant: East Country Development

Block 16002 Lot 9

Amended Final Major Subdivision

Expiration Date – 9/27/12

Affidavit of Notification and Publication Not Required

Michael O'Grodnick, Esquire represented the applicant. One of the requirements in the Sewer Agreement was that the applicant would deed the pump station lot to the Township. The development was approved with the pump station on an easement. The Township Engineer has agreed with the dimensions of the proposed lot.

The meeting was opened to the public. There being no public comment, a motion to close the public hearing was made by Ms. Davis, which was seconded by Mayor Trzaska. The motion carried unanimously.

A motion to approve the amended final was made by Mayor Trzaska, which was seconded by Mr. E. Willson. This was carried on the following roll call vote:

Ayes: Conforti, Davis, Glockler, Matthews, Trzaska and E. Willson

Nays: None

#### V. MINUTES

##### June 4, 2012 – Regular Meeting

A motion to approve the minutes was made by Mayor Trzaska, which was seconded by Ms. Davis. This was carried on the following roll call vote:

Ayes: Matthews, Conforti, Davis, Trzaska, E. Willson and Glockler

Nays: None

##### July 16, 2012 – Regular Meeting

A motion to approve the minutes was made by Mr. E. Willson, which was seconded by Mr. Conforti. This was carried on the following roll call vote:

Ayes: Matthews, Conforti and E. Willson

Nays: None

Abstentions: Davis

There being no further business to come before the Board, the meeting was adjourned at 8:30 p.m.