

**MONTGOMERY TOWNSHIP PLANNING BOARD  
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY  
REGULAR MEETING  
APRIL 15, 2013**

Chairman Some 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:** Chairman Some; Vice Chairman Matthews; Mr. Conforti; Ms. Dyer; Mr. Sarle; Mr. Smith; Mayor Trzaska; Mr. Wilson; Mr. Glockler, Alternate #1; Mr. DeRochi, Alternate #2; Mr. Mani, Advisor

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

**I. SALUTE TO THE FLAG**

**II. PUBLIC COMMENT**

There was no public comment.

**III. SUBMISSION WAIVERS**

**Case PB-05-13**

**Applicant: Carrier Clinic**

Block 2001 Lot 2

Submission Waivers Associated with a Preliminary and Final Major Site Plan Application

Mr. Sarle and Mr. Wilson stepped down. Richard Schatzman, Esquire and Craig Stires, PE represented the applicant. Mr. Stires, 43 West High Street, was sworn in and accepted as an expert engineer.

Mr. Schatzman summarized that the main hospital and the Blake Building will be expanded and refurbished with a total of eight (8) new beds. Most of the development is taking place in the area of existing development. Mr. Schatzman referenced the incomplete letter dated April 5, 2013, his response letter dated April 11, 2013 and the Coppola and Coppola memo dated April 11, 2013.

The following submission waivers are being requested: 1) Partial waiver to show zoning information for the AG district in Hillsborough Township (Item #22) since it does not affect the subject development. 2) Partial waiver from showing information within two hundred feet (200') of the property (Item #23, #34 and #35) because it is mostly in Hillsborough. Everything that is within the development area will be shown. 3) The location of all existing and proposed water courses (Item #26). 4) The building mounted signs will be submitted at a later date and will comply with the ordinance. The applicant will request at the hearing for approval to submit the signs to the Zoning Officer without returning to the Planning Board (Item #38). 5) Providing plans, typical cross-sections and construction details of all proposed and existing streets (Item #44). 6) The profile of the top of curb within the bulb of the central cul-de-sac. It is not a cul-de-sac and grading and spot elevations have been provided. 7) Partial waiver to allow the data from all 4 test pits and their locations to be provided as a condition of approval (Item #48, #50, #52 and #55). 8) An Environmental Impact Statement (Item #62). The development is concentrated on the existing developed area. There is an existing discharge pipe that is either broken and/or clogged which needs to be repaired. This will be the only impact on the wetlands. 9) A Traffic Impact Analysis (Item #63). A TIS was provided when the applicant requested the zoning change. The impact statement discussed the full build-out under the ordinance. 10) A staging plan is being developed with respect to the Blake building. A partial waiver is being requested to allow the staging plan to be submitted as a condition of approval and incorporated in the construction sequence agreement (Item #7 on final checklist).

The applicant will supply the following: 1) Wetlands and buffers that are being affected with the proposal (Item #25 and #39). Nothing offsite will be delineated because it is in Hillsborough. Mr. Stires said they will get an LOI for the entire 64-acre tract. 2) The direction of flow of proposed surface water management provisions (Item #32). 3) The existing dumpster and recycling to be relocated will be shown on the site plans and how the handling of trash and recycling for the new facilities will be provided (Item #38). 4) Information on the proposed screen wall, 10' high security wall, court yard pavers, benches and other unidentified structures within this area (Item #38). 5) Directional signs will be added to the site plan (Item #38). 6) The hours and times of the lighting, the manufacturer's catalogue cut sheets of all four lighting fixtures and the overall mounting heights of the lights. The height of the floodlight and how it will be mounted (Item #40). 8) A more detailed parking plan (Item #42). 9) The width of the already dedicated lands on East Mountain Road. No additional dedication is necessary (Item #47). 10) The inconsistencies and error regarding the stormwater report will be remedied, the narrative will be tightened up, the LEED project checklist will be provided and the inspection and maintenance information regarding the maintenance manual will be provided (Item #48, #50, #52 and #55). 11) The profiles where the utilities cross one another will be provided (Item #56). 12) The

covenants and restrictions that affect the premises will be provided (Item #59). 13) The list of all other approvals required by outside agencies will be provided (Item #66). 13) The February 18, 2013 Letter of Intent will be amended to include the number of new employees and shifts (Item #67). 14) The plans and profiles of storm and sanitary sewers and water mains will be provided (Item #12 final checklist). 15) Spot elevations of the corners of the new buildings (Item #14 Final Checklist). 16) Proof that the application has been submitted to the Somerset Union Soil Conservation District (Item #15 Final Checklist).

Chairman Some noted that there had been discussions about improvements to the bend in Route 601. Mr. Schatzman said he spoke with Christopher Melick at Somerset County. Mr. Melick said there were no plans to do anything with the intersection in the next six years due to lack of funds and if the Township wants the County to look at it the Township should send a letter, which the Mayor will do.

Chairman Some opened the meeting to the public. There being no public comment, the public hearing was unanimously closed.

Mr. Cline had no objection to the waivers.

Mr. Linnus reminded the Board and applicant that even though the waivers are being granted the Board may ask for the information during the hearing.

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

Ayes: Conforti, DeRochi, Dyer, Glockler, Matthews, Smith, Trzaska, Some

Nays: None

#### IV. APPLICATIONS

**Case PB-14-12**

**Applicant: SAVE, A Friend to Homeless Animals**

Block 25001 Lot 27.01

Amended Preliminary and Final Major Site Plan

Expiration Date – 6/30/13

Affidavit of Notification and Publication Required

Mr. Wilson and Mr. Sarle returned to the dais. Notice was found to be in order.

Richard Schatzman, Esquire represented the applicant. Conditional use, site plan and variance approval was granted in 2004. The applicant is now before the Board for a change in the phasing plan, reducing the size of the new building and the new building will no longer be connected to the Van Zandt Mansion. Submission waivers are needed for stormwater, a Traffic Impact Statement (TIS) and an Environmental Impact Statement (EIS). The TIS and EIS were previously submitted and have not changed.

Also representing the applicant were David Schmidt, 77 Cairns Place, the applicant's engineer, Maximillian Hayden, 984 Cherry Valley Road, the applicant's architect and Piper Burrows, 10 Castlehower Court, the Executive Director of SAVE. They were all sworn in.

Mr. Schmidt gave an overview of the project. Mr. Schmidt referenced a display map dated April 12<sup>th</sup> which was a colored rendering of the site plan that was submitted to the Board. The display map was marked as Exhibit A-1. The prior approval has been perfected, all outside agency approvals granted and the plans signed by the Township in October 2011. Mr. Schmidt referenced a plan entitled "Phase I and II" dated June 6, 2003 revised June 22, 2010. Phase I of the original approval was for the construction of a 3,003 square foot addition, removal of a portion of the existing building, construction of 21 parking spaces, construction of a rain garden, installation of landscaping and lighting and installation of utilities. Phase II was the renovation of the existing structure. Phase III was the construction of a 9,294 square foot addition that would wrap around the building completed in Phase I, 16 additional parking spaces, additional lighting and an access to the access drive. Mr. Schmidt referenced the Natural Features sheet dated December 20, 2012 revised March 12, 2013 that was part of the plan set distributed to the Board. The plan shows that the parking lot, curbing, base course of gravel, lighting poles, foundations and wiring for the lighting and the sanitary sewer pump station and force line have been installed. The rain garden and storm drainage systems have been constructed. The Van Zandt Building is being renovated. The new proposal is to construct a building that is no longer connected to the Van Zandt building. It is in the same location as the previous building and is a little smaller. The first floor of the Van Zandt building is 3,860 square feet and the second floor is 1,734 square feet. The first floor of the proposed addition is 8,020 square feet and the second floor is 1,758 square feet for a total of 9,778 square feet. The proposal is 4,596 square feet less than what the Board originally approved or 2,519 square feet less than what

was on the signed plans. The parking has been reduced by 1 space to 56 spaces to accommodate a handicapped space. The proposed lot coverage is 1.41 acres or 14.21% and the ordinance allows 20%. The proposed lighting will be checked to make sure it stays under the 1 footcandle limitation. A different fixture with a recessed bulb will be used on the building mounted lights. A split rail fence will be installed along the conservation easement in lieu of monuments which will help provide better protection for the conservation easement area. The grading plan will be revised to note the 2' difference between the parking spaces and sidewalk. Twice Mr. Schatzman has requested that the State grant an access easement to use the existing driveway that continues through Lot 27 and he has received no response. The existing driveway from the end of the parking area will be signed for emergency purposes only. The zoning requirement table will be revised to show the correct building coverage/gross building coverage. An amendment to the Construction Sequence Agreement and a new Sewer Agreement are needed. The applicant is working with American Water to provide the waterline. A sanitary sewer easement is not needed. The lighting detail for the flag pole will be noted on the plans. The stormwater improvements that have been constructed are oversized for what is proposed.

Mr. Glockler asked if the driveway to the extreme left on the site plan is available for emergency vehicles should the main driveway be blocked. Mr. Schatzman confirmed that it is.

Mr. Hayden discussed the proposed building. He referenced a rendering of the new shelter. The total height of the building will be 31.5' and the cupola adds approximately another 10%. Two buildings are being proposed because the mansion is for executive offices and the shelter is for the adoption and care of animals. There is no need for the two buildings to be connected. The shelter will have a sprinkler system and the mansion will not. From an aesthetic standpoint it is a barn versus a Victorian time mansion. Mr. Hayden is not aware of any that are conjoined in New Jersey. The footprint change is due to using a steel building system and a simple T-shaped building. The dimension of the length of the building will be shown on the floor plans and the site plan will show all the dimensions of the new building.

Ms. Burrows confirmed that the facility will be limited to cats and dogs only and will not exceed a total of 100 animals (25 dogs and 75 cats). The use shall be for the care and adoption of animals and animal related education only. All animal feces will be collected and double bagged and disposed of in accord with the Environmental Impact Statement. The animals will only be walked in existing lawn areas. The surgical wing will be for immediate care of the adoptive animals including spaying and neutering before adoption. SAVE works directly with Hamilton Pet Meadows who comes to the facility to pick up and cremate any deceased dogs or cats. The multi-purpose room will not be used or rented out for other non-related functions. All activities will be conducted indoors except for the designated outdoor socialization area. There is no signage proposed to be attached to the building. There will not be a pet memorial garden or outdoor training area.

Mr. Sarle noted that the Environmental Commission had a concern about the removal of the American Sycamore. Mr. Schatzman said it will not be removed.

Vice Chairman Matthews said he appreciated what was happening on the site especially the preservation of the Van Zandt house and doing something so worthwhile.

Mr. Schatzman discussed Mr. Bartolone's memo dated February 28, 2013, the Shade Tree Committee memo dated March 8, 2013, the Open Space Committee memo dated April 4, 2013, the Public Safety memo dated March 5, 2013 and the Environmental Commission memo dated March 8, 2013. The applicant will comply with the comments except the installation of sidewalk along Route 601 and solar panels on the roof. The Landmarks Commission approved the project on January 23, 2013.

Chairman Some opened the meeting to the public. There being no public comment, the Board unanimously voted to close the public hearing.

Mr. Linnus summarized that this is an application for a continuation of the conditional use and amended preliminary and final major site plan. The proposed project is less intense than the previously approved project.

A motion to approve the application subject to the conditions was made by Mr. Conforti, which was seconded by Mr. Wilson. This was carried on the following roll call vote:

Ayes: Conforti, Dyer, Glockler, Matthews, Sarle, Smith, Trzaska, Wilson and Some

Nays: None

Mr. Linnus noted that there is an application coming before the Board for Montgomery Five. About five (5) years ago Mr. Linnus represented them for a very short period of time. There is no conflict but he wanted to give the Board the opportunity to decide. The Board agreed there was no conflict.

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