

TOWNSHIP OF LOPATCONG  
PLANNING BOARD MEETING

June 25, 2014

The meeting of the Planning Board of the Township of Lopatcong was called to order by Chairman VanVliet at 7:00 pm. A silent prayer was offered followed by the Oath of Allegiance.

Chairman VanVliet stated “adequate notice of this meeting has been provided indicating the time and place of the meeting in accordance with Chapter 231 of the Public Laws of 1975 by advertising a Notice in The Star Gazette and The Express Times and by posting a copy on the bulletin board in the Municipal Building.”

Present: Members Belcaro, Fischbach, France, Hall, McCabe, Pryor, Woolf, and Chairman VanVliet. Also present was Planner George Ritter, Engineer Sterbenz and Attorney Palmer.

**Old Business:**

**Minutes May 28, 2014** – Chairman VanVliet – has everyone received a copy of the minutes of the May 28, 2014 meeting and if so are there any additions, corrections, comments? Member Pryor – Beth Page 5 of 16, I guess it’s fourth paragraph down, Member Pryor, it says there are cleanouts every seven feet. That should be 75. Secretary Dilts – I’ll make that correction. Chairman VanVliet – With those corrections, the minutes will stand as published.

**New Business:**

**Block 85, Lots 5 and 5.02** – Coordinated Health Preliminary and Final Major Site Plan.

Chairman VanVliet – Is the applicant here?

Attorney Peck – Yes, thank you Mr. Chairman. Good evening Mr. Chairman and members of the Board and members of the public. For the record, my name is Mark Peck, I’m the attorney for the applicant Dr. Emil Delorio and as the Chairman stated, we are here seeking Preliminary and Final Major Site Plan approval. There is also a small lot merger that’s gonna, I don’t even know if the Board needs to vote on that but this is for 222 Red School Lane, Block 85, Lot 5 and 5.02. First thing we need to attend to is completeness. As you recall last month, we were deemed incomplete. We were waiting for the Highlands Consistency Determination which we did get earlier this week so that’s in order and then there were a number of other issues that Engineer Sterbenz brought up in his letter that we discussed last month and differing to Paul, I believe we’ve satisfied his comments and also the directions given by the Board last month.

Engineer Sterbenz- Mr. Chairman, in Section A of my Report which is on the top of Page 4, I indicated the two items that needed to be provided by the applicant in order to deem this matter complete. Both of those items have been addressed by the applicant, the Consistency Determination by the Highlands Council which was received yesterday and then last Friday, we did receive a report indicating what the expected sanitary sewer flows would be from the

redeveloped building. So, I did first speak to Mr. Pryor last Saturday as well, I knew he was interested in this issue. So, both of those items have been addressed and my recommendation to the Board is that we deem the application to be complete so we can commence the hearing.

Chairman VanVliet – Thank you. George do you have any comment on this.

Planner Ritter – Not on the completeness.

Chairman VanVliet – Very good. Board members have any questions, if not I will entertain a motion to deem the application complete. Motion by Member Belcaro, seconded by Member Pryor. Roll call Beth.

AYES: Members Belcaro, Fischbach, France, Hall, McCabe, Pryor, Woof and Chairman VanVliet.

NAYS: None

Attorney Peck – Thank you very much. Uh, just before we get started, we did provide proper notice on a timely manner before the May 28<sup>th</sup> meeting. We did provide Ms. Dilts with the necessary affidavit, um, and you did graciously allow us to carry the notice forward to this meeting, so, I believe this Board does have proper jurisdiction to hear this application and as we did note, again last month, we're seeking to convert, seeking approval to convert an existing vacant commercial building into a medical office building. In our application, we applied for a rear yard variance to accommodate an existing shed that will remain. The rest of the structures that aren't the primary commercial building will be torn down. But, in connection with that existing shed, we're also going to need a side yard variance. We are applying for that as well and pursuant to last month's discussions, we are also going to be seeking a variance for the 25 foot buffer strip. We are going to put a buffer strip around in a lot of the area where it is necessary but where it is adjacent to the other commercial property on Red School Lane, we're not going to necessarily buffer that entire area to a degree of 25 feet. So, we are seeking a variance for that as well. We are also looking for certain design waivers which are primarily a, we are looking at the 25 foot wide driveway where your ordinance requires 25 feet and, also, to eliminate the requirement to have sidewalks along the Red School Lane and Baltimore Street frontages and then, you know, based on the testimony and the Board's decisions tonight, there may be other waivers that we may have to seek. And, for the record, the property itself is approximately 10.8 acres. Of that, 10.46 acres are in your PO Zone and .36 acres are in the R75 Zone. The building itself and all parking lots and really all the improvements contemplated by this application are in the PO Zone. The existing building is approximately 32,000 square feet and to that we are proposing to add an addition of approximately 1,656 square feet. Tonight to give testimony to the Board we have again with us our engineer Philip Scott and we also have our architect Robert Furst. Um, so, with that, shall we proceed? And, I don't recall if Mr. Scott was sworn, you might want to do it just to be safe.

Attorney Palmer – He was, he can come on up. I'll do it again.

Attorney Peck – Very good.

Attorney Palmer – Raise your right hand sir. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

Philip Scott – I do.

Attorney Palmer – Now state your name for the record and spell you last name please?

Philip Scott – My name is Philip Scott – Last name Scott – S-c-o-t-t.

Attorney Palmer – Thank you, your witness.

Attorney Peck – Thank you. Um, Mr. Scott will you give the Board the benefit of your educational background?

Philip Scott – Uh, yes I have a bachelors in Science in Civil Engineering from the New Jersey Institute of Technology. I've been doing Civil Engineering work in the State of New Jersey for the past approximately 15 years and I am a licensed professional engineer in the State of New Jersey.

Attorney Peck – And have you been accepted as an expert by land use boards in the State of New Jersey?

Philip Scott – Uh, yes I have.

Attorney Peck – I'd like to move Mr. Scott as an expert in the field of engineering.

Chairman VanVliet – Without objection, so moved.

Attorney Peck – Mr. Scott, if you can, um, have you prepared some plans for the Board to consider?

Philip Scott- Yes, will I need to speak here in the microphone.

Secretary Dilts – That should be okay over there.

Philip Scott – Yes, I've prepared plans that you are going to see tonight. The first four here, I think we had as part of our the completeness hearing that we had a month ago, which is an aerial photograph that showed the site as it exists.

Attorney Palmer – Has that been marked at all.

Attorney Peck – Would you like it A-1 with the date.

Attorney Palmer – A-1 date please.

Philip Scott – So, as you can see, the site located here that has frontage along Red School Lane and frontage along Baltimore Street, the existing building, the office building a small parking lot in the front that has access off of Red School Lane and a larger parking lot accessed off of Baltimore Street. Um, this is what we, we plan to keep this parking lot as it is but a minor adjustment to allow for a buffer area, a sidewalk along the handicap parking spaces, we want to reconfigure, actually remove this parking lot and add a new parking lot in the front.

Attorney Peck – So, while you have the picture of the site, can you show the Board where the shed that we are seeking the variances are located and then what other structures are proposed to be removed?

Philip Scott – Yes. The shed is located here in the southwestern corner of the site. This is the shed that we are seeking the side yard/rear yard variances. We are not doing anything to the shed we are going to keep it but we need to request the variance for an existing, pre-existing condition.

Attorney Peck – Okay, and then, the other structures that will be removed.

Philip Scott – Yes there is residential structuring here. I believe there's two residential houses and a garage here. These two structures will be removed. Yes, so moving onto the Site Plan, I'm going to mark off as A-2.

Member Pryor – Excuse me, can you just show me the part of the site that's in the R75 Zone?

Philip Scott- Sure.

Attorney Palmer – What's the date on the Site Plan?

Philip Scott – The date that we just wrote on?

Attorney Palmer – No there should be a date or

Attorney Peck – When it was a prepared.

Philip Scott – Well, it's just an exhibit, we didn't put a date on the exhibit. But the actual Site Plan that's been submitted, I believe the date is, the most, revision, I believe is the week of June 10<sup>th</sup>.

Attorney Palmer – Okay, thank you.

Member Hall – And that says 6/23/14.

Philip Scott- Yes. It is the 23<sup>rd</sup>, excuse me. Yes, the question was which property, which portion of the site located in the residential zone. This particular piece here is R75 and the remainder of the site is in the PO Zone.

Member France – Is there another structure there next to the residential home that's right on the property line?

Philip Scott – This here. This is a garage that accompanies this residential structure here. It's not, the line that we have is not exact, it is a little bit over but the garage is over the property line. This line is not, not as much as what's shown here but it is over the property line.

Attorney Peck – You can do things when you have vacant property. Now, Mr. Scott, just kind of picking up some of the high points from, you know, last month's meeting, some of the issues that were discussed. Um, one of the issues was the driveway connecting the Red School Lane but also the two parking lots. Uh, can you explain how you revised the plans?

Philip Scott – Yes. One of the comments that came from the review and I believe from the Board was that this driveway that we have is, initially, was just going one way off Red School Lane could only exit the parking lot going to the parking lot. What we did was, we changed it, we made it wider, we made it a two-way driveway so that you can have access in both directions to Red School Lane. One of the other additions that we made, that was a recommendation of Engineer, Mr. Sterbenz, is that add a sidewalk along the front of the handicap parking spaces to prevent the handicap from having to walk from that parking lot so they can walk directly on the sidewalk to access the building. We did the same thing at the rear in front of the handicap spaces. One of the other things that we did is we, uh, added the landscape buffer around the (inaudible) and we removed (inaudible).

Attorney Peck – If we could get back to the driveway. I understand that the driveway width will be 20 feet, I believe it's 25feet that the ordinance requires. Will stopping and standing be permitted in that driveway.

Philip Scott – No, no stopping or standing will be permitted in this driveway and plan to appropriately sign it so that we have no vehicles trying to park there or permit standing. We will put the appropriate signs there.

Chairman VanVliet – Is there some reason you can't make the 25 feet.

Philip Scott – We can, we are trying to limit the amount of the impervious coverage that we have on the site. Um, 20 feet is adequate and will work for this particular use, um, we can go 25 if necessary. We don't necessarily feel that it is needed for this particular use. Um, and we want to try and minimize the amount of impervious coverage and we also wanted to have more room in case we needed to do an expansion of the buffer and the landscaping. Things like that.

Member Pryor – Do you need all the paving that's in the back?

Philip Scott – That's in the back here. The existing parking lot?

Member Pryor – Yeah, right.

Philip Scott – Yes we need, we need that parking because we are, we're close in terms, we meet our parking requirements (inaudible).

Attorney Peck – And the existing shed, why is that, why's that shed being kept?

Philip Peck - This is something that the owner wants to keep so you can store maintenance equipment, um, you know, rock salt for when it snows. Um, you know, just different types of equipment for maintenance.

Attorney Peck – And that will be a buffer from the adjacent residential homes?

Philip Scott – Yes it will. As you can see, it's because it is surrounded by the landscape. It's totally buffered and it's tucked right in here in that corner and you won't be able to see it from the other adjacent properties.

Member Hall – Brian, your property border's that, do you have any issues?

Brian Weeks – Yeah, I'm real happy. I really like the way it is and not put your trees there if you don't want to you. No, I'm saying to you. To me, you might want something different.

Chairman VanVliet – You'll have, we'll have an opportunity to question these people, I don't want to get into a sidebar here.

Attorney Peck – Thank you Mr. Chairman and if we can, for the record, we are also seeking a design waiver to eliminate the sidewalks that the ordinance indicates we should have along Red School Lane and Baltimore Street. Um, why are we seeking to not have sidewalks?

Philip Scott- Currently there are no sidewalks anywhere along Baltimore Street or Red School Lane. So, if we were to provide sidewalks, it would be a dead end sidewalk, a sidewalk to nowhere. Currently, on the opposite side of Red School Lane, there are sidewalks, all along Red School Lane going north.

Attorney Peck – And, there's presently uh, vehicular egress through the rear parking lot to Cromwell Street. Um, what's going to happen to that?

Philip Scott – We plan to keep the circulation the way it is. We are not planning on making any changes. We, you know, we like the way that it operates. One thing that will happen is the fact that we are changing this to a two-way which will relieve some of the additional traffic that may have been going out Cromwell and will come to Red School Lane.

Member Hall – What about truck delivery. How do you anticipate that?

Philip Scott – I believe at the last hearing, we talked about there being a weight restriction on Baltimore Street. So we, you know, by making this as (inaudible) access, we definitely accommodate our trucking deliveries to and from Red School Lane.

Member Hall – So, that would give a little more credence to going to the 25 foot instead of 20.

Member Pryor – Why do you feel you need to maintain the access to Cromwell?

Philip Scott – I don't know that we necessarily need to. Again, we are not trying to disturb (inaudible) it's something that we can look at if it is so desired by the Board. Um, we really didn't look into (inaudible).

Member Pryor – Well, you'll hear from everybody on the Board.

Attorney Peck – And, finally, on this site, Site Plan, how many parking spaces are proposed for the site?

Philip Scott – 229 parking spaces are proposed and that's including the new parking spaces as well as the existing parking spaces.

Attorney Peck – And do you know how many are required for this site?

Philip Scott – 225 spaces.

Attorney Peck – Um, I'd like to touch on grading and drainage on the site if we can. I know that Mr. Sterbenz recommended that the conflicts with the detention basins be revised to reflect the four inch low flow channel depth. Is that something that we can do?

Philip Scott – Yes, we can do that and we will do that on our next revisions.

Attorney Peck – And how bad, he also recommended reconfiguring the outlet structure for Detention Basin B-1 to eliminate a conflict between the offices in the rear.

Philip Scott – That is something that we can do. We've actually already started making revisions based on the comments with regards to grading and drainage and we can accommodate those changes.

Attorney Peck – He also recommended lowering the (inaudible) to FBSB3 and FBSB7 to meet the invariable low flow channel.

Philip Scott – That's not a problem for us to accommodate that with the inflow to change that drawing.

Attorney Peck – Then, his final comment, relative to grading and drainage, is it possible to review the grading proposed to the north and east of the building to improve drainage at all?

Philip Scott – Um, yes we can, when you talk about the north and east side the building, I believe you are talking about in this particular area, um, we can based on adjustments to this area to improve the grading and drainage. One issue, or one thing that we were trying to do again, is trying to have a low impact design. We are trying to do this grading system, as few inlets as

possible. We can look a little more closely at this area and work with Mr. Sterbenz in terms of making that area work to his satisfaction.

Attorney Peck – Thank you. Let's touch on utilities for a moment. Can you discuss the wastewater use that we anticipate being generated?

Philip Scott – Yes, we prepared a Sanitary Sewer Flow Analysis that shows that we have plenty of capacity and the type to service this existing building and proposed expansion of the sanitary sewer that comes out of the building, comes to manhole here at the intersection at the driveway at Seventh Street. We have no problem, we don't anticipate any problem and we will be able to serve the building with the existing sanitary sewer line.

Member Pryor – Can I ask a question on that? I don't think it will make a difference, but I think you indicate the receiving sewer is an 18 inch sewer. Township records indicate that's an 8 inch sewer.

Philip Scott – That's very possible. I'll check the capacity on that line. I have no doubt in my mind that the amount of flow coming off this site will not be found to be.

Member Pryor – I don't think so either, but if we can get the right size sewer on there.

Philip Scott – We will revise the plans to reflect an 8 inch sewer and will check the capacity.

Member Pryor - Well check the size and

Attorney Peck – And, then, can you describe like exterior fire prevention systems?

Philip Scott – There is an existing fire hydrant on the site located approximately right here that will serve to, you know, prevent or fight any fires that maybe on the exterior of the building or around the parking lot and the proposed building a sprinkler system inside.

Attorney Peck – And, to the extent that, that current state codes or laws, regulations mandate, you know, additional hydrant supports, we'll comply with that.

Philip Scott – We will comply as well.

Attorney Peck – Okay let's get rid of the landscaping and buffer if we can. Um, can you identify again for the Board what we're proposing to have that 25 foot buffer?

Philip Scott – Yes the 25 foot buffer we are proposing is the along the edge of the property where we are adjacent to additional residential properties. We're looking to provide the landscaping in accordance with the requirements of the ordinance. You know, we are planning on doing deciduous and evergreen trees along with two rows of shrubs and as the ordinance requires.

Attorney Peck – There are some areas I understand the ordinance doesn't apply to buffers on street frontage but there are various, where no buffer is proposed. Can you explain why that is?

Philip Scott – Along the street, we have a lot of trees along Red School Lane that we maintain. Again, a buffer is not required, when it's maintained for the existing trees that we already have. We are not proposing any buffering along the northern western corner of the property. The northern area of the property there are plantings along there. This area along here (inaudible). Don't anticipate the need for any additional landscaping.

Attorney Peck – And, within the buffer that is proposed, the number of trees and shrubs does that meet the ordinance requirements?

Philip Scott – Yes. It does.

Attorney Peck – And, can you discuss the, um, you mentioned that we are going to have rows of trees, and shrubs, but can you describe in a little bit more detail, what kind of screening that we're going to have where it is adjacent to residential areas.

Philip Scott – Ah, yes. The buffer is going to have the shrubs that are going to grow, I believe, they're actually planted like 5 feet on center. Um, they're going to grow somewhere between, you know, 6 to 9 feet wide. Um, and you have other trees that are gonna grow between 10 and 12 feet high. Um, I'm not going to pretend I'm a landscape architect but I have lot (inaudible) landscape architects. We are meeting the ordinance requirements and, if necessary, we'll add supplemental landscaping as well.

Attorney Peck – Right, cause we're willing to work with the professionals. Okay, finally, on landscaping, the Zoning Ordinance requires one shade tree for every 10 parking spaces. Do we meet that requirement?

Philip Scott – Yes, actually, we exceed that requirement. You have, I believe it's um, our ratio is one shade tree for every 7 ½ (inaudible) so we are in excess for requirements for shade trees.

Attorney Peck – Thank you. Let's move into lighting. Both Engineer Sterbenz and Planner Ritter noted that there appears to be light spill over into Lot 20, Block 85 which is near that rear driveway area. Can we eliminate or deal with this spillover?

Philip Scott – Yes, one thing I can do, is we can add outside shields to the light. One of the things that we are doing in this rear parking lot, there is existing a bunch of old flood mounted light fixtures, we are going to remove those light fixtures and put new LED fixtures and will provide outside shields so we can prevent any spillage.

Attorney Peck – And do you know the hours of illumination would be for the outside?

Philip Scott – That's kind of an operational thing. We spoke in a conference call on Monday and one of the things we typically do, when we expect the sites is, we provide a photo cell so when it gets to a certain level of darkness the lights come on, but we plan on having some type of timers,

where after a certain time when no one will be working in the building, the lights will shut off and only certain lights will stay on for security purposes.

Attorney Peck – And, we'll, whatever the Township's preferences are, for when the bulk of the lights get shut off. So long as the lights are on during working hours and we don't really.

Philip Scott – Yeah, and we checked the ordinance, there was no specific guidelines as to what time the lights need to be off.

Attorney Peck – You tell us.

Philip Scott – Exactly.

Attorney Peck – So, thank you. And, um, nearing the end here, um, we had a geologic investigation done because where we are and the presence of limestone and our investigation recommended we do a Phase II Geologic Investigation which we are going to do correct?

Philip Scott – Yes, that's correct.

Attorney Peck – And based on the outcome of that investigation, would we revise the plans according to the outcome of that report?

Philip Scott – Absolutely. We will make whatever changes that are necessary based upon that study.

Attorney Peck – And you know, of course, a condition. And, then, with the rest of, as far as the Site Plan goes, um, the comments contained in Mr. Sterbenz and Mr. Ritter's letters, um, we can comply with what is in them?

Philip Scott – Yes we can.

Attorney Peck – Very good. I believe I have anything further for Mr. Scott.

Chairman VanVliet – Gary, you had a question to ask?

Member Woolf – I'm hung up on Cromwell Street. We've opened Sixth Street up now and I know there is two families here that abut that entrance. I would prefer to see it strictly for pedestrian and emergency vehicles only. In fact, myself, I'd like to see the black top tore out. That would give you two more parking spaces too and put some kind of stabilized base between the end of the existing Cromwell into your parking area.

Chairman VanVliet – Can we accommodate that?

Engineer Sterbenz – I think that's a wise thing. There really is no reason to allow ingress connection. In this case it is egress to the residential neighborhood in this commercial use. One of the benefits of removing the asphalt is that that removal would almost counter balance an

increase in the width of the driveway. We've talked about, very early on in the hearing, the 20 to 25 feet is probably about a 1000 square feet of asphalt in that connection out to Cromwell. I think you would have a little bit more asphalt if you increased the width but still you would almost counter balance it which is a goal with the Highlands, and it's also a goal Mr. Scott mentioned trying to limit the increase in impervious coverage. So it's gonna help out in that regard.

Chairman VanVliet – George do you have a comment on that?

Planner Ritter – Well, you know, we did in our review letter, that actually eliminating vehicular access to Cromwell Street made a lot of sense. We thought that it might be wise to provide some type of walk still tied in if somebody wanted to walk in from that side and if required for emergency purposes, just provide a grass stabilized area that somebody could get in if they had to. Yes, but we thought that was an ideal street to close for vehicular access. We didn't see a need to provide that in this location that it seemed better to set it up for pedestrian access particularly, since we're now trying to develop a more permanent connection to Red School Lane and also for service vehicles.

Attorney Peck – We can certainly do that.

Member Pryor – Well, I agree with George. I think what your letter was talking about some sort of mountable curb and stabilized grass area or whatever for emergency access. It, essentially, eliminates that as a permanent paved access. I think it lessens the intrusiveness on the neighborhood. I think it removes some pavement and nothing else along Red School has access out the back to the residential neighborhoods. It would be consistent with everything else along Red School so, um, I agree with Mr. Ritter's recommendation.

Chairman VanVliet – Would you have any objection to doing that or?

Philip Scott – We have no objection.

Chairman VanVliet – Would the applicant agree to that?

Philip Scott – The applicant agrees to it.

Attorney Peck – We're okay with that.

Chairman VanVliet – Very good. Are there any other questions from the Board?

Planner Ritter – Now, oh, I'm sorry. No, I jumped ahead of myself.

Chairman VanVliet – I was going to open it up to public questions.

Member France – The (inaudible) includes widening it 20 to 25.

Planner Ritter – That’s what I just wanted to confirm and I guess that they are going to widen the driveway in the rear to 25 feet. Okay, I wanted to make sure we understood that.

Member France – Whatever truck traffic you have going around the back then, is the parking and a layout of the existing parking lot adequate for truck turning radius’s and stuff?

Philip Scott – We’d have to do an analysis. If required, we may lose a few spaces here, but what we lose here, we can possibly pick up here.

Member Woolf – On your buffering, once you hit Cromwell Street, I think the majority of that hedge row that is tree now or fence row, whatever you want to call it, I think the majority that are deciduous trees, so, there would be no buffer those abutting properties for the winter.

Philip Scott – Okay we’ll be willing to add some additional plantings.

Member Woolf – I’ll leave that up to the public on what they want to do with that area.

Engineer Sterbenz – Just too clarify a question for Mr. Scott. You mentioned you had no problem with any of the comments in George’s letter or my letter. I just wanted to clarify in comments 2.05 and 2.06 I had comments about handicap stalls and the need to provide sidewalk, so you are agreeing to provide those sidewalk connections?

Philip Scott – Yes, we are.

Engineer Sterbenz – And, then, is the number of landscaping comments like on 5.1 there is a need on the southerly boundary to incorporate some evergreens in addition to what area you have shown on the plan, you are going to do that?

Philip Scott – Yes.

Engineer Sterbenz – Okay, and then Section 8 had some miscellaneous comments having to do with various construction details, you’re going to make those corrections as well.

Philip Scott – Yes.

Engineer Sterbenz – And, Mr. Peck, Section 9 of my report on Page 9 had some suggested conditions of approval, is your client amenable to those suggested conditions?

Attorney Peck – I mean they’re all pretty standard conditions that I’ve seen on pretty much every approval that I’ve every work on so.

Engineer Sterbenz – Thank you very much.

Member Pryor – Can I ask a question Paul? Getting back to the sewer, for a second, usually questions of allocation and whether a connection fee is due and the amount of the connection fee is usually decided by Council, not here, so that would be one of the stops on your approval list.

Attorney Peck – Okay.

Engineer Sterbenz – I did not have that as a suggestion in condition C.

Member Pryor – But can we add that?

Engineer Sterbenz – So we would have to supplement with my list, yeah to indicate that they have to apply for an allocation for this particular site.

Member Pryor – I anticipate your argument on the connection fee but that will be for Council.

Chairman VanVliet – Okay, any further questions, if not I'll open it to the public for any questions you have of this witness. I would ask that you approach the podium so that would be recorded. State your name, your address and then feel free to ask pertinent questions to the witness.

Nancy Whitman – I live in the southwest corner in back of the property, back where that building, it's a garage I guess. Um, I would like to know what kind of shrubs you are putting in because if you don't know what they are, my husband and I would have a pretty good idea how big there going to get and how they're going to grow, so I'd like to know what they are?

Philip Scott – Yeah, unfortunately, I'm not.

Nancy Whitman – It's not listed on the plan in any way.

Philip Scott – It is not listed on this one. It's listed on our Site Plan.

Engineer Sterbenz – I can.

Nancy Whitman – What I would like to see happen. One of the reasons we bought our house, we have a beautiful view up through Merrill Creek. I mean, there, there (inaudible) buildings to put the surgery center in, um, I want to know it's not a 100% sure that they will be able to get that in, if the landscaping could be delayed, if at all, or eliminated or whatever, at least delayed until they are, they do get the approval for the surgery center because it is open back there, it is beautiful. Really your are not changing this property much at all, the use of this property. They've always had a business back there, we've never really had any issues with any of the people coming in and out so that's going to really, especially, with plants that get really tall, it's going to really box in my property.

Attorney Palmer – Point out exactly where you are on that map.

Nancy Whitman – We're right back here. Right back in here.

Attorney Palmer – So you'd rather not have.

Nancy Whitman – Exactly.

Nancy Whitman – There's a road that comes up from Second Street, it's just an open piece of land, you know, my kids, my grandkids have always played back there, you know, it was a nice playground for the kids. Again, we never had any problems with the previous owner, you know, we don't take advantage of it or whatever, but it is a nice place to be able to go and, again, we have a nice view of Merrill Creek. So, especially if they are going to put evergreens in and that's just going to box us all in. So, again, if we can't get rid of it, or at least maybe get, use lower plants, but if we can delay that until the surgery center goes in, if we have to keep it.

Chairman VanVliet – But you're in favor of not having.

Nancy Whitman – Not having it.

Chairman VanVliet – That heavy of a buffer zone.

Nancy Whitman – Yeah, especially, something lower that's for sure.

Member Pryor – You are saying if the surgery center goes in, that block's your view anyway or?

Nancy Whitman – We'll it's still further out in the property, it's fine, but if those are directly behind my house, and it's an evergreen, more than likely a Blue Spruce or a Norway Spruce they're going to get 30, 40, 50 feet tall and over time, will make a wall back there. The surgery center, from what I'm hearing, is two stories but it's far out in the distance where it is not right on top of my house.

Chairman VanVliet – I'm going to have George, do you have a problem with elimination back there in that area (inaudible)

Planner Ritter – The answer is no, there's is no direct reason why it has to be there. Obviously, it's been put there in an interest of trying to protect the visual area of the neighbors. If their sense is, they prefer what is out there today; I don't have any objection to reducing it. The one question I would ask of them though, is do they want it all, in the sense that it is kept all in that back corner or would they prefer to have a low line of shrubs, asking, to define the back edge of the property. It's, I don't care, if they, if you want it out, I have no objection because it's put there supposedly for your benefit. So, if you'd like to have it removed, it will be removed. I don't have the right to remove it.

Chairman VanVliet – State your name and address.

Brian Weeks – 208 South Seventh Street. Just, so, I guess everybody's aware of it, sitting here, we're actually right here, whether you put a building up or not, it really doesn't matter (inaudible) this is, the view I have from my house but it's, it's, we like it that way, we rather have it that way and as far as we are concerned we'd like to see it left as it is. It's nice to look across and see a nice manicured yard, all right. The animals run around, deer come in there and everything, so, it's just nice for us, if it's feasible. I'd be willing, like I said, to pop the trees up, I

believe there is one neighbor up above where you have nothing, which you were talking about earlier that dies off in the winter time just move them up the run and put them there instead of eliminating, you still get the same amount of trees, meets your requirement, just move them up the line a little bit all right, and I hope I'm not speaking for you, um, that whole line of trees here is right here, this is your three neighbors but there is one in here that is not here. The three of us right in that run all don't want any trees there, so, if that saves you a little money.

Member McCabe – But Brian aren't you, I mean, there's going to be a parking lot there that's going to be very active.

Brian Weeks – I already have a parking lot, I've lived with a parking lot for 25 years.

Member McCabe – Well, there's nothing there now though.

Brian Weeks – What you see there

Member McCabe – Just so you know, if it gets busy, it's going to be a whole, there's going to be noise. Okay.

Member Belcaro – You'd rather have a car than a tree.

Brian Nixon – I reside at 305 South Sixth Street. I'll take all their shrubs. Right now there's like 6 trees and they're dead. It's, it's just weeds. You know, we have a couple of trees that are alive. The problem with just the area is there is a lot of foot traffic that walks through the parking lot to the apartments and Warren Heights, so, I would prefer as much privacy as possibly. In the winter time, we can see straight through.

Joseph Rosado – 233 South Sixth Street – Definitely would not like to see any shrubbery at all. I like the way it is open. I have grandkids, too, and they come over and sometimes we spill over there and get a ball or something. Shrubbery there and trees is not going to be good for us. Save you some money. Not interested.

Attorney Peck – I'm kind of wrestling, like how do you modify this on the fly. How about in listening to the comments, we eliminate this that we proposed but we do what we were going to do here on this from Cromwell to this spot along there.

Engineer Sterbenz – I would suggest that we connect from Seventh to the east just keep that, we eliminate the "L" above it and then we take whatever we need to move it in back of Mr. Nixon's property there. I mean, we don't have anything where that "L" is because I don't, if we are going to take the trees out, we might as well take the shrubs out and just leave it all grass.

Chairman VanVliet – Any further public comment?

Attorney Peck – We'll supplement what is already there and put on the property evergreens I guess, because that's what we are hearing is in the winter it becomes open. Seventh Street down to Red School.

Engineer Sterbenz – And, I don't think you need any shrubs, take some of that buffer and move it to the right along the existing trees, there's no sense in having any shrubs there just put some evergreen trees there to try and screen. Get rid of that whole "L" configuration.

Planner Ritter – We're going to have to grant them a waiver for getting rid of the landscape buffer in that area.

Attorney Peck – We are already seeking a variance to do away with the buffer over there.

Planner Ritter – The actual buffer is a variance.

Chairman VanVliet – Okay is there any further questions from the audience concerning this application?

Resident – You guys don't have a security system (inaudible).

Philip Scott – (Inaudible)

Dominic Fiorilli – We will have security there um, it's not something that typically would be audible but I think it would be at a distance that you wouldn't hear it. Obviously, if there is an active fire or something, that's a little different issue. If there is a false alarm, typically, what happens is, the alarm goes off the alarm company makes a call and someone gets dispatched to respond to that unless there is an active breaking or active fire, like the house cleaner sets off the alarm. Things of that nature but I'll be happy, you now, to look at this and I'll give you my card if you have to talk further about and answer any questions that you have.

Resident – So you say you're going to have security there?

Dominic Fiorilli – We may or may not have cameras, um; it's a possibility that we may. It hasn't been decided yet, it's a possibility.

Resident - The cameras will definitely stop right at the property?

Dominic Fiorilli – We have no interest in looking at anyone's property. If we install cameras, it will be limited to just our properties.

Resident – One more question, there is a the business before, they tended to smoke and come over to Cromwell Street behind my house there and believe it or not in the summertime I could smell, my wife over here has asthma. Are you going to have a designated smoke area? I know it's hopeless, people smoke. Are you going to put a gazebo like way in the corner somewhere or is it going to be you are not allowed to smoke on the property.

Dominic Fiorilli – You are not allowed to smoke on the property but we'll find a way to adjust it. Again it's something that we really had to wrestle with too much in the past but we'll proactively address that issue. If we see it's becoming an issue, I speak with some of the residents.

Resident – It's not just the smell but they also put their butts on my lawn and it gets a little annoying keeping up and that is just one of my concerns for now. You guys are new (inaudible).

Dominic Fiorilli- They're fair questions, they're good questions, this is not the only time you get to regardless of this meetings, it not the only time to ask questions and get answers. My card has my number, my email and as we continue to grow in the neighborhood and something comes up and you have a concern, you are welcome to call me and I'll address it.

Resident – I was here last month and you guys were listening to all our concerns and it's great.

Chairman VanVliet – Thank you. One more.

Brian Weeks – 208 S. Seventh Street – Can you let me know what's going on with the bike path or walk path?

Chairman VanVliet – It is eliminated.

Brian Weeks – Is that in the plans or out of the plans?

Chairman VanVliet – It's out of the plans.

Brian Weeks – I asked a couple of people and they didn't hear it. It's gone at this point right?

Attorney Peck – Not in the plans.

Brian Weeks – Thank you.

Chairman VanVliet – Okay right.

Attorney Peck – If no more questions, I'd like to call Mr. Robert Furst.

Attorney Palmer – Raise your right hand sir. Do you swear to tell the truth, the whole truth, nothing but the truth so help you God?

Mr. Furst – I do.

Attorney Palmer – State your name, spell your last name?

Mr. Furst – Robert Furst, F-u-r-s-t.

Attorney Peck – Um, Mr. Furst what is it that you do?

Mr. Furst – I'm a registered architect.

Attorney Peck – Can you give the Board the benefit of your education?

Mr. Furst – Sure. I have a degree from Oklahoma State University. I am a registered architect from Pennsylvania and New Jersey – 34 years experience. I hold a certificate from the National Counsel Architectural Registration Boards which means I'm eligible to apply to all states in the United States and also a lead US Green Building Counsel Lead Professional and, last, I serve on the Zone Hearing Board about 8 years in Bethlehem Township.

Attorney Peck – And, have you been accepted before various boards?

Mr. Furst – Yes, I've been doing this for 34 years so quite a few.

Attorney Peck – I would like to move Mr. Furst as an expert in the field of Architecture. I believe you have some renderings. They've been revised from what we previously distributed. Mr. Furst are you familiar with this project?

Mr. Furst – Yes I've been involved (inaudible).

Attorney Peck – And were you involved in preparing the exhibits that we are going to discuss tonight.

Mr. Furst – Yes.

Attorney Peck – I'm going to mark this one as A-3. And could you, um, explain what is in front of us. Describe the exterior. Can you describe the exterior of the existing zone?

Mr. Furst – The existing building is a one story which on the southern end becomes a two story constructed of concrete blocks which is the way it is now, narrow windows, has a flat roof.

Attorney Peck – Okay, will you let the Board know what changes are proposed to the exterior of the building?

Mr. Furst - What we are proposing to do, initially, is by adding a canopy at the main entrance. We will be moving the entrance. Currently, the entrance is down here. We will be moving the entrance to the front of the building. That makes the upper level handicap accessible. The canopy across the front of the building, the drop by lane and the height of that is a minimum of 14 feet. So any kind of vehicle, a fire truck or anything can pass under that. One of the other elements is across the front. It's a screen as opposed to like you refer to as a structure that actually that red section across the building is a screen. On your drawing, you might not be able to see that quite well. It is a perforated metal screen and its intent is to draw some attention to Red School Lane and will help identify the building and also to screen mechanical equipment that will most likely sit behind it where the building is. It being perforated, it is not solid, so something very light and an airy element onto the building. And the last thing is on the far southern end we're adding a small addition for the MRI unit and that will be also maintain itself on the upper level. There is not basement plan.

Attorney Peck – So, this top picture, that's the view from Red School Lane.

Mr. Furst – This is the major view from driving up and down Red School Lane. It shows where that element is, across the front and sets back on the edge a little bit approximately 8 feet high and then the canopy runs along flat. From the southern side, that's the building addition, we used a little more glass in that area. Tried to bring a little more light in the building as this can be a traumatic procedure on just mentally for some people. The idea beyond the building is probably surfacing it with an exterior insulation system. In order to meet energy codes and have the building more energy efficient.

Attorney Peck - And you will have the same exterior façade materials on the other side of the building as well?

Mr. Furst – Yes, generally speaking, (inaudible).

Attorney Peck – And do you know what the dimensions of the renovated building will be?

Mr. Furst – The existing building as it currently exists is 217 feet long (inaudible) it is 109 feet deep. Our addition on the far end is approximately 24 by 69 that gives us 1656 square feet. So, when it is finished it will be 241 feet from north to south.

Attorney Peck – And, what will the height of the building be?

Mr. Furst – The existing building walls are approximately 12 feet high. As you can see, we're going to

Attorney Peck – You don't think more than 14 feet at that end.

Mr. Furst – But, with the MRI unit, we might have to raise that roof up a little bit depending on the structure of the building but we can't quite get that clearance under there. We might have to take that roof off a little bit but we know it's not going to more than 14 feet.

Chairman VanVliet – What's the height of the canopy?

Attorney Peck – You mean this screening structure above? The height with this screening structure is at less than 35 feet.

Mr. Furst – It, it is.

Chairman VanVliet – As long as it is less than 35 feet it will meet the code.

Attorney Peck – And um, finally with the exterior would there be lighting along the walkway on the northern side of the building.

Mr. Furst – Sure, there'll be some general lighting, security lighting and accent lighting that's specific to the building for security and strategically light the building. That will be looked at in

coordination with the site lighting but it will not extend much beyond the building. The parking lot lighting will be sufficient to handle the parking lot.

Attorney Peck – Okay, great let's move onto the inside. The interior

Attorney Palmer – A-4?

Attorney Peck – A-4. Mr. Furst could you describe to the Board the interior floor plan?

Mr. Furst – Sure. I won't go into a lot of detail. Essentially, the building, the program is in development, design development, the design process is going to take time but the concept behind the building and what's inside really won't change all that much. It will consist of four major areas. There is the red area across the front which is called the care on demand at the front of the building. The physical therapy and rehabilitation is on the north side of the building which was an addition that was added to the original building. The green is the clinical demand space and then the purple down at the far end that is imaging and that's where the MRI addition sits and there's also X-ray. So those are the four interior components, again, will all integrate together.

Attorney Peck – And will the interior, will be sprinkled red and everything else that the code requires?

Mr. Furst – And we'll be obligated to meet the building codes. It will be fully sprinkle red and an automatic fire protection mounted system and, of course, all exits, anything that is needed by the Fire Department as they go through the plans in detail and make sure everything meets code. We will be open for resolution.

Attorney Peck – Thank you Mr. Furst, that's all I have for this witness.

Chairman VanVliet – Any questions, George?

Planner Ritter – Just one, it's clear the building meets the height regulation but would you make sure that since we don't have a formal submission of the architecture yet in terms of elevations and that, that a table be put on the Site Plan indicating the maximum height of the existing building so we have that data on the table of just what you are proposing in terms of the height of the building.

Attorney Peck – So, you want a table, just so we are clear, on the Site Plan like we have the zoning table?

Planner Ritter – Right, it will be addressing the height issue of the building.

Attorney Peck – Just building dimensions?

Planner Ritter – Right, I mean you could substitute elevations but it sounds like you are still working on those so.

Attorney Peck – Okay, that’s fine.

Planner Ritter – Okay but what I mean is you don’t have anything that really just states those, that’s all, so, I’d like to have that on the plans.

Attorney Peck – That’s not a problem.

Member France – Another question, what’s meant by future connection? What’s your plan there?

Mr. Furst – At this point, we haven’t developed any plans for that end of the building. If there would ever be planning work, you know looking ahead; I would try to just come up with a design that would be easily expandable or an addition to add to it. The way the site lays out existing that’s the way it’s been engineered for this addition any expansion would be to the south. So that’s just indicating right there that we created the situation for another expansion.

Member Fischbach – Two questions: one, the current is (a) a bar joist structure or is it like a precast roof structure for roofing. Yeah, is it bar joist?

Mr. Furst – Bar joist.

Member Fischbach – And the second one is, are you guys going for any lead certification on them and if so, what level.

Mr. Furst – No, I don’t believe that. What we do with Coordinated is we design under many of the principles which are very easy to do but actually pursuing lead certification and going for a plaque, that’s not going to happen.

Engineer Sterbenz – I just have a question for Mr. Furst. Um, there is in the building addition there appears to be a basement portion of it. My understanding from your testimony, it is not underneath where the actual imaging is taking place it’s only toward the front of the easterly side of the building were the elevator is shown.

Mr. Furst – The existing basement is actually at the south wall, it extends from there over to this wall.

Engineer Sterbenz – What I’m saying is your building addition looks like you have a basement, there is a stairwell and elevator shaft shown in front on the east wall.

Mr. Furst – We need to get down to that basement because we are eliminating a stair that’s at the front door now used as a bi-level.

Engineer Sterbenz – My questions is, in that building addition 1656 feet addition, the area where you have the stairwell and the elevator shaft, that’s the only area where there is a basement where you have the imaging, there’s nothing underneath that?

Mr. Furst – No, no.

Engineer Sterbenz – Okay.

Chairman VanVliet – Questions, if not I'll open it to the public for questions of this witness. Anyone has pertinent question for him, please approach the podium, state your name and where you live. Hearing and seeing none, we'll proceed.

Attorney Peck – That will conclude our presentation this evening.

Chairman VanVliet – Okay.

Member Hall – Signage.

Attorney Peck – Going to be a separate application.

Chairman VanVliet – Okay.

Member Hall – Do you name your facilities by change or is it just Coordinated Health or do you have like Coordinate Health Bethlehem Township, Coordinate Health Allentown.

Coordinated Health Representative – We typically just name them Coordinate Health (inaudible)

Member Hall – We would prefer it to be Lopatcong Campus not Phillipsburg.

Coordinated Health Representative – When we design our sign, I'll will come back with that application and would be happy to give your suggestion, it's probably be very appropriate.

Member Hall – That would be very nice.

Coordinated Health Representative – We'll look forward to that conversation.

Chairman VanVliet – We won't be getting our own zip code.

Member Hall – I don't want our own zip code – I just want to use one.

Barbara Lance – My name is Barbara Lance, Lows Hollow Road and I have a statement I'd like to read.

Chairman VanVliet – Is this concerning this application?

Barbara Lance – No are you done with this?

Chairman VanVliet – No, we are not done with it yet.

Barbara Lance – Okay.

Chairman VanVliet – We’ll have a public comment at the end of the entire process, okay.

Barbara Lance – Thank you.

Chairman VanVliet – Shall we proceed to go forward.

Attorney Palmer – Sure a motion.

Chairman VanVliet – Make a motion for final or uh,

Attorney Peck – We do have the two variance requests, well actually three. Two of them have to do with the shed, the side and rear yard variances for the existing shed that we are not doing anything with. And the other variance that we are seeking is for the buffer, which again, we’re seeking to, we propose to have a buffer running from, basically, up from Red School Lane to Seventh Street. Um, buffer from Seventh to Cromwell and then we’ll supplement with evergreen trees from Cromwell over to the property line on, I guess, it’s the western property line. There won’t be any additional landscaping or buffer anywhere else, so that’s, those are the three variances we’re seeking and we’re also seeking the two design waivers; one is for the elimination of the sidewalks and the other, we’ll were actually only seeking one, because we’re, we’re going to have the driveway exits, ordinance specified size, so.

Chairman VanVliet – Thank you very much. Is there a motion on those variances and (inaudible). Motion by Member Belcaro, seconded by Member Hall. Roll call vote:

AYES: Members Belcaro, Fischbach, France, Hall, McCabe, Pryor, Woolf and Chairman VanVliet.

NAYS: None

Chairman VanVliet – Motion for Final Major Site Plan approval. Motion by Member Hall, seconded by Member France. Roll call vote:

AYES: Members Belcaro, Fischbach, France, Hall, McCabe, Pryor, Woolf and Chairman VanVliet.

NAYS: None

**Public Comment:**

Barbara Lance – Lows Hollow Road. Thank you. This with much trepidation that I stand before this Board but I’m bewildered that this Board would approve a five year contract for a part-time position. This is not by any means a personal attack on Ms. Dilts but by doing so, you will be setting into motion an (inaudible) of past practice that may in the future put the Township in a precarious position. I don’t know how you can possibly explain this position to those residents who are employed at will or even those under state and local contracts whose government contracts can’t exceed three years at most. Also troubling is that monies are paid regardless of the no meeting is scheduled. This rationale is troubling at best and these actions are not in the best interest of the residents that you serve. Thank you.

Chairman VanVliet – Any other business. None, no other public comment, in that case, I'll entertain a motion to adjourn. Motion by Member Pryor, seconded by Member France. All in favor.

Respectfully submitted,

Margaret B. Dilts  
Planning Board Secretary