

**MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING
HELD JULY 26, 2001**

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is also posted on the bulletin board at the Hardyston Township Municipal Building.

ROLL CALL:

Jim Armstrong	Excused
Leslie Hamilton	Present
Maribeth Boffa	Present
Randy Roof	Excused
William Castiglione	Present
Thomas Zygmunt	Present
Robert Neubig	Present
John Eskilson	Present
Greg Eisenecker	Present
Ed Frisbie	Excused
Ed Zinck	Present

OTHERS PRESENT: Robert Guerin, P.E., Thomas Collins, Esq., and Anne-Marie Wilhelm, Secretary, were present.

APPROVAL OF MINUTES:

A motion to approve the minutes of the June 21, 2001, meeting was made by Robert Neubig and seconded by Maribeth Boffa. Roll Call: Leslie Hamilton - yes, William Castiglione - yes, Maribeth Boffa - yes, Robert Neubig - yes, Thomas Zygmunt - yes, Greg Eisenecker - yes, John Eskilson - yes. The motion carried.

A motion to approve the minutes of the June 28, 2001, meeting was made by Robert Neubig and seconded by Maribeth Boffa. Roll Call: Leslie Hamilton - yes, William Castiglione - yes, Robert Neubig - yes, Greg Eisenecker - abstain, John Eskilson - abstain, Maribeth Boffa - yes, Thomas Zygmunt - yes. The motion carried.

RESOLUTIONS:

H.F.H. Development Corporation - Multiple Blocks and Lots, PB-5-01-1: A motion to adopt a resolution approving the amended preliminary and final subdivision plat, site plan, and variance application for Sweet Water Lane cul-de-sac changes located in the Indian Fields development was made by Leslie Hamilton and seconded by Robert Neubig. Roll Call: Leslie Hamilton - yes, William Castiglione - yes, Robert Neubig - yes, Greg Eisenecker - abstain, John Eskilson - abstain, Maribeth Boffa - yes, Thomas Zygmunt - yes. The motion carried.

Estelle Manor - Block 75, Lot 11, PB-4-01-1, Preliminary Major Subdivision: This resolution will be reviewed at the next meeting.

Polizzi Builders - Multiple Blocks & Lots, PB-6 -01-1, Final Major Subdivision Walden Village II, Section V: A motion to adopt a resolution approving the final major subdivision site plan for Walden Village Section V was made by Robert Neubig and seconded by Leslie Hamilton. Roll Call: Leslie Hamilton - yes, William Castiglione - yes, Robert Neubig - yes, Greg Eisenecker - abstain, John Eskilson - abstain, Maribeth Boffa - yes, Thomas Zygmunt - yes. The motion carried.

Crystal Springs Builders - Block 16, Lot 1.03, PB-6-01-3, Final Major Subdivision - The Bourne: A motion to adopt a resolution approving the final major subdivision plat of Crystal Springs Builders for the Bourne was made by Leslie Hamilton and seconded by John Eskilson. Roll Call: Leslie

Hamilton - yes, William Castiglione - yes, Robert Neubig - yes, Greg Eisenecker - abstain, John Eskilson - abstain, Maribeth Boffa - yes, Thomas Zygmunt - abstain. The motion carried.

Sussex National Development Corporation - PB-5-01-2: A motion to adopt a resolution amending the resolution conditions of PB-11-9-01 regarding the number of building permits allowed prior to the completion of the road and bridge to Route 94, was made by Leslie Hamilton and seconded by Robert Neubig. Roll Call: Leslie Hamilton - yes, William Castiglione - yes, Robert Neubig - yes, Greg Eisenecker - abstain, John Eskilson - abstain, Maribeth Boffa - yes, Thomas Zygmunt - refusal. The motion carried.

Sussex National Development Corporation - PB-5-01-2: A motion to adopt a resolution, an amendment to resolution conditions of PB-11-9-01 regarding permission to open and use the Wild Turkey Golf Course prior to the completion of the clubhouse and the road and bridge to Route 94, was made by Robert Neubig and seconded by John Eskilson. Roll Call: Leslie Hamilton - yes, William Castiglione - yes, Robert Neubig - yes, Greg Eisenecker - abstain, John Eskilson - yes, Maribeth Boffa - no, Thomas Zygmunt - refusal. The motion carried.

APPLICATIONS:

YMCA - Block 67, Lot 2.08, PB-6-01-2, Preliminary and Final Site Plan Approval:

It was noted that Board member John Eskilson recused himself from reviewing this application as he is a member of the YMCA Board of Directors.

Daniel McCain, YMCA Executive Director, William R. Houten III, Architect, and Charles Thomas Jr., P.E., were sworn. Robert Morgenstern, Esq., requested that William R. Houten III be qualified as an expert. The Board granted said request. Mr. Houten III described Exhibit A-1, a drawing of the floor plan of the building, which as part of Phase I, will include an indoor 25 meter swimming pool, multipurpose aerobics room, a wellness center (weight room), a main lobby, three multipurpose rooms across the front of the structure, a child care area, a kitchenette, offices, and locker room areas. The one-story steel-frame structure covers 34,000 square feet with a small basement area located at the rear of the pool. The structure will have a raised area for the pool and a raised area for the entrance. The entrance is located off Witts End Road with a long driveway. Paved parking will be available for 131 cars with bank parking for an additional 113 cars. The driveway extends around the back of the building providing delivery and emergency access. Baseball and soccer fields will be constructed across from the parking area.

Mr. Morgenstern requested that Mr. Thomas be qualified as an expert. The Board granted this request. Mr. Thomas testified as to the Applicant's compliance with the Ordinances as to setbacks, maximum impervious coverage standards, lot area, and off-street parking. He presented Exhibit A-2, a project exhibit plan. He stated that the property consists of 10.75 acres. The access road is approximately 1000 feet long and extends out to Witts End Road, which is a variable width road. Witts End Road is proposed to be reconstructed to a full 30' foot width when the upper section of Walden Village is developed. Once this occurs, the Applicant will shorten the access road.

Exhibit A-3, the off-site plan, was introduced. Mr. Thomas presented that their wetland's expert walked the property and confirmed that there were no wetlands or transition areas on the property. With reference to parking lot lighting, Mr. Thomas stated that there will be four box-type lights, which focus the light directly down. There will be an additional two light boxes along the main access. These fixtures will be approximately 14 feet high. With reference to a garbage dumpster area, same will be located on the northerly side of the building at the back of the access. Mr. Thomas stated that enclosure details will be provided and designed to the satisfaction of the Township Engineer.

Mr. Thomas reviewed Township Engineer Guerin's report dated June 25, 2001. With reference to No. 3, page 3, which discusses the Applicant's failure to provide details concerning the sewer line profile, Mr. Thomas stated the Applicant will provide the details as requested. Further,

with reference to the sewer demands, the Applicant will provide breakdown calculations to Mr. Guerin. Exhibit A-4, a letter dated July 24, 2001, from Wallkill Valley Regional High School District to Mr. McCain, confirms the school district's intent to sell the YMCA 8,000 gal/day of sewerage allocation. Mr. Collins noted that he received verbal confirmation of same from Mr. Kovach, a Wallkill Valley Regional High School Board Attorney.

With reference to Item No. 4, which addresses water and sewer issues, a letter from the Wallkill Valley Water and Sewer Company to the YMCA dated July 25, 2001, signed by Nicholas Rizzo, was read into the record. The letter, marked Exhibit A-5, granted the YMCA permission to tie into the water and sewer line. It was noted that capacity for the sewerage will be purchased from the Sussex County Municipal Utilities Authority Sewerage Treatment Plant. Further, a condition of approval requires the Wallkill Valley Water and Sewer Company to approve the Applicant's water and sewer engineering plans. NJDEP permit requirements will be clarified at a later date.

With reference to Item No. 5 and Item No. 6, the Applicant agreed to provide the solid waste storage, handling, and disposal information as well as wetlands and transition zone impact statements from the Applicant's consultant.

With reference to Item No. 7, the Applicant presented that the St. Clare's Hospital Foundation agreed to provide drainage and access easements. These documents will be provided as a condition of approval.

With reference to Item No. 8, structural calculations for the retaining wall will be provided to Mr. Guerin. The Applicant presented that a fence will be constructed along the top of the wall as requested.

With reference to Item No. 9, which addresses parking, the Applicant stated that should the parking area not be adequate, the parking area will be expanded.

With reference to Item No. 10, which addressed the proposed drainage easement, the Applicant stated they will reducing run-off using the detention basin. With reference to the dam, Mr. Guerin requested that the DEP make the determination as to what class dam is needed. The applicant agreed. It was noted that options are being considered to avoid the class four dam issue.

With reference to Item No. 11, the Applicant agreed to construct all roof leaders from the building so that run-off will be piped directly into the proposed storm water collection system.

With reference to Item No. 12, the Applicant agreed to submit as-built plans.

With reference to Item No. 14, there will be no lighting in the fields at this time.

With reference to Item No. 15, detail for the access lane to the recreation field will be included as well as detail for the placement of ADA signage.

With reference to Item No. 16, landscaping is designed to create a canopy effect with an evergreen buffer. Mr. Guerin suggested adding pine trees to the deciduous mix for a full-all season buffer.

MEETING OPEN TO PUBLIC:

Joseph Carroll, owner of adjoining lots 202,203,204, was sworn. He expressed opposition to the Application. He stated he is not sure what community this project will serve. Mr. Carroll stated that he believes the YMCA will add additional traffic. Mr. Carroll stated that he has lived on the property for 30 years. He stated that 11 out of 12 months the lower end is wet. He expressed his concern for the animals that go through the property. He stated he does not want a building in his back yard. He stated that the kids in his area have pools and baseball fields. Mr. Carroll stated that he was not informed of meetings. Notice was reviewed by the Board Attorney. It was noted that Mr. Carroll was

sent a meeting notice. Mr. Carroll further stated that if the YMCA was something essential, he could understand. He stated that the Town will lose money as it is not a ratable. Mr. Carroll requested advice from the Board. Mr. Collins defined the parameters of the Planning Board's jurisdiction and the hearing process. Board members explained that they are not permitted to give legal advice. Board members thanked Mr. Carroll for his input.

Having no further input from the public, the meeting was closed to the public.

A motion to approve the Application with all conditions as set forth by Mr. Guerin and the Board was made by Leslie Hamilton and seconded by Maribeth Boffa. Roll Call: Leslie Hamilton - yes, William Castiglione - yes, Robert Neubig - yes, Greg Eisenecker - yes, Maribeth Boffa - yes, Thomas Zygmunt - yes. The motion carried.

Crystal Springs Builders-The Tarryall-PB-7-01-1, Construction and Final Subdivision, Preliminary and Final Site Plan:

Thomas Zygmunt recused himself from reviewing the Application.

Joseph Barbieri, P.E., and Andrew Mulvihill were sworn. Mr. Barbieri reviewed the Engineers report and stated that the Applicant is amenable to all conditions recommended by Mr. Guerin.

With reference to Item No. 5, Mr. Barbieri stated that information concerning the drainage inlets for the Bracken will be supplied. It was clarified by Mr. Guerin that no construction shall take place prior to his review. Mr. Barbieri agreed and stated that everything will wait and that no action will take place prior to Mr. Guerin's review. It was noted that the plan for the Bracken (which Mr. Guerin stated he prefers to review in order to make a comprehensive assessment of the present matter,) is an application for 78 attached townhouses that will be presented at the next meeting.

With reference to Item No. 10, Mr. Mulvihill stated his intention is to post a bond to ensure that a connection road will be built to avoid the presence of 245 units on a dead end street. Mr. Guerin proposed that the Board set a specific number of building permits (275) and tie it to the completion of the road. With reference to the pending DOT application, the Applicant stated that they expect to have the permit to allow the Applicant to access Route 94 within a month. Mr. Barbieri stated that the access to the Tarryall is through Witherwood Drive at AngelFire. All of the utilities are in place. The grading is completed. The next step is the construction of the curbing and then the pavement. This will provide access to Bracken Hill Road, which services the Tarryall. The extension of Clubhouse Road through the Craige is planned to be constructed. The connection for Wild Turkey Way out to the Craige and onto Crystal Springs Road has been started.

Mr. Mulvihill presented that he has built everything he said he would. He stated the bridge has been built and over \$700,00 was spent on same. He stated he did not want to be in a position to make promises on numbers when circumstances may change. Mr. Mulvihill agreed to start at 275 building permits with the provision that he may return to the present changes, if the number is problematic, to the Board.

The meeting was opened to the public. There were no participants. The meeting was closed to the public.

A motion was made by Leslie Hamilton and seconded by Maribeth Boffa to approve the preliminary and final construction plans and site development plans for the Tarryall at Crystal Springs, and the roadway through the Bracken, subject to the conditions of Mr. Guerin's report dated July 12, 2001, and a building permit cap of 275 units. The cap is subject to review upon the Applicant's request. The bond is to be produced at final of the Tarryall, or whichever final approval comes first among The Tarryall, The Craige, or The Bracken. Roll Call: Leslie Hamilton - yes, William Castiglione - yes, Robert Neubig - yes, Greg Eisenecker - yes, Maribeth Boffa - yes. The motion carried.

The Tarryall: PB-7-01-1, Final Subdivision Application:

Mr. Barbieri reviewed Mr. Guerin's report. The Applicant was amenable to all the recommendations including: consultation with the Emergency Management Coordinator to achieve consistent street names, a review of calculations on the map, and the submission of as-built plans within six months of the issuance of the first Certificate of Occupancy. Mr. Guerin noted that he will calculate performance bond estimates when the Applicant is closer to filing the plats.

The meeting was opened to the public. There were no participants. The meeting was closed to the public.

A motion was made by Leslie Hamilton and seconded by Maribeth Boffa to approve the final subdivision application. Roll Call: Leslie Hamilton - yes, William Castiglione - yes, Robert Neubig - yes, Greg Eisenecker - yes, Maribeth Boffa - yes. The motion carried.

Crystal Springs Builders - The Craige - PB-&-01-2, Construction and Final Subdivision, Preliminary and Final Site Plan:

Mr. Eskilson returned to the meeting.

Mr. Barbieri presented the purpose of the design and layout of the roadways as follows: Clubhouse Road will be extended and run parallel with the railroad, past the maintenance building up to Wild Turkey Way. Due to topography and traffic concerns along Clubhouse Road (did not want to interrupt traffic flow with a series of driveways,) buildings will be oriented so that the front of the buildings and the driveways would be served by a small access road with a cul-de-sac, which would permit emergency vehicle turnaround. The access road serving the property will extend to serve two buildings (condo units) near fairways seven and two. The 18' width of the roadway, which will be curbed on one side, was designed using the RSIS definition of a rural lane.

Mr. Guerin's report of July 12, 2001, was reviewed. The Applicant stated that all conditions recommended by Mr. Guerin are acceptable to include: widening the roadway to 24 feet with curbs on both sides, the performance of an assessment of the soil erosion control plan including a daily monitoring of the slopes to determine if the slopes need to be hydroseeded, a review of the deficiency in the offset between the intersection of Bracken Hill Road and Craige Court, and the provision of a conceptual update to the Crystal Springs Master Plan to include the number and location of units as well as the additional road. With reference to the requested number of units on a dead-end street, Mr. Guerin stated that he has no problem with the Applicant's waiver request.

The meeting was open to the public. There were no participants. The meeting was closed to the public.

A motion to approve the site development plan and the preliminary and final site plan for The Craige subject to the recommendations of Mr. Guerin and compliance with bonding requirements as set forth in The Tarryall application was made by John Eskilson and seconded by Maribeth Boffa. Roll Call: Leslie Hamilton - yes, William Castiglione - yes, Robert Neubig - yes, Greg Eisenecker - yes, John Eskilson - yes, Maribeth Boffa - yes. The motion carried.

A motion to approve the final subdivision plat subject to the conditions recommended by Mr. Guerin and the bonding requirements as set forth in The Tarryall application was made by Leslie Hamilton and seconded by William Castiglione. Roll Call: Leslie Hamilton - yes, William Castiglione - yes, Robert Neubig - yes, Greg Eisenecker - yes, John Eskilson - yes, Maribeth Boffa - yes. The motion carried.

Mr. Mulvihill presented the following monthly progress update: the grading of the road out to Route 94 is almost complete but the alignment is still an issue. The VanDeckers have verbally agreed to an easement. The drainage is complete in this area. The issuance of the DOT permit for access onto Route 94 is pending. The Wild Turkey golf operation is doing very well. The Port-A-John's are adequate, the designed traffic flow pattern is satisfactory, the valet-parking arrangement is satisfactory, and drivers that were using St. Andrews as a short-cut have been corrected. The bridge is passable and golf carts can cross. Paving and the installation of final barriers has yet to be completed. Clearing of the area above the bridge and the area up to the clubhouse has commenced. The clubhouse subbasement is complete and backfilled, the deck has been poured, and the basement level is being worked on. The driving range was completed and this area has been seeded and hayed. The detention basin is in place. The signs are up for the Crystal Springs homeowners and there have been no complaints. Ms. Hamilton noted that the sales office is in need of an ADA ramp.

AT & T Wireless Services - Block 16, Lot 34, PB-7-01-7, Amended Site Plan Application:

Joseph O'Neil, Esq., presented the Applicant's request to relocate the equipment shed. Todd M. Hay, P.E., was sworn and accepted as an expert. The equipment shed was built in a different location, 40 feet from the proposed site, because of grading problems in the area where it had been approved. This field change conforms with the Ordinance. No variances were requested.

The report of Mr. Guerin dated July 25, 2001, was reviewed. The Applicant agreed to link the French drain on the west and south perimeter to the detention basin, and replace the trees that were previously planted that are now dead.

The meeting was open to the public. There were no participants. The meeting was closed to the public.

A motion to approve the amended preliminary and amended final site plan with conditions as stated by Mr. Guerin was made by Leslie Hamilton and seconded by John Eskilson. Roll Call: Leslie Hamilton - yes, William Castiglione - yes, Robert Neubig - yes, Greg Eisenecker - yes, John Eskilson - yes, Maribeth Boffa - yes, Thomas Zygmunt - yes. The motion carried.

Board members reviewed a memo to Chairman Zygmunt from Township Manager Eskilson regarding the construction of an emergency access easement, i.e., Stag Road. Mr. Eskilson reported that subsequent to a settlement with Stony Brook Development Corporation, the Township does not hold adequate funds to complete the emergency access work required in a previous Planning Board approval. Mr. Eskilson suggested the possibility of doing the construction "in house" utilizing overtime.

A motion to grant a modification in design, providing run-off is not increased to more than would be generated by the previously approved grass pavers, was made by William Castiglione and seconded by Mr. Neubig. All were in favor. The motion carried.

A motion to pay the bills with the condition that the bill committee receive an updated copy of the bills was made by Maribeth Boffa and seconded by Greg Eisenecker. All were in favor. The motion carried.

Having no further business, a motion to adjourn was made by Mr. Zygmunt. All were in favor. The meeting was adjourned.

Minutes prepared by:

Anne-Marie Wilhelm