

**MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD SPECIAL MEETING HELD SEPTEMBER 20, 2007**

**CALL THE MEETING TO ORDER:** Chairman Miller called the meeting to order at 7:30 p.m. and read the Statement of Compliance.

**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:**

Leslie Hamilton – Present  
Jim Armstrong – Excused  
Robert Neubig – Excused  
Bill Hickerson – Excused  
Robert F. Schultz – Present  
John Monell – Present  
James Homa – Present  
Brian Kaminski – Present  
Randy Roof (Alternate No. 1) – Excused  
Stanley Kula (Alternate No. 2) – Present  
Carl Miller – Present

**OTHERS PRESENT:** Robert P. Guerin, P.E., P.P., Thomas F. Collins, Jr., Esq., Fred Heyer, P.P., Susan Gruel, P.P., and Anne-Marie Wilhelm, Land Use Administrator

Chairman Miller called a recess at 7:35 p.m. The meeting was called to order at 8:40 p.m.

**APPLICATION: PB-7-07-1, Sussex National Development Corporation, General Development Plan: Crystal Springs II Master Plan Amendment, Amended Preliminary Site Plan, Minor Subdivision, Conditional Use Approval, Block 14- Lots 24.01, 20, 7, 22.01, 24.02, 30.03; Block 16- Lots 6.01, 1.02, 6.02, 8.02, 14.01, 1, 1.09, 1.10, 1.07, 8.03, 8.01, 3.03, 3.05, 3.06, 3.07; Block 17 - Lots 1, 2, 12.10:** M. Richard Valenti, Esq., appeared on behalf of the Applicant and acknowledged that there is more work to be done and that they would return to the Board in October. Thomas F. Graham, P.E., previously sworn, provided an overview of the application and the revisions submitted in response to commentary from the prior meeting. He submitted Exhibit A-2, a colored rendering of sheet 11 of 14 titled *Village Center Layout Plan, Crystal Springs II, General Development Plan – Amendment #3, Village Center At Crystal Springs, Block 16 Lots 3.03, 3.05, 3.06, 3.07, 8.01, 8.02, 8.03, Block 14, Lots 22.01 and 24.01, N.J. State Highway Route 94, Township of Hardyston, Sussex County, New Jersey*, dated 9/5/07. He stated the revisions were intended to modify the plans to be more in line with the ordinance documents. Board members reviewed the attached report submitted by Heyer, Gruel & Associates dated September 17, 2007. Mr. Andrew Mulvihill stated the plan previously submitted intended to show a lot of impervious coverage and was part of the stream encroachment permit application. He stated the intent was to show maximum coverage for the state permit. He stated the submission is kind of a concept plan and that more detail would be provided when the sites become real. He stated Crystal Springs has done this in the past with Master Plans and General Concept with Preliminary Site Plan. He stated that at the time when it comes to approvals to build it, the nitty gritty is submitted for review.

Mr. Ted Wunschuh was sworn. Exhibit A-3, a series of renderings showing three perspective views titled “From Building 35 looking northeast across Rt. 94 into Village Center North,” “From north side of Main Street looking south at the Hotel and Building 39,” and “From the northeast corner of the Park looking towards the north side of Main Street” was submitted.

Mr. Mulvihill stated that he understood more detail would be necessary. Mr. Heyer stated the renderings look to be consistent with the overall flavor of the town center that was bought into. He stated the planner’s concern was from a different perspective, i.e., the more utilitarian section of the site visible from Route 94. He suggested that the expansive parking lot containing several hundred parking spaces and the back ends of the commercial buildings be screened from the

highway. He stated that the interior face is attractive. Mr. Mulvihill stated a landscape plan and elevation would be presented at the next meeting.

Mr. Graham provided an overview of the building layout. He stated that each building has one half of its parking under the building. He stated the buildings' parking meets the ordinance requirements. Mr. Heyer discussed the concern about the distance of visitor parking from the buildings. Mr. Graham stated that additional details would be provided. Mr. Graham noted that medians were placed where practical and the parking would be worked out for the next meeting.

With reference to the entryway and perpendicular parking, Mr. Graham stated the Applicant concurs with the comments. Mr. Heyer commented that the layout appears like a garden apartment complex. He stated that there is nothing really breaking up the blacktop look. He suggested that the parking be eliminated on one side of the street where possible. Mr. Heyer noted that the buildings are getting bigger and further apart losing the intimacy and pedestrian scale. Mr. Mulvihill stated the matter would be reviewed at the next meeting. Mr. Graham noted that the Applicant attempted to minimize impervious coverage. He stated the majority of the road networks conform to the ordinance.

With reference to COAH units, Mr. Mulvihill stated that builders he has discussed the project with do not want to surpass 2.5 stories. He presented that the housing could be integrated into the community without the underground parking. The parking space count was discussed. Mr. Mulvihill stated architectural drawings would be provided for the COAH units. Mr. Collins noted that COAH rules mandate elevators in multi-family units and suggested the Applicant review the matter.

With reference to the pedestrian overlay and parking comments noted by Heyer and Gruel, Mr. Mulvihill noted that the plan had not been done yet. Mr. Graham stated the plan would be prepared for the next meeting. Mr. Mulvihill stated the Applicant would comply with the comments.

With reference to the boundary line, Mr. Graham stated it would be modified so as to not require a variance. He stated he would confer with Mr. Guerin.

Mr. Miller asked if the façade of the Hayloft building would be changed to blend with the style of the village. Mr. Mulvihill stated if the project were successful that would probably be done.

Mr. Valenti asked if the Applicant could get preliminary and GDP approval. He stated that what was once a master plan approval has now been replaced with General Development Plan approval and the Applicant has always gone hand-in-hand with both the Master Plan and Preliminary Site Plan. He stated that is what the Applicant is seeking through the application process and much of the information is beyond the language of the general development statute when it comes to general location of buildings, roads, and open spaces. He stated the Applicant has gone far beyond saying — “here is the general location of things.” He stated the Applicant believes that they are at a level of site plan review beyond that of General Development Plan. He acknowledged that the Applicant has to provide more information. Mr. Heyer noted that statutorily you can generally build on a preliminary approval. Mr. Collins stated that the Board could work with the Applicant to have a General Development Plan with a Preliminary, maybe with a waiver to provide some of the details required for preliminary but with a condition of no construction of the section until and unless a construction plan approval is approved by the Planning Board for that section. He stated that the construction plan would have all the details expected and needed and also if there is a major change, variance, or waiver, revisions to the General Development Plan would be submitted so that a drawing that is the overall General Development Plan follows with the significant construction plan revisions.

The Board reviewed the attached report prepared by Robert P. Guerin, P.E., dated September 17, 2007. Comments were noted as follows:

Item 1 – Mr. Graham stated the plan would be revised.

Item 3 – Mr. Mulvihill explained it was designed to provide a neighborhood within a neighborhood.

Item 4 – Mr. Collins suggested that the winery plans for the Hayloft be reviewed so that the two plans are complementary.

Item 5 – Mr. Graham agreed to better define the parking lot layout on the revisions.

Item 6 – Mr. Graham stated the information would be provided.

Item 7 – Mr. Graham stated the information would be provided.

Item 8 – Mr. Graham stated the information would be provided.

Items 9, 10, and 11 – Mr. Valenti asked if architectural plans would be required for each building on the plans. Mr. Mulvihill stated different building types were shown. Mr. Guerin expressed concerns about parking calculations. Mr. Collins suggested the provision of prototypical buildings for the GDP and that the enhancement comes in at construction plan submission. Mr. Mulvihill agreed to provide parking information for the prototypes.

Items 12 and 13 – Mr. Graham stated the information would be provided.

With reference to the *Miscellaneous* items, Mr. Graham indicated that the information requested would be provided.

With reference to the Minor Subdivision, Mr. Graham stated it would be changed.

Mr. Collins suggested that a hidden parking deck behind a courtyard or building might resolve parking issues. Mr. Heyer also suggested opportunities to double-tier underground parking.

Board members agreed to carry the meeting to a special meeting date of October 23, 2007. The Applicant agreed to an extension of time to November 1, 2007.

**PUBLIC PARTICIPATION:** Mr. Russell Law was sworn. He asked if the Applicant agreed to stake out the buildings as previously agreed. It was noted that the buildings were staked.

He informed the Board that bids for Route 94 and Route 23 had gone out to the DOT. He asked if copies of the plans could be provided. Mr. Mulvihill stated there would be no problem.

He asked if the Township could create COAH units for Township residents. It was noted that there could be no preferential treatment based on residency per the law.

Mr. Law stated we believe the project will be great for Hardyston Township and that it will have a lot of trickle down effect and we are in support of the project. He stated they went to the developer's employees and were amazed at how everyone loves their jobs. He stated that somehow the kids are hired in high school and work through college as long as they do a good job. He stated they are sure the Board will take care of everything. Mr. Miller confirmed that the Board intends for the project to be built right. He asked that the Board give a conditional approval as fast as possible.

No other participants addressed the Board.

**ADJOURNMENT:** A motion to adjourn was made by Leslie Hamilton. All were in favor. The meeting was adjourned at 9:07 p.m.

Minutes respectfully submitted by:

Anne-Marie Wilhelm  
Board Secretary