

**MINUTES OF THE HARDYSTON TOWNSHIP ZONING BOARD OF ADJUSTMENT MEETING  
HELD FEBRUARY 22, 2022**

**CALL TO ORDER:** Chairman Murphy called the meeting to order at 7:00 p.m., read the Statement of Compliance, and led the Flag Salute.

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

**ROLL CALL:**

Jim Homa – Present  
Ellis Marples – Present  
Jane L. Caiazzo – Present  
John Bazelewich – Present (Excused 9:00 p.m.)  
Vally Cicerale – Present  
Mary Ann Murphy – Present  
Doug Grayson – Present  
Eric Balinski – Present

**OTHERS PRESENT:** Michael G. Vreeland, P.E., P.P.; Richard Briigliodoro, Esq.

**APPROVAL OF MINUTES:** A motion to approve the *Minutes of the Hardyston Township Zoning Board of Adjustment Reorganization Meeting Held January 25, 2022*, was made by Jim Homa and seconded by Vally Cicerale. There was no discussion. Roll Call: Jim Homa – yes, Ellis Marples – yes, Jane L. Caiazzo – yes, Vally Cicerale – yes, Doug Grayson – yes, Eric Balinski – yes, Mary Ann Murphy – yes. The motion carried.

A motion to approve the *Minutes of the Hardyston Township Zoning Board of Adjustment Meeting Held January 25, 2022*, was made by Jim Homa and seconded by Doug Grayson. There was no discussion. Roll Call: Jim Homa – yes, Jane L. Caiazzo – yes, Vally Cicerale – yes, Doug Grayson – yes, Eric Balinski – yes, Mary Ann Murphy – yes. The motion carried.

**APPROVAL OF RESOLUTIONS:** A motion to adopt the *RESOLUTION Township of Hardyston Zoning Board of Adjustment on Variance Applications and Amendment Recommendations Decided on February 22, 2022 and Memorialized on February 22, 2022* was made by Jim Homa and seconded by Mary Ann Murphy. There was no discussion. Roll Call: Jim Homa – yes, Ellis Marples – yes, Jane L. Caiazzo – yes, Vally Cicerale – yes, Doug Grayson – yes, Mary Ann Murphy – yes. The motion carried.

**APPLICATIONS:**

**ZB -12-21-1, Amato, Joseph & Vita, “C” Variance, Block 16.04 Lot 16:** William T. Haggerty, Esq., appeared on behalf of the Applicant. He provided an overview of the application stating the request is for “c1” variance relief to permit the construction of an addition and deck at 21 Country Lane in the C-R Zone. He stated the project required an impervious coverage variance triggered by adding three feet to what is already there. He opined the proposal is consistent with what is in the neighborhood and could be realized without substantial detriment to the public good or negative impact to the zone plan and ordinance. He stated the development would not block anyone’s views. He also presented a favorable letter from a neighbor that was identified as Exhibit A-1.

Applicant’s witness Peter Montanero was sworn. He stated he is a contractor who has worked in the Crystal Springs development for 20 years. Mr. Montanero stated the Applicant proposes a 20 x 25 foot four-season glass addition to the existing single-family house and a drainage plan that directs stormwater down the slope to the storm drain. He presented the addition would provide the Applicant with a view of the golf course. He confirmed the addition would not encroach any farther into the side yard. He also confirmed that the Home Owners’ Association approved the project.

Michael G. Vreeland, P.E., P.P., presented the proposal requires an impervious coverage variance as the project would generate a six percent increase in impervious coverage. The result would be approximately 41% impervious coverage where 30% is permitted. He stated stormwater must be addressed on site and

recommended the Applicant have an engineer prepare a drainage plan utilizing Best Management Practices.

Mr. Vreeland noted the plan would need to be revised. Mr. Vreeland also noted the property is in a zero lot line section of the Crystal Springs development and the side of homes built on the lot lines could not have windows. Mr. Montanero confirmed there would be no windows on the zero lot line side.

Chairman Murphy opened the meeting to the public. No members of the public addressed the Board

A motion to approve the application subject to the standard conditions and additional conditions noted below was made by Vally Cicerale and seconded by Jim Homa. There was no further discussion. Roll Call: Doug Grayson – yes, Ellis Marples – yes, Vally Cicerale – yes, Jim Homa – yes, John Bazelewich – yes, Jane L. Caiazzo – yes, Mary Ann Murphy – yes. The motion carried. The additional conditions include the provision of the HOA approval; and a drainage plan, prepared by an engineer, and approved by Mr. Vreeland.

**ZB – 1-22-2, Minerals Resort and Spa SPE LLC/Wild Turkey Golf Club SPE LLC, *Grand Cascades Lodge New Event Building*, Conditional Use “D” Variance, “C” Variance, Preliminary and Final Site Plan, Block 16 Lots 1, 1.09, 6.02:** Doug Grayson and Vally Cicerale recused. Bernd E. Hefele, Esq., appeared on behalf of the Applicant and confirmed he would proceed with six Zoning Board members hearing the matter. He requested the hearing begin with the new event building and any approval be separate from the request for Interpretation. The Board agreed. Richard Briigliodoro, Esq., confirmed notice was acceptable and the Board had jurisdiction to hear the matter.

Mr. Hefele provided an overview stating the application was an outgrowth of a matter filed at the Planning Board and transferred due to the Applicant not meeting all the conditions of the Conditional Use Ordinance, which triggered a “D” Variance. He also noted the Applicant was requesting two “C” Variances for setback encroachments. Mr. Hefele stated the proposed building would replace a tent that provides an area for 30-40 events per year.

Mr. Andrew Mulvihill was sworn. He described the proposed structure stating it is designed to accommodate up to 350 people seated or 480 plus people if standing. He opined the building would mimic the rustic elegance of the Grand Cascades with its high ceilings and massive trusses. He stated the design also features an all glass wall overlooking the golf course and valley, a lobby, ballroom, coatroom, bars, bathrooms, a mezzanine level featuring a bridal suite, bathroom, and lounge area; and the design includes a basement for mechanical equipment and storage. He explained the existing Leadbeatter building would house a plating kitchen and be connected to the new event building by a breezeway. Mr. Mulvihill stated the breezeway area would be used for cocktail hours and other activities. It was noted that food preparation and cooking would be conducted in the clubhouse and food would be brought down to the Arboretum using rolling carts, vans, and trucks. Mr. Mulvihill noted the project would be phased with a wedding garden, fire pits, outdoor heaters, and landscaped outdoor areas constructed later. Mr. Mulvihill stated there would be a drop-off area in front of the building and a small parking lot for service vehicles. The Applicant submitted a colored rendering of the proposed structure named *The Arboretum*, which was marked as Exhibit A-1.

Further, Mr. Mulvihill stated the year-round facility would improve the existing condition by replacing the existing tent. He stated the resort hosts approximately 83 weddings per year. He noted the applicant would comply with noise requirements and opined that the building would contain noise better than the tent. He acknowledged mistakes made in past and stated he strives to do better. Mr. Mulvihill He stated the facility has enough parking to accommodate the proposal and most people attending a function at the new event building would be guests of the resort. He confirmed the building would also be utilized for stand-alone events. Mr. Hefele stated the Applicant is not requesting any relief for parking and the application conforms to the parking requirements. It was noted that parking is prohibited on Wild Turkey Way as well as in the neighborhoods, and employees are required to park at the Boomerang Parking area. The Applicant submitted Exhibit A-2, a document titled *The Arboretum-Operations Plan*.

Board members reviewed Mr. Vreeland’s report dated February 8, 2022. Thomas F. Graham, P.E., was sworn and accepted by the Board as an expert witness. With regard to existing conditions, he confirmed that all recently approved minor subdivisions had been perfected. He stated the proposed 11,472 sf structure features two stories and a basement area. He noted the existing (Leadbeatter) building is 881sf. Mr. Graham submitted Exhibit A-3, a colored rendering of Sheet 4 of the plan set titled *Overall Development Plan*. Mr. Graham discussed the location of residential housing relative to the proposed

structure. He identified the nearest dwelling as being 305' away. He stated the Clubhouse, which is 125' away, would be the service area for the new event building.

Mr. Graham reviewed zoning and stated the new event building is an accessory structure to the Grand Cascades Hotel. He discussed the conditional use and identified "c" variances for minimum setback distance to a property line with respect to the new structure and patio; setback of the building to the property line; and setback for the parking area.

Mr. Graham reviewed parking requirements noting 491 parking spaces are required. He stated the resort has 573 spaces including 14 ADA spaces and 62 spaces to be constructed at the Boomerang lot. The Board discussed ADA compliance. Mr. Graham presented that most of the ADA parking was inside the Cascades or close to the entryway. He stated the resort would provide shuttle service as needed.

Mr. Mulvihill acknowledged that the resort did not have a van with a lift.

Mr. Graham discussed lighting, signage, waste management, and site circulation. He presented sheet seven of the plan set, the *Grading and Utilities Plan* and marked the plan sheet as Exhibit A-4. He noted the front of the building would be lit with the perimeter having accent lights as currently used on the Cascades. He stated there would be no spillage onto adjacent areas. He also noted accent lighting is on timers and comes on a half hour after an event is over. With reference to signage, Mr. Graham noted a variance for the number of signs is needed as three small signs are proposed instead of one larger sign. He stated solid waste and recyclables would be addressed utilizing the existing facility. He reviewed site circulation and stated sight distance is adequate. He noted the area is a low speed area.

Mr. Graham reviewed plan sheet 5 of 14, modified to highlight the pedestrian pathways and golf cart paths. This plan sheet, titled *Site Circulation Plan*, was marked as Exhibit A-5. Mr. Graham confirmed that pedestrian access at the Boomerang lot would be completed when the Boomerang lot expansion was completed. It was noted that a condition of approval would require completion of the Boomerang parking lot before a Certificate of Occupancy is issued.

William Polchinski, Operations Manager, was sworn. He presented the hours of operation as 7:00 a.m. – 11:00 p.m. with special events concluding at 1:00 a.m. Mr. Polchinski presented that guests requiring assistance could utilize valet parking or the shuttle service. He stated self-parkers could also coordinate with valet to obtain assistance as needed. Mr. Mulvihill stated that festival parking is sometimes located in the fields and transport needs are accommodated. Mr. Mulvihill noted that 90 – 100 employees park at the Boomerang lot and walk to the venues. He confirmed that the Boomerang garage is out of service and now used for storage. He stated there are no plans to expand that facility. Mr. Mulvihill also presented that auxiliary parking is still available at Sugar Maple Lane, the administration building, at the fields in the Village Center, and at other local areas where he could contract for parking as needed. He stated he believes that demand for meeting space will occur as many companies have downsized their offices.

Mr. Graham addressed stormwater and stated the proposal is in compliance NJDEP Stormwater Regulations and the Township's ordinance requirements. He presented the stormwater system designed for the Shotmeyer plan was conservative and oversized. He stated the system could handle this project.

Mr. Graham also agreed to comply with Mr. Vreeland's request for information regarding HTMUA requirements, plan details for fencing, stormwater maintenance, NJDEP permitting, and soil conservation. The Applicant agreed to comply with COAH requirements and the provision of an "As-Built" Plan prior to requesting a Certificate of Occupancy.

Mr. Graham reviewed the comments submitted by the Hardyston Township Fire Department. He stated the Applicant is willing to satisfy any of the conditions of the Fire Departments December 22, 2021 and if the matter could not be resolved, the Applicant agreed to return to the Board for review.

Applicant's witness, John McDonough, P.P., was sworn and accepted as an expert. Mr. McDonough stated the application is a good fit that integrates beautifully with the resort. He stated the conditional use variance and related set back issues are internal to the resort itself and are really triggered by "invisible" lot lines. He submitted a series of six drone shots he stated were taken 2/11/22. The photos were described as various pictures of the site and marked as Exhibit A-6. He opined that the requested relief is minor, the applicant has maintained separation from the residences, and has satisfied the purposes of zoning that would be advanced by the granting of the variances. He stated the application is an enhancement to the community, a continuum of what is there, is an efficient use of lands, and presents no adverse impacts. He stated the use of three signs helps to achieve informational and safety objectives and is miniscule in light of the size of the

site. He stated the benefits of the application outweigh the detriments and the development is representative of good civic design.

Chairman Murphy opened the meeting to the public. Mr. Phil Winiecki was sworn. He stated he has been a resident of Crystal Springs for 15 years and serves on the Country Club Ridge Home Owners' Association. He described his experience of weekend noise, strobe lighting, increased traffic, and parking on neighborhood roads caused by special events at the tent facility. He stated the banquet facility was a general nuisance.

Ms. Donna Zereconski was sworn. She stated she has lived in section of Crystal Springs named Country Club Ridge for eight years. She stated she is upset by what appears to be different rules for residents than the resort. Ms. Zereconski testified that there is overnight parking on the grass off Coventry Road and hotel/facility guests leave trash on Coventry Road. She stated noise is an issue and residents should not have to put up with it. She also stated she believes the rules should apply to everyone.

Mr. Thomas Urenovich was sworn. He stated he has been a resident of Crystal Springs since 2000. He stated the resort has done a wonderful job but the increased density has had a severe impact on access and noise pollution. He asked the Board to review Parking Ordinance standards. He stated there is more noise. Mr. Graham noted that noise is regulated by the state and parties could make a noise complaint.

Mr. Michael Guidice was sworn. He presented he is in support of the application and that he believes the growth of hospitality makes the property worth what it is worth.

Mr. Sean McGuire was sworn. He stated he is the Director of Engineering at the hotel and is in support of the application. He stated the proposed building would eliminate a lot of the issues caused by the tent.

Mr. Ray Ramlocoski was sworn. He stated he is in support of the application as the tents are a nuisance.

Mr. Joseph Brenco was sworn. He stated he is a resident of Crystal Springs and the Membership Chair of the Crystal Springs Golf League. He asked what could be done to address the noise. Mr. Hefele offered that the Applicant could provide hotel contacts to the HOAs in the event that there is an issue.

Ms. Catherine Levins was sworn. She stated she is an employee and in support of the plan. She stated she believes the project will enhance the client's experience.

Ms. Jennifer Crane was sworn. She stated she has worked at the resort for seven years and is in support of the project. She stated the resort brings employment opportunities to the area. She also stated noise levels would be reduced with the elimination of the tent and with wedding events being held in the building.

Ms. Suzanne Wagner was sworn. She stated she has been a resort employee for 19 years and is the Wine Director. She stated the resort needs banquet events that promote the company's health. She noted Crystal Springs is a very large employer in the County.

Mr. Kevin Haggerty was sworn. He stated he is a Senior Sales Manager at the resort and the project would create a better experience for guests.

Mr. Mark Edge stated he is a resident of Crystal Springs and paid a premium for his location. He stated the problems discussed should not be allowed at the cost of the members.

No other members of the public addressed the Board. Chairman Murphy closed the meeting to the public.

Mr. Hefele summed up the application and noted that three objectors testified and more than 500 people were noticed. He concluded that conditions would be better with the structure. He also acknowledged that Board member Bazelewich left the meeting early. Mr. Hefele agreed to proceed to a vote with five Board members.

A motion to approve the application for "D3" Conditional Use Variance relief, Ancillary "C" Variances, Preliminary Site Plan, and Final Site plan subject to the conditions noted below was made by Ellis Marples and seconded by Jane L. Caiazzo. Roll Call: Eric Balinski – yes, Ellis Marples – yes, Jim Homa – yes, Jane L. Caiazzo – yes, Mary Ann Murphy – yes. The motion carried. The special conditions were stated as follows: the new event building will hold a maximum of 450 attendees; the applicant will satisfy the Fire Department and if the parties cannot agree, the applicant will return to the Board; the Applicant will comply with Mr. Vreeland's report or return to the Board; the Applicant will provide adequate screening; the

Applicant will provide the HOA's with resort contacts to report issues; the Applicant will complete the Boomerang parking lot before the issuance of a Certificate of Occupancy for the new building, the Applicant will provide the stormwater maintenance manual; the Applicant shall provide an As-Built plan prior to the issuance of a Certificate of Occupancy; if there is insufficient parking, the Applicant will return to the Board.

The matter of the Interpretation and Special Events Tents was carried to the 3/22/22 meeting without further notice required.

**CORRESPONDENCE:** There was no correspondence.

**BILLS:** A motion to pay the bills noted on the 2/22/22 bill list was made by Ellis Marples and seconded by Jim Homa. There was no discussion. All were in favor. The motion carried.

**DISCUSSION:** There was no discussion.

**ADJOURNMENT:** A motion to adjourn was made by Ellis Marples and seconded by Eric Balinski. All were in favor. The motion carried. The meeting concluded at 10:45 p.m.

Minutes respectfully submitted by:

*/s/Anne-Marie Wilhelm*

Anne-Marie Wilhelm

Land Use Administrator