

MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

Thursday, October 27, 2011

**Ridgeway Elementary School
2861 Ridgeway Road, Manchester, NJ**

MINUTES OF MEETING

1. The meeting of the Manchester Township Zoning Board of Adjustment was called to order at 7:10 p.m. by Chairwoman Linda Fazio.
2. This meeting had been duly advertised, filed and posted in accordance with the Open Public Meetings Act.
3. A Pledge of Allegiance and Salute to the Flag.

4. **Roll Call:**

Members Present: T. Umlauf, P. Salvia, W. Cook, L. Fazio, K. Vaccaro, J. Hankins, M. Dwyer, H. Glen

Members Absent: None

Also Present:

C. Reid, Attorney
R. Mullin, Engineer
T. Thomas, Planner
S. Krasky, Planning Board Member
C. Edwards, Planning Board Member

5. **Administrative Session:**

Payment of Bills:

RFP #88618 for T & M Associates in the amount of \$35.75 for Case 1051

RFP #88644 for T & M Associates in the amount of \$1374.82 for General Board Matters

RFP #88645 for T & M Associates in the amount of \$35.75 for Case 1165

RFP #88646 for T & M Associates in the amount of \$2291.00 for Case 1162

RFP #88647 for T & M Associates in the amount of \$71.50 for Case 1040

Bills were **APPROVED** on motion by W. Cook and seconded by K. Vaccaro.

ROLL CALL VOTE: W. Cook, yes; K. Vaccaro, yes; T. Umlauf, yes; P. Salvia, yes; J. Hankins, yes; M. Dwyer, yes; L. Fazio, yes.

Correspondence: The Secretary stated she had nothing at this time.

Professional Reports: Mr. Mullin has nothing at this time.
Mr. Reid stated that the Memorialization for Case 1166 would not be done this evening.

Memorialization of a resolution of a variance approval for the construction of a 22' x 20' detached garage with a front yard setback from Southampton Blvd of 10' where 30' is required; and to allow an existing driveway to remain having a 0' side yard setback where 5' is required. Block 1.74 Lots 26-29, 1141 4th Avenue, Pine Lake Park.
Applicant: Robert Gethard. Approved at the September 22, 2011 meeting. Case 1166

This resolution was CARRIED to the November 10, 2011 meeting.

At this point Mrs. Fazio asked the Board Members with a conflict to please step down. Mr. Salvia, Mr. Cook, Mrs. Vaccaro, and Mr. Glen stepped down. Mr. Sanford Krasky & Ms. Christina Edwards stepped up.

Case 1162	Manchester Rehab Realty, LLC 485 River Road Lakewood, NJ 08701	Block 21 Lots 1 & 2 3086 Ridgeway Road R-40 Zone
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This application is for a use variance and preliminary & final site plan approval to construct a skilled nursing facility where the proposed use is not permitted. Mr. Harvey York, attorney for the applicant was present. Mr. York stated that the applicant has submitted the amended plans to the Board as well as to Ms. John. He discussed issues raised in Ms. John's September 21, 2011 letter. Mr. York had the Certificate of Need that was issued on October 25, 2011 marked into evidence as A-3.

Mr. Michael R. Thomas of Innovative Engineering was sworn in by Colleen Vaughn. He gave his credentials & was accepted by the Board. The following items were marked into evidence: A-4 Architectural Elevation, A-5 Colored Rendering of CR-1, A-6 a 2007 Aerial Map of the area, A-7 Complete set of Plans mounted (21 pages). Mr. Thomas described where the site was and what is around it. The applicant is proposing a rehabilitation facility with long-term care beds. There are two proposed buildings on site connected by an above ground/underground corridor. The first building is the smaller of the two called the Village. It has a gross floor area of 34,675 square feet and a total ground floor area of 29,700 square feet. It will have a total of 60 beds and 48 total units. To the east of the site is the Commons building. It is the larger of the two having a gross floor area of 109,583 square feet and a total ground floor area of 50,208 square feet. It will have 120 beds with a total of 105 units. These buildings will be connected by an above ground/underground corridor. There will be one means of ingress and egress to the site from Ridgeway Road. A majority of the parking for the site will be located in front of the buildings. There is a buffer and 6' board on board fence proposed to the rear of the property to shield the residences on Shorin Way. The fence will be about 20 feet inside the property line then the additional landscaping. Parking was calculated on the maximum number of employees per shift at 85 at any given shift. There will be 3 different shifts 7:00 a.m. to 3:00 p.m., 3:00 p.m. to 11:00 p.m. and 11:00 p.m. to 7:00 a.m. They are proposing 115 parking spaces on the revised plans, originally there were 128 spaces. Mr. York asked if the applicant considered switching the two buildings around. Mr. Thomas stated yes they did, but given the parameters of the layout of the buildings they found that the type of layout would not fit. The rehabilitation has nothing to do with drug or alcohol. The rehabilitation services are limited to the residents of the facility only. With regard to the sign, they are proposing 2 signs on site. The first is a 75 square foot entrance sign along Ridgeway Road. The second would be a monument sign located internally on the site for directional purposes. The applicant is proposing a fence internal to the site. In addition to the 6' board on board fence they are proposing a 6' Jerith fence which will be located primarily to the patio areas. It also serves as a safety barrier for the proposed ramp at the rear of the property. There was a comment in the Board Engineer's letter about a transformer pad; Mr. York asked that he describe where it is & what will be on it. It is to the rear of the Commons building and it was misidentified, it is where the proposed generator will be located. Generators are typical for these types of buildings. The generator is located at the foot of the proposed ramp & it includes an above ground diesel tank. It is in a sheltered area. Mrs. Fazio asked Mr. York since he is referring to Mr. Mullin's letter that if he could make a note as to which point in the letter he is addressing. As for 1.6 he did discuss that earlier, but Mr. Mullin asked him to expand on that. They were given a footprint for the particular site and they have site constraints on the property where they have to fit the 2 buildings. He took a

look at it and given the circulation & layout of the proposed structures that this type of layout would not meet what the client had intended for it. They also took into consideration parking. If they had flipped the buildings the parking would also have to be flipped, which would make it closer to Shorin Way. The goal was to try and keep that as far away as possible. Mr. Mullin discussed the heights of the buildings & reasons why they are the height they are. Mr. Mullin asked for a line of sight rendering. Mr. York stated they are working on it and will get it done for a subsequent meeting. That drawing will include landscaping & fencing. He asked that the 2 lots be consolidated into one. The applicant had no problem with that. 1.11 just a mislabeling of the pad, says transformer should be generator. Mr. Mullin asked him to discuss the noise, fumes, and hours of operation. Mr. Thomas stated they will meet the state regulations. Mr. Mullin suggested that a noise study be done for the particular unit. Mr. York stated they can get that information. He also stated they will comply with the applicable law. Mr. Thomas stated that the generator is located at the foot of the ramp so a wing of the Commons building will also be shielding it from the residences. No testimony for 2.1. Mr. Thomas explained 2.2 the trench drains. As for the comments in drainage the applicant will comply with all the requirements 2.3 through 2.11. There is an issue with curbing 2.12. One of the design packs of NJDEP is a recommendation for low impact development is to not curb the property to allow stormwater runoff to flow off the pavement in the sheet flow. With regard to the basin, there is no fence provided because of the depth they don't feel it is needed. They will provide a ramp into the basin as requested. With regard to 2.14 the underground hallway, no issues. 2.15 they will address any utility concerns. 2.16 they will provide additional calculations. 2.17 they will provide earth works as required. Number 3 will be addressed by Mr. Rea. 4.1 lighting & landscaping they will make sure there's adequate lighting on site. The height of the pole will be reduced to 15 feet from the proposed 25 feet. Any building mounted lights will be downward facing to eliminate off site glare. The plans as prepared today, the light descriptions, none of the light leaves the site. 4.5 the plans will be amended to show & answer everything regarding landscaping. They are requesting a waiver on the certified landscape architect. They believe they have provided sufficient landscaping. Mr. Mullin stated with regard to the waiver request, he had a certified landscape architect review the plans and as long as they abide by all the comments he doesn't have a problem with that. 5.1 all above & underground storage tanks & wells will be removed within state & local regulations. With regard to the emergency management report dated May 10, 2011 they will comply with all the requirements. With regard to the 350 foot JCP&L right of way they have submitted the plan for their review. Their primary concern was to keep trees & structures outside of their easement. They did their best to do that. They had no problem with proposed parking being underneath the transmission lines. As for trash & recycling it is at the rear of the Commons building down the proposed ramp. Mr. York stated for the record they will comply with whatever affordable housing laws are in effect at the time. As far as 5.6 regarding handling of medical waste, they will comply with the health Certificate of Need requirements & state requirements. They will submit the performance guarantees, the covenants, the developer's agreement, and state licensure. They have applied to CAFRA with the original plan. They have also applied to the County Planning Board. They have received comments from both agencies. The rooftop HVAC units, will all be shielded so that there will be no noise from them. They are designed to meet NJDEP criteria. Mr. Umlauf asked questions with regard to the water & icing issues. Mr. Umlauf asked for a copy of the letter from JCP&L with their comments. They will provide a copy to the Board. Mr. Mullin asked for a copy of the comments from CAFRA & the County Planning Board. They will provide those as well. Mr. Umlauf asked questions with regard to the generator. Mr. Krasky asked if this site was in the CAFRA area. Yes, it is. Mrs. Fazio asked about the sign being located within the site triangle. Mr. York & Mr. Thomas both stated the sign would be moved out of the site triangle.

Mrs. Fazio opened this portion of the meeting to the public for QUESTIONS ONLY of Mr. Thomas. The following people were recognized and asked questions:

Lisa John, Genova, Burns & Giantomasi on behalf of the Objectors Rose Trafton & Manchester Neighbors
 John Boyle - 5 Valencia Drive
 Jerry Coppola - 5 Bellagio
 Ed Frydendahl - 32 Ambassador Drive
 Nick Biglasco - 32 Verona Drive
 Jerry Huntzinger - 24 Lorenzo Road
 Tony Santangelo - 16 Henley Circle
 Jim Herzog - 1 Geoffrey Court
 Jeff Mitnick - 7 Verona Drive
 Nancy Zambello - 30 Anjou
 William Lock - 13 Verona Drive
 Gwen Lareau - 5 Shorin Way
 Richard Lareau - 5 Shorin Way
 Arthur Peckerar - 12 Halsted Drive

There being no further questions at this time, this portion of the meeting was closed.

Mr. York asked Mr. Thomas on redirect, that if the Board or emergency management asked for the emergency access drive to be made impervious, could it physically be made impervious? Yes, it could. And in order to meet the requirement of less than 30 percent could the applicant then remove a number of parking spaces to meet that requirement? Yes, they could.

Mrs. Fazio closed this portion of the meeting. She would like to get started with the traffic engineer. Mr. John Rea of McDonough & Rea Associates was sworn in by Colleen Vaughn. Ms. John objected because the agenda says no new testimony will be taken after 10:00 and it is now past 10:00 in case anybody from the public left. Mr. York asked that no further testimony be taken based upon Ms. John's comments.

Mr. Reid stated that no more testimony would be taken at this time.

This application will be **CARRIED** to November 11, 2011 same location unless otherwise notified on motion by J. Hankins and seconded by T. Umlauf. All in favor.

Mr. Reid made an announcement that the next meeting would be held November 11, 2011 at the High School. It is not a special meeting; it is a regularly scheduled meeting that has been posted since July. No further notice will be given. Ms. John advised the Board that none of her professionals would be available on November 10th.

Adjournment: The meeting was adjourned at 10:15 p.m. on motion by T. Umlauf and seconded by J. Hankins. All in favor.

Respectfully submitted,

Darlene E. Garcia
 Secretary