

**MINUTES OF THE TOWNSHIP OF MENDHAM PLANNING BOARD
REGULAR MEETING HELD JANUARY 16, 2019**

Chairman Giordano called the meeting to order at 7:30 p.m. and asked for roll call. Upon roll call:

ROLL CALL

PRESENT: Mayor Warren Gisser, Mr. Monaghan, Mr. D’Emidio, Ms. DeMeo, Mr. Perri, Mr. Mayer, Mr. Maglione, Chairman Giordano

ABSENT: None

Others present: Ms. Jackie Gioioso, Esq., Attorney, Mr. Denis Keenan, Engineer, Dr. Jack Szczepanski, Environmentalist

SALUTE THE FLAG

ADEQUATE NOTICE of this meeting of the Mendham Township Planning Board was given as follows: Notice was sent to the Daily Record and the Observer Tribune on January 18, 2018 and Notice was filed with the Township Clerk on January 18, 2018.

This meeting is a quasi-judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision and decorum and civility appropriate to a quasi-judicial hearing will be maintained at all times.

APPLICATION – PB 18-03

Mendham Shores, LLC
9 Shores Road
Block 127, Lot 29
Preliminary and Final Major Subdivision

Ms. Nicole Magdziak of the law firm Day Pitney located in Parsippany, New Jersey entered an appearance as Counsel on behalf of the applicant, Mendham Shores, LLC in connection with a Preliminary and Final Major Subdivision application for 9 Shores Road, Block 127, Lot 29 on the tax map. The property currently consists of approximately 11.5 acres and is located in the R-1 Residential zone. The applicant is proposing to subdivide the property into a total of seven lots – six of which will be building lots for single family dwellings and one that will be preserved as an open space lot, which will be used by residents of the development for purposes of passive recreation and open space preservation. A stormwater management system is also being proposed and a loop road, which will provide access to the six building lots along with other related site improvements. Ms. Magdziak went on to say that though there are no variances associated with the application, there are two design waivers being requested – the first to permit the construction of the development without a fire hydrant or cistern located within one thousand feet of the property. A letter of support for this waiver from the fire department has been submitted as part of the application. The second design waiver requested is related to steep slope disturbance.

Ms. Magdziak stated that she has two witnesses on behalf of the applicant – Mr. John Hansen, the civil engineer from the firm Engineering and Land Planning and Mr. Steve Baum, who is the applicant’s representative. Chairman Giordano asked Ms. Gioioso, the Planning Board

attorney, to swear in the applicant's witnesses as well as the Board's experts. This included Mr. John Hansen from the firm Engineering and Land Planning Associates, 140 West Main Street, Highbridge, NJ, Mr. Steve Baum of Mendham Shores, LLC, 73-2 Post Cunhardt Road, Bernardsville, NJ, Dr. Jack Szczepanski of Princeton Hydro, 1108 Old York Road, Ringoes, NJ and Mr. Denis Keenan of French and Parrello, Associates, 43A Newburgh Road, Hackettstown, NJ. Chairman Giordano stated that the applicant's counsel was advised of the absence of a Planner and advised that the Board should press forward notwithstanding that the Board is in the process of obtaining a new Planner.

Ms. Magdziak stated that the first witness will be Mr. Hansen. To allow for a voir dire by the Board and persons in attendance, Mr. Hansen stated that he holds a Bachelor of Science degree from Virginia Tech in 1992 and has been practicing as a civil engineer for the last 25 years in this area. He said that he has been involved with many different subdivisions, site plan applications, designs, capital road improvements, drainage projects etc. Mr. Hansen also stated that he has testified as an applicant and expert for many different Boards and is a licensed engineer, licensed Planner, certified municipal engineer and that his license is in good standing. There were no questions from any of the Board members regarding Mr. Hansen's qualifications.

Chairman Giordano entertained a motion to open the meeting to the public for any questions regarding Mr. Hansen's qualifications as an engineer and/or part time Planner. A motion was made, and it was seconded. All agreed. Seeing or hearing no one, Chairman Giordano entertained a motion to close the meeting to the public, and it was seconded. All agreed.

Ms. Magdziak requested that Mr. Hansen begin by describing the property and orienting the Board to where it is located in the Township. Mr. Hansen marked his first Exhibit as A-1 entitled Aerial Exhibit (dated 2015) with today's date of January 16, 2019. He stated that the Board does not have a copy of this in their application packet and went on to say that it is an aerial photography of the site and surrounding area. In the center of the exhibit is the subject property, which is located at the end of Shores Road and known on the tax map as Block 127, Lot 29. Shores Road is a country lane and public road and terminates approximately two thirds into the property. Mr. Hansen clarified that the surrounding properties to the right on the exhibit is north, to the left is south, to the west is Reservoir Ridge Road development, which comes off of Woodland Road and similar with respect to steep slopes. He went on to say that adjacent to 9 Shores Road is Franklin Drive, which is a short, little cul-de-sac located in the R zone and served by private well and septic system. Also, the Woodland Lakes development is located to the north of Shores Road, which is a private lake community containing 36 homes and mostly served by Randolph water and individual septic systems with a common well also serving several of the homes. These homes are in the R-C zone. To the left are homes that front onto Woodlawn Terrace, which is also in the R-3 zone and served by private well and septic system. Woodlawn Terrace is a private road, which is only maintained by the residents.

Mr. Hansen went on to point out that Exhibit A-1 indicates what currently exists in the middle of the property, which contains a single family home and detached 3-bay garage, both of which are in disrepair. The house is no longer habitable and was served by a well and septic system, which have been decommissioned. Mr. Hansen stated that there are tall pine trees along Shores Road, which are proposed to remain and that a majority of the property is overgrown with bigger, wooded trees to the southwest of the property. The property drains in a southwest direction naturally so drainage flows from the north to the southwest and that there is an existing channel into which the drainage flows and then exits from the property. It eventually flows down into Harmony Brook and that the same drainage patterns will be maintained as it currently exists.

Mr. Hansen stated that there are no wetlands, no state regulated areas, no transition areas, no flood plains and no riparian zones and that the NJDEP LOI was issued last year indicating that the application is free and clear of any state regulated areas. He went on to say that as far as utilities are concerned, there is gas that serves some of the homes on Shores Road with the electric overhead on poles running down Shores Road. Mr. Hansen stated, however, that there is no public water and that there is a moratorium on a Randolph water connection, which has the franchise for this area.

Mr. Hansen referred to his next Exhibit marked A-2 entitled Landscaping Exhibit with today's date of January 16, 2019. This exhibit was prepared by EL&P and depicts an aerial photo in 2015. This exhibit shows an overlay of the proposed project and colorized to indicate different components of the project that are on the plans that were submitted to the Board. He stated that what is being proposed is a major subdivision in order to create seven lots from the existing lot and that part of the project involves the construction of a new public road with all the homes designed to be on the west side of that road. Between Shores Road and the proposed new public road is an area that is described as Lot 7 or the Open Space lot, which would be deed restricted from any future development and subject only to passive recreation and used only by the subdivision residents. Each of the lots is designated for a single family home with each served by a private well and septic system. The applicant has performed soil testing for the septic system and storm water management system, and all indications show that there are very good soils at this location with no water table issues, etc.

Mr. Hansen went on to say that the Residential Site Improvement Standards (RSIS) dictates what type of road there is at a location. This road meets the definition of a rural street since the lots are one acre or greater in size. The designs for each lot are such that cars do not have to back out onto the new road and that the average daily traffic is less than 500 cars a day. He stated that the average daily traffic for Shores Road and the proposed road is less than 200 cars per day. The roadway design curb to curb is 20 feet in width, and the RSIS based on this type of road does not require curbing. The applicant is proposing curbing, however, because it provides a cleaner edge and holds the road together much better. A mountable block curb was what was discussed with the fire department, which is granite block on a 45-degree angle. This curbing allows for emergency vehicle access. Mr. Hansen stated that additional parking is proposed within the right-of-way and that the parking will be in a grass paver-type situation off of the curb. There are about eleven of these parking spaces available for residents and their guests. Although the road will be a public road, the stormwater improvements and grass paver areas would be owned and maintained by a Homeowner's Association (HOA) and that the public road would be plowed by the town.

Mr. Hansen continued the discussion with stormwater management. The project meets the threshold of a major development with respect to stormwater management and that any design or any project that has greater than one acre of disturbance and/or greater than a quarter acre of new impervious coverage must meet the stringent state standards and local standards, which are just as stringent. Mr. Hansen went on to say that a bio retention basin has been designed, which is located in the southwest corner of the site and downhill of all the improvements. It was placed at this location because water flows down into that direction. He stated that the bio retention basin is a dry basin, which means it has water in it only when it rains and then drains out after 72 hours. The bottom of the basin is vegetated with different grasses, which are cut a couple times of year and is aesthetically pleasing. The positive aspect about the bio retention basin is that not only does it attenuate flow but it also treats the water since a water quality treatment of 80 percent TSS (total suspended solids) removal is required. A very detailed Stormwater Maintenance Manual has been prepared, which will be used to guide the Homeowner's Association and their consultants as to the maintenance of the basin along with

inspections of the different components of the basin. This document and the inspection reports in it will be forwarded on a yearly basis to the Township engineer so that he can include this with his document to the State.

Mr. Hansen went on to say that there will be a stormwater collection system on the road with the typical inlets in the road with a pipe exiting into the basin where the water will be collected and attenuated. The 2-hour stormwater will go directly into the basin, infiltrating into the bottom of the basin and ultimately into the ground surface. The stormwater from larger storms in excess of two inches will come out of the basin and down into the natural channel that is currently present. As mentioned earlier, the stormwater flows toward the southwest corner of the property. Mr. Hansen stated that this system will actually reduce the amount of flow that comes off the site as compared to the existing conditions. For the record, he stated that the basin is oversized because there are safety factors that have been built into it. Also, there is infiltration through the bottom of the basin and that when the attenuation rates are run, the reductions observed still don't take into account the infiltration, which is a safety factor. Another safety factor is that the actual infiltration rates observed in the field are cut by two. The actual water that runs into the basin and the numbers leaving the basin are very conservative.

Mr. Hansen pointed out on Exhibit A-2 where the off street parking will be located, which are grass paver areas for the additional parking. He clarified that the loop around the development will be two-way traffic and stated that presently there is no turnaround on Shores Road and that the loop, therefore, will allow for better vehicle passage flow.

Mr. Hansen stated that there is no proposal for dry wells since they are not needed. Mr. Maglione referred back to the basin and remarked that he has had some poor experiences with vegetation trying to grow in basins in the past and that as a result he inquired as to what would occur if this were the case in this basin. Mr. Hansen responded that the intent is to put in wet, tolerant grasses in the basin. Additionally, the correct species of plants will be added, and he is very confident that the basin will function correctly with the species being used. Any maintenance involved with the basin (such as weeds, sediment trapped) will be mitigated by the HOA, and the maintenance requirements are stated in the Stormwater Maintenance Manual, which will be provided to the Homeowner's Association and monitored by the Township engineer.

Mr. Mayer inquired as to how well developed the existing drainage channel is on the southwest side and how resistant it is to erosion. Mr. Hansen responded that the drainage does concentrate before it flows into the channel presently and explained this further in detail. Mr. Mayer inquired as to the velocity coming out of the pipe, and Chairman Giordano asked Ms. Gioioso to make a note that this should be addressed by Mr. Hansen since he did not currently know the velocity.

Mr. Monaghan stated that he realizes that the basin maintenance is the responsibility of the HOA; however, he inquired as to the potential impact to the town if the basin is not maintained. Mr. Hansen opined that even if the basin was not maintained for a number of years that it would still function because of its features.

Chairman Giordano discussed the wells that the applicant intends to install for water. He stated that the Board is chagrined to use private wells when there is public water somewhat available and that the property is quite near Clyde Potts Reservoir and could hook into that water supply. He understands that Randolph has placed a moratorium on hooking into their water supply, but would like to know what has been attempted to try to secure public water from New Jersey American Water and even Randolph. Mr. Hansen responded that there have been several

conversations with the water/sewer engineer in Randolph, who explained where the Randolph system runs, who is served in the area and the moratorium that is currently in place (COAH issues and litigation). Mr. Hansen went on to say that there is public water on Reservoir Ridge Road, which is New Jersey American Water and that this was discussed with them. NJAW stated that even if there was access with an easement and clear connection, the elevation difference between Reservoir Ridge Road and the subject property prohibits connecting to the water without substantial improvements. This would require a very expensive pump station design in Reservoir Ridge in order to pump the water up sufficiently to serve the development. Chairman Giordano opined that it is difficult to understand why the reservoir would not have sufficient pressure to pump the water 1000 yards and stated that he is very uncomfortable with wells based on the location of the subject property. He went on to say that he would like to hear more testimony as to further investigation regarding a possible public water connection.

Chairman Giordano raised the issue of the mountable curbs with regards to the sheet flow of the water and how it is concentrated. He stated that Mr. Hansen does not know the velocity of the water exiting the pipe in the area near the bottom of the property and that there has already been erosion in the "natural channel." He also went on to say that Mr. Hansen did testify that there would not be any further erosion and asked him to clarify the issue of further erosion and how it could be mitigated so that the "natural channel" would not turn into water flowing down the hill uncontrollably. Mr. Hansen responded that with respect to the natural channel, there is some level of improvement that can be done on the channel without having to remove trees and create a bigger predicament to solve the problem. He went on to say that there is some opportunity to avoid further erosion and will work with the Township engineer with regards to this issue. Mr. Hansen stated that the curbs offer a big benefit not only to the development but also to the stormwater management system and quality of the road. He opined that if there were no curbs installed then the edge of the pavement could crumble, which becomes a maintenance problem for the town. The curb has a concrete footing and is eighteen inches deep and wraps under the edge of the pavement and holds it together. As far as the stormwater runoff, if curb is not installed, there is one other option for RSIS, which is to put swales on the side of the development. The problem with the swales is that a vehicle can drive into the swale when parking and create tire ruts whereby the curb keeps the vehicle on the road. Also, the homeowner would have to maintain the swale, which can be difficult to do and as a result, the swales ultimately over time become unkempt and "ratty" looking. Mr. Hansen stated that as far as sheet flow, the water cannot be taken right from the road and sheet flow through somebody's yard. It must be collected since it is the water that must be treated. Chairman Giordano inquired about the pavers, which can look untidy over time and whether there have been improvements to this concept over the years. Mr. Hansen stated that there have been improvements made with many different products and described the product that would be used. He confirmed that there would be a maintenance bond of at least two years, which is standard.

Chairman Giordano raised the issue of the additional parking and whether there would be signage at these spaces. Mr. Hansen responded that it was concluded that the only people parking in these spaces would be the residents and their guests. He added that some type of signage could be placed at these spaces, if necessary, with different techniques used. Chairman Giordano inquired about "No Parking" signs on that side of the street, and Mr. Hansen responded that instead of having "No Parking" signs at certain intervals on the road, a more tasteful "No Parking" (or some other technique) sign can be placed at the beginning and the end of the development. This could be accomplished by ordinance, which could be enforced by the police department. Mr. Hansen clarified that the street will be owned by the Township.

Mr. Hansen confirmed for Mayor Gisser that the passive recreation area would be fully maintained by the HOA and that the curb would be part of the Township-owned road from a maintenance standpoint. He went on to say that the applicant did not want the curbing initially since it is costly, but became convinced by Mr. Hansen that it was an important improvement, which facilitates the maintenance for the town in keeping the road from crumbling. Mr. Hansen clarified that there are four catch basins.

Mr. Hansen continued with his testimony regarding the landscaping proposal for the property and referred to Exhibit A-2. On the submitted plans, the existing trees were noted – the evergreen trees along the frontage of Shores Road to remain – along with a variety of shade trees on both sides of the road and a cluster of shade trees in the corner. In addition to this, it is proposed to save all of the perimeter trees and hedge rows that are established around the perimeter of the property, which contain some gaps. The applicant has agreed to fill in some of these gaps, and Mr. Hansen pointed out on the exhibit where additional evergreens and other vegetation would be placed. He went on to say that he and the applicant met with Mr. Brian Hayes of the Mendham Township Tree Committee and that Mr. Hays prepared a letter. Also, Mr. Hansen stated that the properties will be tastefully landscaped, which will be done at the time of lot development. Ms. Gioioso requested that Mr. Hays' memorandum from the Mendham Township Tree Committee dated January 16, 2019 be entered into the record. The memorandum includes several requests to the applicant from the Tree Committee, and Mr. Hansen stated that the applicant will comply with these requests. This will be a condition, if the application is approved. Mr. Hansen confirmed that the landscaping will be maintained by the HOA and that the Township's ordinance requires a landscape bond for the proposed plantings, which has a two-year maintenance guarantee. After the two-year maintenance guarantee expires, it would be the responsibility of the HOA to handle any vegetation issues.

Mr. Hansen continued with his testimony regarding the two design waivers being requested by the applicant. As mentioned, this is a fully conforming subdivision with respect to the RSIS and the bulk standards of the R-1 ordinance. No variance relief is necessary. The two design waivers being requested are: 16-10.2W, the underground fire storage tank, and 16-10.13, the regulated slopes ordinance. He went on to say that the ordinance requires a 30,000-gallon underground storage tank since the site does not meet the ordinance requirements with regards to hooking into public water. The applicant approached the fire department and requested that they visit the site to see if the property had adequate fire protection. The fire department did visit the site and located a hydrant at 6 Twin Park Road (part of the Randolph system) and also a hydrant on the corner of Woodland Road and Mount Pleasant Road. This was referenced in a letter from the Deputy Chief of the Mendham Township Fire Department, Brookside Engine Company 1 written to Mr. Steve Baum dated November 4, 2018 and submitted as part of the application packet. The fire department determined that the fire storage tank was not necessary and that hoses could be run down Shores Road from those above mentioned hydrants. It was stated that there is apparatus to do this since there would be adequate pressure and adequate capacity in this water system to fight a fire. Mr. Hansen further discussed the advantage of running the hoses down Shores Road as opposed to installing a fire storage tank, which would also need to be maintained. He opined that a design waiver for this fire storage tank is appropriate for the compelling reason stated in the November 4, 2018 letter from the Fire Department. Mayor Gisser, who is also a member of the Brookside Engine Company, stated factually that the Fire Department does have the equipment to fight a fire of that distance from the hydrants but opined that a hydrant on the immediate site would of course be ideal. Mr. Maglione inquired about the size of the homes on the site, which was identified in the Fire Department letter as being approximately 3,000 square feet; however, the FAR allows for the homes to be much greater in size (6,000 – 7,000 square feet) and asked whether the approval from the fire department would apply to homes that are much larger in size. Mr. Hansen

responded that the applicant does not intend to build 6,000 – 7,000 square foot homes even if the bulk standards of the R-1 ordinance allows for it per lot. He went on to say that the applicant is designing a very specific development with smaller homes, which is what today's market favors. The homes would be smaller, more energy efficient, easier to maintain, and fit in with this development. It would be more of an enclave-type development.

Mr. Hansen continued his testimony regarding the second design waiver regarding regulated slopes. He marked his next Exhibit A-3 entitled Regulated Slope with today's date of January 16, 2019 and stated that it is a 50-scale aerial photography of the site and surrounding area from 2015. The colored rendering of the interior of the property shows the loop road in grey with the homes in their footprint in white, and the slopes are colored accordingly by category. Mr. Hansen stated that the green is the 10%-15% slopes, the light blue is the 15%-25% slopes and the purple is the greater than 25% slopes and that the slopes are measured between two-foot contours. He pointed out the steeper slopes (over 25%) and referred to the locations of the man-made steeper slopes, which were created from the previous development on the site. He also pointed out some other man-made slopes in the other two slope ranges. Mr. Hansen went on to say that the slopes are very consistent with the slopes on the Reservoir Ridge development, which is adjacent to the site and that this development has no issues because of these slopes since it was developed in the 1990's. The Morris County Soil Conservation and state standards allow for the development of a slope and to create a slope up to 33%. Mr. Hansen testified that to develop the site and thereby disturbing the slopes (man-made and natural) greater than what the ordinance allows would not be a detriment. He opined that the project can be constructed with no detriment to the neighbors or to the environment and stated that during the construction phase the slopes would also be stabilized using the soil control methods. He stated that the applicant has received the Soil Erosion Sediment Control Certification from Morris County. Mr. Hansen discussed the allowed slope disturbance and proposed slope disturbance percentages, which is marked on Exhibit A-3. He stated that considering the surrounding areas and how properties are developed that there is no adverse impact with the proposed slope disturbance as opposed to what is allowed by ordinance and that the limit of disturbance is reasonable. After Mr. Mayer asked if there are other ways to mitigate creating slope disturbance throughout the development, Mr. Hansen stated that the property could be regraded to obtain flatter slopes. Ms. De Meo stated that she is concerned about the high percentage of proposed disturbance. Mr. Hansen responded that the slopes are really not steep and that it does violate the ordinance; however, even though the disturbance seems high it is his testimony that when looking at the scope of the development it really is not that high. Mr. D'Emidio agreed with Mr. Hansen and that when he walked the site, it didn't seem steep as far as becoming an issue for construction. He also asked Mr. Hansen if the two man-made slopes (in purple) will be graded, and Mr. Hansen agreed that it makes sense to grade it out but that ultimately this will be subject to how much dirt has to be moved and where it should be moved. For the purposes of this meeting, however, Mr. Hansen stated that it could be assumed that the man-made slopes in purple will be disturbed and flattened out. Mr. Hansen also confirmed that there are no retaining walls being proposed. He also stated that steeper slopes create a higher velocity of water; however, in this case the steeper slopes are directly above the basin so the water will be collected at the bottom of the basin with no erosion there. He does not see any issues with all of the other various slopes throughout the site because of the stormwater collection system and the way that the property is graded.

Ms. Gioioso asked that Mr. Hansen read the three professional reports in addition to Mr. Hays' letter so that they may be heard into the record. Ms. Magdziak stated that the applicant is in receipt of the French & Parrello Associates report (Engineer) dated January 9, 2019, the Robert Michaels & Associates report dated December 27, 2018 (Planner), the Princeton Hydro report

dated January 9, 2019 (Environmentalist) and the letter from Mr. Hays (Tree Committee) dated January 16, 2019, which was already entered into the record.

FRENCH & PARRELLO, ASSOC. REPORT

Mr. Hansen first reviewed the French & Parrello Associates report dated January 9, 2019: Item list reviewed:

1. Testimony given.
2. Will comply to include a scale on Sheet 3.
3. Will address later.
4. Will have additional screening.
5. Testimony given on slopes.
6. Testimony given on underground fire storage tank.
7. Not proposing street lighting – asking for relief on this.
8. Width of Shores Road – currently not in compliance with RSIS at 14 ft. – 19 ft.
Mr. Hansen stated this is a straight country lane, which has good site distance and low frequency of travel. It is his position that although it does not meet the strict standards of the RSIS, which would be a rural lane of 20 feet, he opined that the detriments would outweigh the benefits of expanding that road. He opined that widening the road would upset some of the neighbors along Shores Road (their fences, retaining walls etc.), along with adding additional impervious coverage. Also, tree removal would be necessary with utility poles possibly having to be moved. Mr. Hansen opined that there would not be any benefit for widening the road since it is a country lane and not heavily used. If the road is kept on a narrower scale instead of widening it, the tendency is that people will drive more slowly. He stated that the proposed road is 20 feet curb to curb.
9. Will make improvements to Shores Road.
Mr. Hansen stated that the frontage of the subject property on Shores Road deteriorates towards the end. The intent is to repave from intersection to intersection from where the loop road starts to where the loop road ends (approximately 430 feet). Mr. Keenan stated that there was curbing proposed along that section of the road but opined that there should be no curbing at that section since he believed it could create more problems with vehicles trying to pass each other. The applicant is agreeable to this. He clarified that there will be mountable curbing within the site but not on Shores Road. Mr. Maglione objected to not having the applicant install curbing on Shores Road, especially since the applicant is willing to do this. Mr. Keenan stated that his concern was more with full height curbing; however, if it is laid back, he would be more agreeable to the idea of installing curbing on Shores Road. Mr. D'Emidio added that another option would be to have the top of the curbing level with the concrete road. Mr. Hansen stated that paving this section of the road would be an improvement for the neighbors who live across the street on Shores Road. Mr. Hansen was referring to Exhibit A-3 with his comments on curbing and repaving the road. Chairman Giordano inquired about paving the road to the edge of the applicant's property on either side, and Mr. Hansen stated that this would add another approximate 200 feet (with a total of about 630 feet). Mr. Hansen stated that he will discuss this with his client.
10. Curbing discussed in Item #9.
11. In agreement with roadway loop off of Shores Road.
12. Proposed roadway is a 20-foot wide road. Difference in opinion as to whether this complies with the RSIS. Mr. Keenan discussed the RSIS standard with relation to

- this type of development and where it fits into the standards. He opined that it is not a big stretch to say that it meets the definition for residential access with low intensity, which allows for parking along the side with a 21-foot wide road. He would feel more comfortable with this width in order to comply with RSIS. Mr. Hansen stated that he will speak with his client regarding this comment. Mr. D'Emidio brought up the issue of whether parking is allowed on the house side of the road along with the issue of backing out of the driveway. Mr. Hansen clarified that the garages are side entry garages, which allow the homeowner to have that turnaround. Mr. Keenan stated that this design allows the residents to drive out of their driveways without backing out. This is also reviewed by the Township engineer at the time of lot development. Mr. D'Emidio opined that the road should be 21 feet to allow for the parking. Mr. Mayer opined that vehicles should be allowed to park in front of the house with enough room for this and for cars to go both ways on the roadway. He further opined then that the road should be a one-way road, which would render less critical the width of the road. A wider street would be necessary if the roadway is a two-way street with parking in front of the homes. Mr. Hansen stated that he would discourage having a one-way road in a loop development such as this since two-way access is important for the plows, emergency vehicles, etc. He opined that it could still be a two-way roadway and that he will further consider the width; however, he strongly encourages keeping the road a two-way safe roadway. Chairman Giordano asked Ms. Foley to reach out to the Police Chief and inquire as to his opinion on the above discussion regarding parking on a 21-foot roadway.
13. Will comply with the design of the driveways as previously discussed.
 14. This was previously addressed regarding ownership of the site facilities and roadway.
 15. In agreement that the HOA will be responsible (not the town) for clearing snow in the parking areas along with any repair needed in these areas. This will include the wood beam guiderail behind the stalls.
 16. The applicant will address this item regarding the large open space.
 17. Offsite runoff will be conveyed into the proposed basin. He will also give Mr. Keenan the additional calculations that he needs.
 18. There was a request by Mr. Keenan to modify the angle of the outlet pipes. This will be done.
 19. THRU 29. Will agree to all of these items.

ROBERT MICHAELS & ASSOCIATES REPORT

Mr. Hansen continued with Mr. Michaels' report dated December 27, 2018, which confirms that there are no variances required. It also outlines the design waivers for the slopes. Mr. Hansen referred to Item #4 and stated that the applicant did review this item with regards to steep slopes and said that most of the lots do exceed the limits of disturbance as expected. Mr. Keenan stated that if the application is approved, the individual slope disturbance for each lot would then already be approved.

Mr. Hansen addressed Item #5 with regards to the Environmental Impact Statement (EIS). He stated that the EIS was prepared by Environmental Technology and that a representative is present at the meeting if the Board wishes that he testify. It basically speaks to the Stormwater Maintenance Manual and the open space lot with relation to the HOA. This was already discussed and that Mr. Baum will address the passive open space.

Mr. Hansen addressed Item #6, which addresses private wells and individual waste disposal systems. He stated that the applicant reached out to Bryan Well Drilling, who serviced the existing well onsite and has also drilled many of the wells in the area, including the site constructed by Bedrock Construction down the road from the subject site. Bryan Well Drilling stated that the well that was done by Bedrock Construction a couple of years ago yielded 15-20 gallons per minute yield and that there should not be any problem for well yield in this area. Mr. Hansen will check to see how deep the drilling had to go to obtain that yield. Also, per their discussion, Bryan Well stated that a minimum flow for a well is about 10 gallons per minute, which is the industry standard and that there is no state standard. If the 10 gallons per minute cannot be obtained when drilling, then the practice is to drill deeper until it is obtained. There are no expectations that there will not be water. Mr. Hansen clarified that there will be six separate wells and not one common well.

Mr. Hansen addressed Item #7, which addresses the proposed landscaping plan. As testified, Mr. Hansen stated that the applicant will add significant supplemental landscaping and that the individual lots will be tastefully landscaped by the developer or the homeowner.

PRINCETON HYDRO REPORT

Mr. Hansen continued with the review of the Princeton Hydro report dated January 9, 2019. He began with the comments in the report.

- 3.1 Inclusion of Environmental Impact Study dated November 12, 2018 in the application.
- 3.2 Soil logs performed on the site need to be included in the EIS. Applicant will comply with a supplement to the EIS.
- 3.3 Addressed the non-compliance of the steep slope limits and the wooded areas lost to the stormwater basin. Mr. Hansen stated that testimony was already given regarding the steep slopes and that even though the numbers of the slope category disturbance seem high, he opined that based on the R-1 zone and what is anticipated for a reasonable back yard along with grading and disturbance around the proposed homes that this is consistent and not excessive.
- 3.4 Tree removal. Mr. Hansen stated that some trees will have to be removed because of the basin (southwest corner of the property). Some of the trees are ash trees, which are diseased anyway. He opined that the tree removal is appropriate for the level of development with no significant species being removed.
- 3.5 This addresses the wells. Mr. Hansen opined that he obtained the locations of wells within 500 feet through an OPRA request to the Board of Health. He opined that the well locations shown are accurate and stated for the record that the applicant will appear before the Board of Health in a month for a detailed review and that the setback distance to the septic disposal field is met (at least 100 feet from the applicant's septic systems) to all the adjacent wells.
- 3.6 Flora and fauna inventory was compiled. Mr. Hansen has had discussions regarding the Indiana Bat and will comply with any of the timing restrictions on clearing. A NJ Natural Heritage letter can be obtained as necessary. Mr. Szczepanski responded that it would be sufficient to state that the applicant will comply with the timing restrictions on clearing, which is before April or after October.
- 3.7 This is a statement regarding no wetland or state open waters identified on or adjacent to the site. NJDEP issued a letter of interpretation on July 26, 2018.
- 3.8 Mr. Hansen stated that the appropriate seed mix for all other areas will be provided.

4.0 Review of Proposed Stormwater Management Measures

- 4.1 Low Impact Development. Dr. Szczepanski stated that the intent was to find the rational behind having the central basin for the stormwater treatment as opposed to other forms of stormwater treatment throughout the development such as rain gardens, swales, green roofs or other near source BMP's for providing site wide stormwater management. Mr. Hansen stated that the issue is that the water must be treated from the road, which can theoretically be done into a couple different basins; however, more disturbance may occur in more areas of stormwater management as opposed to collecting it in a centralized location. He opined that this design, which required a lot of thought and effort, preserves the existing water patterns and direction of flow and is the best way to treat and attenuate the water. Its location in one spot is more ideal for maintenance purposes and offers the best chance for success in this location. Dr. Szczepanski discussed this further and stated that he appreciates that it is a bio retention basin and will agree with Mr. Hansen's design.

Mr. Mayer stated that all of the runoff is going northeast to southwest and that the overall grading will not change that much. He inquired if the road will act as an interceptive for most of the runoff on the east side of the site and basically collect and divert most of the overland flow to the catch basins and eventually into the detention basin. Mr. Hansen elaborated that in the northeast area of the site the overland flow will be picked up by the road. In the area that travels from the northwest, it was designed so that the water will flow between the lots and into the basin or past the basin if the grade is not being modified. Mr. Hansen confirmed that this system is designed to handle a 25-year storm.

- 4.2 Soils. Mr. Hansen stated that the item is asking to provide soil logs 17 thru 20 within the proposed basin bottom. Soil logs for 18 through 20 were provided. He stated that that soil log 17 has not yet been excavated so there is no log to provide. However, this will be done as a conditional of approval and will be provided to Princeton Hydro. Also, the tube permeameter test was discussed with Dr. Szczepanski and that it is on the edge of whether it meets the state minimum threshold or not. However, the other logs completed do meet the threshold. Additional testing will be done, and Mr. Hansen stated that he is confident that it will work as the infiltration component.
- 4.3 Recharge Compliance. Mr. Hansen will provide additional information that is required to show that this is in compliance.
- 4.4 Stormwater Quality. Mr. Hansen stated that additional information will be submitted to Dr. Szczepanski but that the applicant will be in compliance with all of the stormwater quality and all of the requests under Item #4.4.
- 4.5 Stormwater Quantity. Mr. Hansen stated that all of the quantity calculations will be provided to indicate that the water is fully drained from the basin within the required 72 hours.
- 4.6 Other Stormwater Compliance. Mr. Hansen stated that there is stability for the discharge and also stated that he will provide the swale calculations that are being requested. Also, Mr. Hansen stated that he shall revise the outlet structure detail to indicate elevations of the orifice and other specifications to the extent that this needs to be done. Mr. Hansen stated that he will revise the stormwater maintenance manual for the Homeowner's Association's records and for the agent responsible for maintenance to include a map of the stormwater BMP and its components.

TREE COMMITTEE REPORT

Mr. Hansen continued with the Tree Committee report dated January 16, 2019. As stated earlier, Mr. Hansen stated that he and the applicant met with Mr. Hays this morning and walked the site.

1. Will comply with the red maple trees instead of the red oak trees on the interior road.
Mr. Hansen stated that the trees could be proposed in the right of way since there are no sidewalks. Mayor Gisser added that there was a change to the ordinance whereby the burden is on the homeowner if a tree is within the right of way on the homeowner's property. The trees become the responsibility of the homeowner. Mr. Maglione stated that this should be stated in the homeowner's deed. Mr. Keenan added that there will be some common ownership of what is in the right of way – the township will own and maintain the pavement, and the HOA will own and maintain the parking areas and grass surface and that it could easily be put into an agreement that the HOA owns the trees even though they are in the right of way. There was some disagreement expressed regarding the HOA owning the trees. Ms. Magdziak suggested that the ordinance be pulled and reviewed regarding the trees in the right of way in order to understand exactly what the ordinance is stating. Mr. Hansen stated that the solution might be to put the trees on the homeowners' properties. This would remove any concerns that there may be regarding who is responsible for the trees.
2. It was agreed that the taller Norway spruce trees would be planted.
3. Mr. Hansen stated that that the proposed Norway spruce trees for border plantings will be 7 – 8 feet.
4. Mr. Hansen referred to Exhibit A-2 and pointed to an area on the right border that has two homes with very little screening. The Tree Committee would like the applicant to consider additional border plantings in this area. Mr. Hansen stated that if this is a concern, then the applicant will add this to the list of items to consider.
5. Mr. Hansen stated that the intention is to put landscaping on the six individual lots and that the request for a "typical plan" to the Tree Committee can be provided.

Chairman Giordano entertained a motion to open the meeting to the public for any questions or comments for Mr. Hansen. A motion was made, and it was seconded. All agreed.

Mr. George Chen of 4 Reservoir Ridge Road approached the microphone. He stated that he lives in a development that is downhill from the proposed site and stated that there is a trail that runs up parallel to the subject property, the Dismal Harmony Trail. Mr. Chen said that it is very steep when coming off the subject property even though it already exceeds the grading limits by 50% - 60%. He went on to say that all of the houses on Reservoir Ridge Road have sump pumps because the water table is so high and that it appears there is soil erosion under the street where it is cracked. Chairman Giordano clarified Mr. Chen's concern by asking Mr. Hansen how the proposed water flow from the subject development will be channeled and whether there is any impact on the downstream flow of water to Mr. Chen's property, especially with added impervious surface to the subject property, which Mr. Chen is concerned would add additional flow of water onto his property. Mr. Chen stated that the proposal is to clear 2.65 acres of trees that is a natural water retention mechanism and that he would like to know the dimensions of the basin. He opined that if the water is channeled through one pipe, there will be a huge amount of water coming down the hill. The outlet pipe is right next to one of the

properties (4 Reservoir Ridge Road) and so the water will flow off of that property across the street onto his property.

Mr. Hansen stated that the dimension on the uphill side of the basin is approximately 200 feet but that the basin is not a perfect rectangle. The basin was designed to work with the contours of the land as much as possible. The width of the basin is approximately 80 feet at the bottom but the downhill berm of the detention basin is less than five feet in height so there is not a massive wall of dirt there. The floor of the basin is wider to allow for a smaller berm height. This offers more surface to have runoff infiltrate into the ground. Regarding where the water currently flows and where it will flow in the future, Mr. Hansen explained that the water currently runs down from the subject site and enters into a channel at the southwestern corner of the site. This same drainage pattern will be maintained. With the location of the basin, there will be some infiltration into the ground and thus reducing some of the volume. The outlet pipe detains the water so the flows coming off the site are reduced (cubic feet/second). Mr. Hansen stated that for the 2-year storm this must be reduced by 50%, for the 10-year storm this must be reduced by 70% (being reduced more), and for the 100-year storm it must be reduced by 80% (also being reduced more). From a rate standpoint, there will be less rate of runoff coming off the site for each storm. Chairman Giordano clarified that more water will sit in the basin and be infiltrated down into the soils and not run overland as is currently the case. Mr. Hansen stated that there will be a combination of where the water exits – some stormwater will infiltrate into the soils and some will be detained and then slowly exit. There will be more water over time but less volume at the same time. Mr. Chen stated that he has Jersey red clay and stated that he is not sure how much infiltrate will be obtained in the basin. Mr. Hansen stated there have been about 26 soil logs throughout the site. He explained that a soil log is basically a test pit 10 – 12 feet deep and is done to satisfy the design requirements for septic and for stormwater. This must be done within the basin footprint, and the tests must indicate whether the soil is permeable. He stated that this was done and that it is acceptable to the state standard. Mr. Hansen said that he is very confident in stating that this is a very well designed basin and that there will be no impacts to the neighbors. Mr. Hansen clarified for Mr. D'Emidio that the maximum height of the water surface at a regulated storm of 8 ½ inches of rain over a 24-hour period will be approximately four feet of water.

Mr. William Kloehn of 3 Reservoir Ridge Road approached the microphone. Mr. Kloehn stated that his residence is the closest to the basin (between Mr. Chen and the basin). He questioned Mr. Hansen's testimony that water flows exactly in the same pattern. Mr. Hansen responded that the water is currently flowing in a concentrated manner towards the same channel (not in a pipe now of course) and exiting the property in the same way. He agreed that with the pipe installed there may be a small difference in the flow. Mr. Kloehn inquired as to what water table tests have been done, and Mr. Hansen stated that there has been extensive testing throughout the entire subject property (26 soil logs) and that there was no indication of any water table in any of the holes. Mr. Kloehn inquired about the ditch should there be an overflow in the basin. Mr. Hansen pointed out where the ditch is located (Sheet 5 of 21) and showed where the pipe is discharging. He stated that the topography takes the flow and enters it directly into ditch. Mr. Kloehn stated that Mr. Hansen is hoping that the water flows south but that it is actually going through the middle of his property. Mr. Hansen pointed to the southwest corner of the site on Sheet 5 of 21 (already part of the record) and explained the discharge design. Mr. Keenan stated that he and Mr. Hansen worked together on the discharge design and concurred that there is a channel occurring at the bottom of the property and that this channel becomes more defined as it goes down to Woodland Road, where it becomes a flowing stream. Mr. Keenan opined that the discharge design will not worsen the flow but will maintain what is presently occurring. He went on to say that as Mr. Hansen stated the rate of runoff will be reduced as a requirement by the State. It will flow for an extended period of time as what is presently

occurring, but it will flow at a slower rate and should not cause any additional erosion in the subject channel. Mr. Hansen addressed the volume of water flowing from the pipe and stated that the discharge from the basin is .793 CFS (cubic feet per second) for the 2-year storm, 2.359 CFS for the 10-year storm, 12.69 CFS for the 100-year storm (about 8 ½ inches of rain in a 24-hour period). He stated that he does not have the velocity of each storm but for compliance with soil conservation it must be shown that it is stable for the 25-year storm. There is a certain amount of velocity based upon the type of soil – with a sandy soil there is less velocity, with a more clay soil there is more velocity. Mr. Hansen stated though that the calculations were provided and have been approved but that he does not have the number presently. He will, however, obtain those velocity numbers. Mr. Mayer added that with discharge out of the pipe, there is a volume and a velocity and that when dealing with erosion, there is more concern about the velocity than the volume. He opined that the velocity is an important number in looking at the whole design. Mr. Keenan added that if the rate is reduced than the velocity will be reduced and explained this further.

Mr. Kloehn raised the issue of the steep slope waiver and said that it was Mr. Hansen's testimony that the slopes will be steeper by building the basin and that there are going to be 2 ½ acres of trees that will be removed, which will not be replaced. It is his understanding that this will increase the stormwater. Mr. Hansen confirmed that there are trees being removed and that the SCS method was used to design the overall stormwater management system and basin. He went on to say that what must be taken into account under the existing conditions are the wooded areas that exist onsite and that they are compared under proposed conditions to the different land cover. These calculations take the land cover change into effect and so the reductions he discussed are designed and comply with the ordinance and the state standards. Mr. Hansen reiterated that there will be more volume but that the rate is reduced because of the volume of the basin. Chairman Giordano asked Mr. Hansen to confirm that trees will be planted, and Mr. Hansen stated that there will be 16 – 17 shade trees, along with all of the landscaping on the individual lots. Also, 60 – 70 or more trees around the perimeter of the property will be planted and that this is very close, if not exceeding, the amount of trees being removed. Mr. Kloehn inquired as to where these trees are located and whether the trees that are proposed to be planted will be in a location that will abate the stormwater runoff. Mr. Hansen referred to Exhibit A-2 and pointed out the dark green area around the perimeter of the property and that the trees in this location will not be removed. A good many of these trees are in the southwest corner that are between Mr. Kloehn's property and the basin outflow. Mr. Hansen pointed out the dark green circles on the exhibit and that these represent proposed plantings, which are located at various locations on the property and are designed to achieve different things. They are designed to not only provide some water retention but to provide screening. Mr. Hansen confirmed for Mr. Maglione that the trees were not included in the volume calculations as a reduction in runoff, which is another safety factor level. Mr. Kloehn opined that a lot of the trees being placed on the left hand side (near Woodlawn Terrace) will not reduce the runoff, and Mr. Hansen explained further the design and impact of the trees being planted and stated that the landscaping's totality on the site will have some measureable effect on reducing the runoff. He noted that this is above and beyond the State standard, of which the applicant is already in compliance. He opined that this basin is designed appropriately and conservatively for this development.

Mr. Richard D'Souza of 2 Reservoir Ridge Road approached the microphone and stated that his house is the first house on the road close to Woodland Road. He stated that he is very concerned about 2.5 acres of trees being removed and that all the houses in the development have multiple sump pumps. For the record, he read the Final Map for Reservoir Ridge Road, Block 127, L30, Tax Map Sheet 19, page 549. He went on to say that he would advise Mr. Hansen to look at the map because it shows seepage areas and collection basins and that this

was designed as such because the area was prone to flooding. Mr. D'Souza stated that his fear is that with the change in topography and with the 2.5 wooded acres being removed that even slight changes in runoff might create flooding in the Reservoir Ridge area, especially since there is a lot of clay in the ground and the volume of water will have nowhere to go. Chairman Giordano asked Mr. Hansen whether the location of the detention basin is the best design in terms of mitigating the flow of water and also whether there is any way to reduce the volume of the water leaving the property any further at this time. Mr. Hansen responded that he does believe that this is the best design for this development and that as stated earlier a significant amount of time was given in studying the neighboring properties, looking for the appropriate spot for the basin, and making sure that the design was in accordance with the state and local regulations. He stated that the volume is being reduced over time. When a subdivision is being designed and whereby impervious coverage is being added to land cover where there was none previously, the volume will always be increased. As a result, it is required to reduce the rate of runoff, which is volume over time as compared to the existing conditions. This is being done with this application substantially. Chairman Giordano then explained to Mr. D'Souza that there should therefore be an improvement because the retention basin will mitigate both the flow and the volume and that opposed to just overland flow the water will be retained more in the basin, which will allow for more permeation. Mr. Hansen cited as an example a 2-year storm. If there are 10 CFS' coming off the property during the storm, it will be 5 CFS.

Mr. George Chen of 4 Reservoir Ridge Road approached the microphone. He stated that according to the testimony the basin will control everything; however, currently without the basin, the water egress is along 600 yards of property. He went on to say that now the 600 yards of water egress will be focused into the basin. Chairman Giordano asked Mr. Hansen if he agrees that this focal point will be detrimental and whether there is a different design that would have less impact on the neighbors. Mr. Hansen responded that there is no design that would have less impact on the neighbors and that this is the appropriate design. He went on to say that there is a perception that the water is currently running off of the property in different locations and not necessarily becoming concentrated in the ditch. This is not the case. The topo was done by a licensed surveyor with inspections of the property, and Mr. Hansen stated that he is very confident that the water is currently going into the ditch. It is not leaving the property and flowing onto other properties. Mr. Hansen further explained how the water exits from the basin.

Mr. William Kloehn of 3 Reservoir Ridge Road approached the microphone. He wished to have clarified the water exiting into the ground. Mr. Hansen explained that there is a concrete outlet structure in the basin and that the outlet structure has a 15-inch pipe extending out with a small orifice, which controls the flow of water so that even as the water comes up and goes over the orifice in a smaller storm, it can only come out at the diameter of that orifice. With a more significant stormwater, then the water falls over into a weir and goes out into a pipe that is bigger and able to handle those larger storms. He detailed the design for the flow of water into the channel at which point it exits through the neighbors' property as it does currently. Mr. Kloehn opined that there is then more water flowing through the neighbors' property. Mayor Gisser stated that the amount of water over time is reduced but that the flow may continue for a longer period of time. Mr. Hansen confirmed for Mr. Monaghan that the regulations require that the basin be emptied within 72 hours. Mr. Kloehn identified a scenario where every three days there is enough rain for the water to get to the bottom of the pipe (not to the overflow pipes) which empties out every 72 hours. He inquired as to where this water goes that is in the basin. Mr. Hansen responded that if there were multiple storms back to back, which this basin is not designed for since it is not a state requirement, the water would not overtop the basin. The majority of that water would be infiltrated into the ground (following the subterranean pattern) and that also some of the water after a series of storms will exit the outlet structure.

Ms. Heidi Blair-Hermes of 5 Reservoir Ridge Road approached the microphone. She inquired as to why the dry wells are not needed, especially with neighbors wanting to put in patios, pools etc. Mr. Hansen responded that the homes will have a footprint of 2,000 square feet and 1,000 square feet of driveway but that the stormwater system was designed for 5,000 square feet of coverage on each lot, which allows for an extra 2,000 square feet built into the calculation for those various installations. He stated that the dry wells are not required and that the standards don't account for them. This is not being proposed since there is already an oversized system.

Mr. Nick Witczak, Fire Chief for the Brookside Engine Company approached the microphone. He stated that he wished to clarify his letter dated November 4, 2018 in order to ensure that the applicant understands the background of the letter after meeting with them back in November, 2018. He went on to say that he and several members of the fire department met with the applicant and did several flow testing calculations off of the hydrants at Twin Park Drive, Mt. Pleasant Road, and Woodland Road. Currently, the fire department's apparatus and equipment allows for the connections and that the fire department has the capabilities in the event of a fire on Shores Road with a preplan prepared. The actual hydrant that would be used is located on the corner of Mt. Pleasant and Woodland Road – approximately a 1,400-foot stretch. He stated that the fire department has over 3,000 feet of 5-inch hose and that the National Fire Academy's calculations for a 2,000 square foot house require less than 500 gallons/minute. The hydrants shoot out water of over 1,000 gallons/minute. Mr. Witczak stated that from the fire department standpoint, a hydrant or cistern will not be required on the subject site. It certainly is close enough to other hydrants and that the homes are not mansion-style homes. He also clarified for Chairman Giordano that there was an additional second page to his letter, which was sent through via email that had a map of the street and the location of the two hydrants to the proposed site. The hydrants on Woodland Road and Mt. Pleasant Road would allow keeping the road open in the event of a fire. He responded to Mr. D'Emidio's question regarding how a fire event would be handled currently either on Shores Road or Woodland Lake Estates. He said that this would be a two-engine response and described how this would be accomplished. If the houses were 5,000 – 6,000 square foot houses, Mr. Witczak stated that a cistern or hydrant closer to the street would need to be considered. He clarified that the 3,000 square foot homes he stated in his report was an approximation after looking at several of the drawings.

Mr. William Kloehn of 3 Reservoir Ridge Road approached the microphone. He inquired as to what other systems were evaluated as opposed to the basin that is proposed. Mr. Hansen responded that a different system design was not considered; however, based on experience, the natural features, and the drainage patterns it was quickly realized that this was the best scenario. He explained that with a major development stormwater management area, the basin cannot be maintained and owned by individual property owners. It must be maintained by the HOA, and this proposed system is the most efficient way to deal with stormwater.

Mr. Eric Mauriello of 6 Woodlawn Terrace approached the microphone. He referred to Exhibit A-2 and pointed out his lot on the exhibit. He inquired as to how many trees are proposed in the buffer on the south side. Mr. Hansen responded that there are two rows of twenty, which equates to forty trees. Also, Mr. Mauriello stated that Lot 6 is a septic field and inquired as to the distance from that septic field from the southern property line of Lot 29. Mr. Hansen referred to Sheet 5 of 21 and stated that it is approximately 25 feet from the easement and 40 feet from the property line. Mr. Mauriello inquired as to the distance in feet from the septic field to the Lot 6 well location. Mr. Hansen again referred to Sheet 5 of 21 of the plans and stated that it is approximately 130 feet. Mr. Mauriello then asked if there is any other exhibit that shows any modified septic locations for Lot 6. Mr. Hansen entered into evidence another exhibit and

marked it as Exhibit A-4 entitled Site Plan Exhibit prepared by EL&P with today's date of January 16, 2019. He said that the septic system was moved about 40 feet so that the distance from the Lot 6 well to the edge of the proposed septic system is about 170 feet. Mr. Hansen confirmed that this is a modification to Sheet 5 of 21 in the plans.

Chairman Giordano entertained a motion to close the meeting to the public. A motion was made, and it was seconded. All agreed.

Ms. Magdziak stated that her second witness this evening is Mr. Steve Baum, the applicant's representative. Mr. Baum had two exhibits, which were respectively marked Exhibit A-5 and Exhibit A-6 with today's date of January 16, 2019. Mr. Baum described Exhibit A-5 and Exhibit A-6 as two renderings showing the proposed development. The renderings are not representing any particular house design but indicating the approximate footprint as defined on Mr. Hansen's exhibits. Exhibit A-5 is a ground level view from the northern entrance, and Exhibit A-6 is a view taken above Lot 5 looking out over the open space.

Mr. Baum went on to say that Mr. Joe Riccardi is his business partner with whom he formed Mendham Shores, LLC. He stated that he is educated as an architect; however, he has spent the last twenty years in the technology business. Mr. Baum stated that he did build a small development of much larger homes in Bernardsville. However, this project is a reflection of the social, economic and demographic changes that have taken place since the 2008 economic crisis and that this, as a result, is a different type of development. Mr. Baum went on to say that he and Mr. Riccardi were looking to develop their idea on a site that would not require any variances. Also, Mr. Baum stated that he lives in Bernardsville and that Mr. Riccardi has been a lifelong resident of Mendham and that they both are very familiar with the area. He opined that they understand the issues that many of the small towns are having in central, western New Jersey with attracting young families since this area is depopulating. He opined that the reason for this is because of some of the product that is being offered and that the vision for 9 Shores Road is to offer a slightly different take on single family residential housing with a passive open space designed to create a little more sense of community. The intention is to have houses with a smaller footprint and built with modern technologies and sustainable materials. This would be accomplished in such a way that would be attractive to a young family either moving home or moving west and who could take advantage of the school systems and nice lifestyle in this area. He went on to say that the average age of a home in the Township is about 42 years old, which brings a different type of house and that this new concept may also be attractive to a boomer population who is looking to downsize and move into a more contemporary, modern dwelling that does not have the maintenance issues of much older homes. Mr. Baum stated that the homes will be precision off-site built, which equates to a panelized construction format built in a factory and then delivered onsite in a way that greatly reduces the noise and disturbance associated with traditional construction. This should not be confused with traditional prefabrication. He went on to say that there will be a couple of different floor plans available depending on the siting and topography of the house but that might also function to support the two different markets being considered – most notably a master bedroom on the first floor or a master bedroom on the second floor.

Mr. Baum went on to state that the Homeowner's Association will be responsible for the open space, Lot 7 on the plans. It will also maintain the stormwater management system, which is required and to also ensure that the Norway spruces that define the open space continue to thrive. Mr. Baum stated that the open space is a little more than an acre and intended to be used for walking, adhoc sports, neighborhood socialization etc. and also that the houses will have a useable front porch facing the open space. Mr. Baum went on to say that as the project was being developed, he and Mr. Riccardi have reached out to the neighbors who are adjacent

to the site in order to collect their input, questions and concerns and hopefully their support. Mr. Baum addressed Mr. Mayer's question regarding the intended price point of the homes and stated that the homes will be as inexpensive as can be offered while still making a decent return. The goal is to keep the price within the marketplace of what an approximate 3,000 square foot new construction home is in the Mendham/Bernardsville/Randolph vicinity. The price point would probably be nothing less than the high \$800,000's but certainly under a million dollars. Mr. Baum confirmed for Mr. Perri that the intention is to allow the HOA the governance necessary to do what it needs to do and that this would definitely include the basin. Ms. Gioioso clarified that the HOA and the adjacent lots would be the subject of a covenant in the deeds. Ms. Magdziak added that there are State requirements for Homeowner's Association documents along with their approval and that this Homeowner's Association will comply.

Ms. DeMeo raised the question of the public (other than the residents in the neighborhood) who may use the open space if perhaps they were using the trails in the area. Mr. Baum responded that it is intended to be a neighborhood benefit only. How this is policed or handled is up to the people who own the properties. Also, the intention is for Mendham Shores, LLC to establish the HOA and run it until all the properties sell, at which time it would be transferred over, as the law dictates, to the HOA. The HOA will be developed in such a way that it is not only legally sound but effective in doing what it needs to do. The HOA will have a fund for the maintenance that is required, and this will be funded through the homeowners themselves.

Mr. Baum clarified for Mayor Gisser that the intention is to initially build two homes – a model of each type of home. He opined that all six homes being built at once on speculation cannot be supported and that the two would be built followed by the other four homes. He explained that the biggest issue with this type of construction methodology is mobilization (sending up all the equipment etc.), which is usually done only once, but in this case it will be done twice. He opined that this type of construction methodology starts to lose its efficiency if mobilization increases beyond this even though its capabilities are excellent because of the precision and the ability to be energy sensitive because of the way it is manufactured. Mr. Monaghan raised the issue of all the trucks coming onto Shores Road and that this could be detrimental to the road. Mr. Baum responded that the density would be less than a truck full of cinder blocks or plywood. There will be multiple trailers bringing in sections of the house and that this methodology will cut down dramatically on the duration of the "roughing timeframe" The 3,000 square foot house will be constructed in approximately 4 to 5 days and then the roughing will be complete followed by the bulk of the work happening in the interior.

Chairman Giordano asked Mr. Baum if it is his testimony that the homes will be 3,000 square feet, and Mr. Baum confirmed that the homes will be approximately 3,000 square feet. He stated that the design is meant to be a very efficient yet open floor plan solution, which is especially targeted to the market needs that people are currently seeking. He also confirmed that there will be full basements, a two and a half car garage and that four of the lots will have walk-outs because of the topography.

Chairman Giordano made a motion to open the meeting to the public regarding any questions or comments for Mr. Baum. A motion was made, and it was seconded. All agreed.

Mr. William Kloehn of 3 Reservoir Ridge Road approached the microphone. He asked Mr. Baum to confirm that he was planning to establish a Homeowner's Association to address the obligations regarding the maintenance of the basin. Mr. Baum stated that this is correct. He inquired whether the HOA will specify where certain reports regarding the maintenance will be filed. Ms. Magdziak stated that Mr. Hansen testified to the Stormwater Maintenance Manual, which was filed with the Planning Board and that this has the specifics as to when reports must

be filed (she believes its annually) with the Board engineer. Mr. Kloehn inquired if there would be any objection to also filing the reports with the residents on Reservoir Ridge Road given the potential flooding risk. Chairman Giordano clarified that the Board engineer receives them as a public official and whereby becoming a matter of record, the report may always be obtained from Mr. Keenan, the engineer. He does not believe that the HOA has a requirement to do anything other than file with the Board engineer. It was confirmed with Mr. Kloehn that there would be no problem in obtaining this report.

Ms. Heidi Blair-Herms of 5 Reservoir Ridge Road approached the microphone. Ms. Blair-Herms inquired as to the height of the homes. Mr. Baum responded that there is a height limitation of 35 feet and that he expects a standard floor to floor height between eight to nine feet plus a roof system. This is a typical 2-story home and that there are no height variances being requested. She raised her concern over the screening from the flood lights etc. off the homeowners' properties and the effect it will have on her neighborhood.

Chairman Giordano entertained a motion to close the meeting to the public. A motion was made, and it was seconded. All agreed.

Ms. Magdziak stated that there were no further witnesses, and Chairman Giordano stated that there are a number of items that the applicant needs to address at the next meeting in February as a result of the presentation.

For the record, Ms. Magdziak asked that the application be carried over without further notice to the February 20, 2019 meeting. Chairman Giordano noted this for the record.

DISCUSSION ITEMS

Chairman Giordano stated that two proposals for the Planner position were submitted. Mr. D'Emidio, Mr. Mayer, and Chairman Giordano formed a small ad hoc committee and have agreed unanimously on H2M Associates, Inc. He asked the Board members to review the proposal and that if anyone has any strenuous objection to please let Ms. Foley know by the end of the week. If there are no objections, Chairman Giordano asked Ms. Foley to let Ms. Bonanno know so that she can inform the Township Committee that this is the Planning Board's choice for a Planner. There was discussion regarding the fee rate and that Ms. Bonanno and Ms. Fornaro will handle this with H2M Associates. Chairman Giordano stated that even pending the contract, the Planning Board will be able to begin working with the Planner because the current applicant has agreed to the new Planner becoming involved in the application and that any duplication of fees has already been approved by the applicant.

Chairman Giordano entertained a motion to open the meeting to the public. A motion was made, and it was seconded. All agreed. Seeing or hearing no one, a motion was made to close the meeting to the public, and it was seconded. All agreed.

Chairman Giordano entertained a motion to adjourn the meeting at 11:02 pm. A motion was made, and it was seconded. All agreed.

Respectively Submitted,

Beth Foley
Planning Board Secretary