

**MINUTES OF THE TOWNSHIP OF MENDHAM PLANNING BOARD
REGULAR MEETING HELD APRIL 21, 2021
VIA ZOOM**

The remote meeting via zoom was called to order by Chairman Giordano at 7:30 p.m. who asked for a roll call. Upon roll call:

ROLL CALL

PRESENT: Mr. Baio, Mr. Monaghan, Mr. D’Emidio, Ms. DeMeo, Mr. Johnson, Mr. Mayer, Mr. Maglione, Chairman Giordano
ABSENT: Mr. Perri
Others present: Mr. Dennis Keenan, Ms. Edward Buzak, Mr. Ryan Conklin, Mr. Mark Herrmann

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 6, 2021 and Notice was filed with the Township Clerk on January 6, 2021

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 time.

RESOLUTION: PB-03

Pinnacle Ventures, LLC
22 St. John’s Drive
Permitting the Demolition of Existing Buildings and Structures
Block 100, Lot 17.03
Major Preliminary and Final Site Plan

Mr. Buzak stated that the resolution permits the demolition of the existing buildings at 22 St. John’s Drive and reviews the testimony that was provided at the previous meeting. It concludes that the applicant has satisfied the criteria that is set forth in the ordinance. However, it is contingent upon the following:

1. That the balance of the applicant’s application for preliminary and final major site plan and variance approval to redevelop is approved.
2. The Board may impose and the applicant shall be subject to additional conditions on the demolition process after the balance of the applicant’s application for preliminary and final major site plan and variance approval to redevelop the property is heard by the Board.

Chairman Giordano entertained a motion to approve Resolution PB-03. A motion was made by Mr. Monaghan, and it was seconded by Mr. Mayer. All agreed.

AYES: Mr. Baio, Mr. Monaghan, Mr. D’Emidio, Ms. DeMeo, Mr. Johnson, Mr. Mayer, Chairman Giordano

APPLICATION – PB- 21-01 – cont'd

Pinnacle Ventures, LLC
22 Saint John's Drive
Block 100, Lot 17.03

Mr. Malman stated that at the previous Planning Board meeting on March 17, 2021 the bulk of time was spent addressing the demolition issue. Mr. Moschello, engineer for the applicant, began his testimony at that time as well. Mr. Malman asked Mr. Moschello to continue with his testimony at this meeting.

Mr. Moschello (previously sworn) made an appearance and began with his previously marked Exhibit A-17, which displays an arial and entitled "Project Arial Exhibit" dated March 17, 2021. He described an overall overview of the surrounding area using the exhibit, which included the County boundary line between Somerset County and Morris County with Peapack-Gladstone Borough to the south and Mendham Township to the north. Another municipal boundary line is on the western side of the plan, which separates Mendham Township from Chester Township. Mr. Moschello pointed out a series of residential developments on the Peapack side with some larger lots on the Mendham Township side.

Mr. Moschello displayed his next exhibit, which is entitled "Overall Property Arial Exhibit" and marked it as Exhibit A-20 dated March 17, 2021. He pointed out St. John's Drive that runs up to the municipal and county boundary lines and into the applicant's parcel and stated the various adjacent zones, which includes the R-10 and R-5 zones in Mendham Township and in Peapack-Gladstone the RR3 zone. He went on to say that there are wooded areas to the northeast of this parcel of land.

Mr. Moschello referred back to Exhibit A-17 and indicated the Mendham Township Open Space parcel (Block 100, Lot 17), which contains ball fields, some municipal out buildings, parking, and an access road down to Carriage Hill Drive.

Mr. Moschello displayed his next exhibit, which is entitled "Project Area Arial" exhibit, and he marked it as Exhibit A-21, dated March 17, 2021. This exhibit magnifies the 18-acre parcel that is the subject of the application with the municipal boundary line on the south. He went on to discuss the history of the property and existing features. Some of the buildings on the site are labeled, which include the Mosle mansion. This is located generally in the middle of the property and was built around 1906 by the Mosle family. The property was purchased in 1926 by the Sisters, and it was converted into an orphanage/elementary school and was operated that way from 1926 – 1970. In the 1940's the two school wings were constructed with the chapel as part of it. Fatima Hall was constructed and in the 1980's a gym building was constructed on the property as well. There used to be some barracks that have since deteriorated, and there is an existing barn structure that was used as a residence for the caretakers on the property for a number of years. Mr. Moschello went on to point out the loop road that serviced the property and also runs into the property from Peapack-Gladstone.

Mr. Moschello continued to say that when the Sisters were operating the property as a school, there were upwards of 300 students, 50 faculty and administration personnel with Fatima Hall being the residence hall for the Sisters. This continued as such until about the 1990's when the Montgomery School operated on the property until about 2010. Since this time, the property has been vacant, except for some caretakers who lived on the property for a few years until the prior application was approved.

In terms of existing conditions on the property, Mr. Moschello pointed out that the property is generally developed in the middle portion of the site, which includes the mansion, school building and Fatima Hall with parking areas behind Fatima Hall. He pointed out the wooded areas both on the southeastern side of the property and the western side of the property as well.

Mr. Moschello displayed his next exhibit marked Exhibit A-22, which is entitled “Existing Conditions and Environmental Constraints Plan” dated March 17, 2021. This plan indicates the existing buildings as labeled along with the topography on the site. The site is situated at a ridge line on the top of a mountain, and the site slopes downward in all directions from the mansion. The site has 18.139 acres and is known on the tax map as Block 100, Lot 17.03. Mr. Moschello pointed out the slopes that exist on the property and stated that most of the slopes around the buildings were man-made when the sight was re-graded many years ago. In terms of fresh water wetlands, there are no wetlands or state open waters on this property with only stream channels thousands of feet away from the top of the hill. There are no flood plains and no riparian zones on the property as well.

Mr. Moschello went on to discuss the sewer service area on Exhibit A-22. During the prior approval process, a waste water management plan amendment was required and obtained for the property, which created a sewer service area. The sewer service area delineates the limits of where any sewer generating buildings could be located. This was based upon the prior approval from DEP and has not been adjusted or changed. He stated that this is a constraint that continues to limit where sewer generated structures can be located on the property.

Mr. Moschello displayed his next exhibit previously entered as A-18 from the March 17, 2021 hearing and entitled “Proposed Site Development Rendering” dated August 19, 2015. He stated that this project was initially intended to keep the existing mansion and school wings with the development of a townhouse product around the site. The original project consisted of 53 age-restricted units – 30 units built as condos in the existing buildings and 23 townhouse units. There were also amenities such as a pool and tennis court along with a large parking garage that was going to be constructed underground in the courtyard area. Under the prior approvals, there was a series of waivers and variances that were granted for the project, which included:

- A waiver for steep slope disturbance.
- A waiver for grading within 10 feet of the property line for the septic treatment plant.
- A waiver for placement of stormwater catch basins on roads greater than 8 percent at 45-degree angles.
- A waiver for tying roof drains directly into drywells from the townhouse units.
- A waiver for installing curb along an existing road that did not have curb on it previously.
- A waiver for parking in the 80-foot setback around the perimeter of the project for some of the parking spaces.
- A variance was granted for the setback for the treatment plant building from the property line and for the water booster pump station, which is not shown on this exhibit from the property line on the western side of the site.
- A variance was granted for the garages for their setbacks.

Mr. Moschello confirmed that as part of the prior approval in 2015, the only buildings being preserved were the main buildings. The barn building, the barracks, Fatima Hall and the gym were all going to be removed.

Mr. Monaghan inquired if a comparison was conducted of impervious coverage between the original plan and the new plan. Mr. Moschello stated that he does have those calculations and will discuss this later on in the hearing.

Mr. Moschello displayed his next exhibit, which was previously entered as A-19 and entitled "Site Plan Rendering" dated March 17, 2021. This is for the proposed application that is currently being heard before the Board and that this is an application for Preliminary and Final Major Site Plan approval with some design waivers and a variance. The main components of the plan are that the existing buildings will be demolished and removed from the site. A total of 10 townhouse buildings will be constructed, which will include a total of 44 units. These will be market-rate and not age-restricted units and that there will also be site improvements, which would be the access road, utilities, landscape, lighting and stormwater components along with the septic treatment systems and water distribution systems that are associated with this particular development. Some of the pavement for the access road will also be retained.

Mr. Moschello continued to say that that the proposed townhouse buildings themselves will be two-story townhouse units with two-car garages on the first level with some units having a walk-out basement and others with a standard basement. There will be a walkway to an angled foyer or entry point, which then goes into the building itself. In the rear, there will be a patio or deck or both depending upon the walkout condition in the back of the home sites. He went on to say that the units themselves are approximately 3,400 square feet in size and that all the units are proposed to have four bedrooms. The townhouses comply with the 35-foot height requirement for the zone.

Mr. Moschello described the new internal site circulation of St. John's Drive with the construction of "Road A," which runs both in a westerly and easterly direction to two cul-de-sacs and are designed per RSIS standards. The cut-in road coming up from St. John's Drive is approximately 8 ½ percent at its steepest point, which is well under the RSIS maximum permitted of 14 percent. The slopes on Road A are no greater than 5 percent at any given point. There are also 25 visitor parking spaces proposed, which is required by RSIS regulations, and the driveways have a minimum width of 20 feet and a minimum length of 20 feet as well, though some are longer. He stated that there is ample room to park two cars in the garage and at least two cars on the driveway in order to meet the RSIS parking requirements of 3 ½ spaces per unit. Mr. Moschello went on to say that Road A is 24 feet wide, which meets the RSIS roadway standard for having a road with pull-in parking and that there is no parking on the road itself.

Mr. Moschello discussed emergency access to the site with main access coming up St. John's Drive to a T intersection. At the end of the eastern cul-de-sac, there is "Road B", which is a 15-foot-wide access road to the sewer utility building (Building K on the plan) and also connects into the Mosle preserve road network that leads out to Carriage Hill Road. He stated that there will be a bollard with a chain, which will allow for emergency services access into the sight. Road B is the emergency connection out to Carriage Hill Road per the RSIS requirement. Furthermore, a portion of what was called St. John's Drive on the northern side of the site will provide access to the booster pump station and the backside of a number of the units for fire truck access. This Road B is in good serviceable condition and drivable today and that once the utility cuts are complete, those utility cuts would be repaved. Also, a stabilized turf access road will be added behind Units 1-7 for emergency access to those units as well. He referred to Exhibit A-20 in order to show access to the Road B and clarified that the applicant owns that portion of St. John's Drive. Mr. Moschello continued with Exhibit A-19 and discussed pedestrian circulation on the site with a sidewalk proposed on the northern side of Road A from the western cul-de-sac all along the road to the eastern cul-de-sac. RSIS only requires sidewalk on one side of the road. He went on to state that the 44 townhouse units require 106 parking spaces; however, there are actually 179

parking spaces proposed - 25 surface spaces, 66 driveway spaces and 88 garage spaces based upon the RSIS calculations. He also explained that because each of the units has its own driveway and garage, the visitor spaces do not have to have an ADA space associated with them.

Mr. Moschello discussed the site grading and stated that the project site is graded along the ridge line of the existing site, which allows for a number of units to have walkouts as shown on the grading plans that were submitted with the application. There are 33 walkout units on the project and 11 basement-only walkout units. He explained that the application will create about 10.6 acres of disturbance while the prior application was creating over 11 ½ acres of disturbance. There are also a few retaining walls on the project – one on the entire western cul-de-sac side with a guide rail, fencing and shrubs for fall protection and a smaller retaining wall on the eastern cul-de-sac side, which is about 2 – 3 feet in height. There is another small retaining wall by the sewer treatment building (also 3 -4 feet in height) and another two smaller retaining walls by Unit 8 and Unit 38. There will also be smaller walls at some of the patios behind some of the units themselves.

Mr. Moschello went on to discuss the landscaping and lighting on the site plan. Street trees are proposed along the St. John's Drive extension on Road A as well as some ornamental trees in both the front and rear of the units. There will also be some shrub massing on top of the retaining walls along with some detail foundation plantings that will be installed at each of the units. In total and in accordance with the ordinance, there were going to be 199 trees removed on the property with a replacement requirement of 228 trees. Based on the proposed landscaping plan, there will be 264 trees planted on the property, and there will also be shrub plantings along the bio retention basins for stormwater management. Mr. Moschello went on to say that there are only seven light fixtures being installed on Road A, one at the intersection, one at the end of each cul-de-sac and one at each of the parking areas in order to provide low-level residential lighting for the development. The lights are dark-sky compliant and shine down.

Mr. Moschello went on to discuss the project utilities plan and began with the sewer system and its design and components. He added that the approvals for the sewer system were previously received from the 2015 application. The first component is the sewer service area, which designates where sewer generating structures can be located and that all the townhouse units are located within that sewer service area. He went on to say that the units are serviced by a gravity sewer system, which collects the effluent from the units and conveys it down to the sewer utility building, which is in the northeastern portion of the site (Building K). The effluent goes into the tanks in the ground at this location and pumped into the sewer utility building where the gravel wetland filter area treats and cleans the effluent. Once it is treated, the effluent is considered clean water and then pumped up to the groundwater recharge areas and discharged into the ground. This whole system was designed and previously permitted with the DEP. Mr. Moschello clarified that there were three permits required:

- A waste water management plan amendment, which was received for the sewer service area.
- A NJPDES permit for the discharge of the treated effluent to the ground.
- A treatment works approval, which approved the gravity system and the design of the treatment on the northeastern portion of the site.

Mr. Moschello stated that the waste water management plan amendment and the NJPDES permits are still valid but that an updated TWA permit with the DEP is required because the gravity system has changed from the last application.

Mr. Moschello continued with a discussion regarding the water distribution system. He referred to the western side of the plan where a proposed pump house is located and that the existing water system on the property today is actually serviced by well that is located in the park property. That well is pumped up to the existing buildings, and this was the water service that was provided for the existing buildings on the campus. Just adjacent to the property in Peapack-Gladstone on top of the sheep hill is the New Jersey American Water System and the sheep hill tank, which is approximately a million-gallon water tank. Unfortunately, the elevation of this tank is below the elevation of the highest point on the site, and therefore water cannot be sent via gravity to the site for the development. This was also true for the prior application that was approved. It is proposed to install a booster pump station near a current 12-inch main that stops at the municipal boundary line. The booster pump station will be designed to provide water service to a distribution network of pipes along the old St. John's Drive then come into the site and go down Road A. The distribution pipe will be an 8-inch diameter pipe that will also be connected to both the fire hydrants as well as all domestic services for the 44 townhouse units. The booster pump house itself is being designed by one of the applicant's consultants, and Mr. Moschello described its design and mechanics along with what it will provide in terms of water flow to the site. He also stated that there is going to be a generator adjacent to the pump house for backup electrical power in case of a power outage on the site. He stated that it is his understanding that there is also a generator for the sewer treatment plant but that he will confirm this with the engineer designing it. Mr. Moschello also confirmed that there will be sprinkler systems in the individual units and that the water distribution system will be more than adequate to handle the flow. He also clarified that there is not a separate system from fire and domestic – they use the same pipes to obtain the water flow.

Chairman Giordano inquired as to whether there is already an agreement in place with NJAWC for the tie-in of water onto the site. Mr. Malman responded that he is aware that his client has been in discussions with them but that he cannot give a direct answer in terms of where this stands with NJAWC.

Mr. Moschello continued his discussion with electric, telephone, cable and gas hookup. He stated that the applicant is in contact with the various utility companies to determine how best to service the sight. The electric under existing conditions comes in from two different locations. The main primary power is brought in from the Mosle preserve from Carriage Hill Drive with a secondary electric from the south as well. Telecommunication runs in from the south from two different locations, and he stated that there is actually gas on St. John's Drive but that it stops short of the project site. He stated that the power does have to be extended from the Mosle side because it is a three-phase power, which is needed for the pump station and the sewer treatment plant. Once more information is obtained after meeting with the utility companies, the Board will be updated at the next hearing with the status of the utility connections.

Mr. Moschello went on to discuss the stormwater management system. He stated that in terms of stormwater on the site there was a detailed stormwater management system that was designed as part of the prior approval. The Township's environmental consultant, Princeton Hydro, was very much involved with this design at the time. However, since the project was reduced to 44 townhouse units and because the development envelope would be kept generally within the same disturbance limits, the design of the majority of the stormwater management system could be reused. He stated that this application is under the "prior" stormwater regulations (prior to March 2, 2021) since the project was deemed complete before the new ordinance was put into effect. However, much of the design is based upon water quality requirements that actually fall under the new rule as well.

Mr. Moschello continued to discuss the facilities that are presently onsite. He stated that there are three surface bio-retention basins, which he pointed out on the exhibit and that these basins treat water quality for the impervious surfaces that are the roads on the project site. He went on to say that there are also five underground basins on the property that will be used for infiltration or detention and pointed them out on the exhibit as well. He described how the water is treated in the bio-retention basins and the underground basins. Mr. Moschello stated that what is not shown on the exhibit is the piping network that is on the utility plans that connects the runoff from the roads and some of the roofs and directs it into these facilities for treatment recharge and attenuation. He went on to say that in accordance with the requirements of the code, the proposed flow must be reduced leaving the site and that the report that was submitted shows how the applicant is in compliance with these requirements.

Mr. Moschello explained that a major addition in the new stormwater regulations was the green infrastructure. This basically modified the size of the drainage areas that can go to the detention basins from paved services etc. and that this project is generally in conformance with this requirement. In terms of what is different from the old stormwater regulations, some of the criteria for soil testing was changed in the new stormwater regulations that would have to be conducted on a project site. The soil testing that was done on this site was conducted back in 2015 and 2016 under the prior rules. However, the design, in general terms, fits in with the new rules from a green infrastructure perspective.

Mr. Buzak stated that under the new stormwater regulations there are requirements for multiple basins of a smaller size spread out over a site. He inquired how this would have affected the design that is currently proposed. Mr. Moschello responded that because of the way this site was originally laid out in 2015 and 2016, there was forward thinking in a sense that there is that multiple basin layout already occurring on the property. As a result, this already falls into that green infrastructure, small drainage area category idea for the development portion on this project as opposed to having just one detention basin. Mr. Buzak explained to Mr. Maglione that this application was deemed complete prior to the effective date of the ordinance adopted by the Township Committee implementing the new stormwater regulations.

Mr. Moschello continued to discuss how this particular lay out compared to the prior application in terms of the overall lot coverage on the site. He explained that the Re-Use of Existing Buildings zoning ordinance allows up to a maximum lot coverage of 218,000 square feet. The prior application that was approved in 2015 was just under the 218,000 square feet (217,171 square feet) in terms of impervious lot coverage. The current application is slightly less than this – being 215,997 square feet, which is 1,100 square feet less than the prior application in terms of overall lot coverage. Also, a good portion of St. John's Drive is being preserved for emergency access, which was part of the prior application and is still part of this application and that this is existing impervious that is remaining on the property and included in that 215,997 square-foot number.

Mr. Moschello went on to discuss some of the other zoning criteria. He stated that the project complies with the building setback requirements, bulk zoning requirements, building height, etc. except for the variances for the pump station and sewer utility building. He went on to say that there are five design waivers that are being requested as part of this application. He displayed his next exhibit entitled "Overall Grading Plan" marked as Exhibit A-23, dated April 21, 2021. Mr. Buzak explained for the benefit of the Board members and the public the meaning behind the term "waivers," which are really exceptions under the Municipal Land Use Law. These exceptions are a lesser standard than a variance standard. The waivers or exceptions are as follows:

1. Steep slope exceptions from three of the steep slope categories
 - 0-10% range - no exception required

- 10 – 15% range - 25% is allowed - requesting 53.8% disturbance
- 15- 25% range – 15% is allowed - requesting 46.3% disturbance
- 25% and greater – 5% is allowed -requesting 28.3% disturbance

Mr. Moschello stated that while these numbers seem high in comparison to the slope disturbance range, the slope areas being disturbed are primarily within the areas that were previously graded and disturbed on the subject site when this property was graded and created in the early 1900's. The perimeter slopes on the outside of the loop road area will not be disturbed. Ms. DeMeo opined that since the man-made slopes are nearly one hundred years old that they should no longer be considered man-made. Steep slope disturbance regulations are in effect for a reason and that the project is seeking to disturb five times the allowable limit for the steep slopes greater than 25 percent. Mr. Moschello confirmed that the applicant is requesting the higher disturbance limits since the project requires that these areas need to be disturbed in order to grade out the site. He added that the request for relief of the slope disturbance numbers stated are actually slightly less than what was granted for the prior application. Ms. DeMeo reiterated that she is not comfortable with the amount of disturbance being created with this project. Mr. Moschello explained to Mr. Mayer's point that by taking out the steeper areas and grading in flatter slopes, erosion concerns are potentially eliminated that could have occurred on those steeper slopes. The flatter slopes graded into the existing topography would minimize sediment transport and erosion runoff from the site, especially after everything is stabilized and the buildings are constructed. He stated that by removing the slopes and retaining an undisturbed perimeter around the site protects the downstream areas from any erosion impacts that could occur during construction.

Mr. Buzak stated that it is important for the Board to understand that this Board is not bound by decisions that were made by a previous Board nor are the members who are still on this Board bound by the vote on any particular matter that previously occurred.

Mr. Moschello continued with the exceptions being requested:

2. Exception for the placement of cut and fill or grading within ten feet of the property line. This has to do primarily with the construction of the treatment facility and is consistent with what was previously approved.
3. Exception for the angle of two storm inlets (side hill type catch basins). This is consistent with what was previously approved.
4. Exception from the requirement of having the roof drains from the townhouse buildings be directed to dry wells. He further explained that there is not more flow as a result of this but less flow by letting it naturally absorb into the lawn and wooded areas, and he explained the reasons why this is the case.
5. Design exception (he referred back to Exhibit A-19) for the installation of parking spaces in the front, side and rear setbacks of the lot.

Mr. Moschello stated that the variance being requested (again referred to Exhibit A-19) is for the setbacks for the two accessory buildings from the property boundary where a minimum of 80 feet is required and the sewer utility building is 26 feet from the property boundary. This is the same setback that was on the prior application and that its location on the plan is on the lower side of the property making it possible to gravity-feed the effluent from the units to the tanks that then

flow into the sewer utility building. The effluent is then pumped through the wetland gravel filter beds to be treated before it is pumped up to the recharge beds.

Mr. Moschello stated that the other accessory building requiring setback variance relief is the booster pump station on the western side of the property. This is located 39.3 feet from the boundary line where a minimum of 80 feet is required. Its location is attributed to the necessity of being within a certain distance of the connecting point with the existing 12-inch main. Mr. Moschello stated that there would be minimum noise generated from both buildings.

Chairman Giordano inquired about the spillage off of the site from the street lights being proposed, and Mr. Moschello responded that there are seven lights and that they are along Road A with none coming up St. John's Drive. He stated that there will be no lighting spillage off of the property.

Mr. D'Emidio inquired about the size and construction of the pump house and sewer building. Mr. Moschello responded that he will have to check with the engineers who are designing the buildings and will report back regarding this question. He stated that the pump house building is 30 feet long and 12 feet wide with a height of about 12 – 15 feet and that the sewer building will be 17 feet long and 20 feet wide with a height of 15 feet upwards to 18 feet high. He confirmed that there will be screening around it.

Mr. Moschello displayed his next exhibit entitled "Construction Staging Exhibit marked Exhibit A-24, dated April 21, 2021. This is a composite of the upper portion of the project site showing the connectivity to what is St. John's Drive to Mosle Road. He discussed the overall construction "staging" of the project and the maintenance improvements along St. John's Drive that is being proposed as part of this application. Mr. Moschello stated that the site plans that were submitted with the application shows the widths of the existing pavement along St. John's Drive to Mosle Road when the surveys were completed in 2015 – 2016. The road varies in width anywhere from 15 – 22 feet; however, there is a lot of overgrowth that has encroached onto the road over time so the road is actually wider in many areas. Mr. Moschello went on to say that the pavement along St. John's Drive is deteriorating and has been patched over the years. Back in 2015, the geo technical engineer conducted ten pavement cores up and down St. John's Drive to determine the thickness of the asphalt, and as a result, it was discovered that the asphalt is in the 2- 5-inch range. This asphalt is on top of a hard sub base for the road, which is in good condition with only the 2 - 5-inch asphalt on top that is deteriorating. Mr. Moschello pointed out the site improvements on the plan and stated that the existing building will be demolished first before any site work begins on St. John's Drive. He stated that a consultant will testify in more detail the terms of the demolition of the buildings. Once the buildings are demolished, efforts will be focused on starting the site work and also focusing on the maintenance work along St. John's Drive beginning with the removal of the overgrown vegetation along the edges of the road. Also, in areas where the pavement does not meet the 20-foot width, there will be some edge repair in order to extend it to 20 feet. Once the existing asphalt and pavement is exposed, then the 2 – 5 inches of asphalt will be removed and taken down to the hard sub base that currently exists. While this is being accomplished, the old guide rails will be replaced with new NJDOT standard guide rails. Mr. Moschello went on to say that there will also be some drainage improvements in front of some of the residences that have some erosion occurring in front of their homes – specifically Lot 6.01 and Lot 4.03. He went on to describe some of the other maintenance improvements planned for St. John's Drive and stated that once the road is milled, there will be 4 inches of asphalt put on top of the existing stone base for the interim while the construction is being conducted on the project sight. Once the majority of townhouses are constructed and completed, the developer will then make repairs that need to be done on the 4-inch interim asphalt and then pave it with a top 2-inch final surface course. When completed, there will be six inches of new asphalt on St. John's

Drive, which is in excess of what is currently there along with perhaps some final grading on some of the edges of the lots.

Mr. Maglione inquired as to how the Board can review site improvements on St. John's Drive and grant approval when it is in a different municipality. Mr. Buzak clarified for Mr. Maglione that one of the concerns that this Board needs to consider is access to the site itself. Since this is the only access allowed, the Board has the right and ability to impose upon the applicant certain requirements to the extent that Peapack/Gladstone municipality (where the road is located) can assert their jurisdiction. If Peapack/Gladstone does not want what Mendham Township has imposed to be accomplished there, then the applicant must return to the Planning Board. The Board's objective is to provide an access way to the site within Mendham Township that is the subject matter of this application. He further discussed the implications of Peapack/Gladstone's jurisdiction over St. John's Drive and stated that it is a complicated issue and that it is a matter of the applicant working through this situation with the Mendham Township Planning Board, Peapack/Gladstone and the fact that it is a private road that they own that will be in a different municipality. Hopefully, the three different interests will converge to a consensus, and if it does not, it would then have to be worked out. Mr. Buzak went on to say that he believes the residents along St. John's Drive have easement rights to utilize the road in order to access their property with no obligation to maintain the road. Mr. Malman confirmed this and stated that the maintenance obligation runs with the property owner. Mr. Moschello stated that there will be no striping on the road with only a Stop sign at the end of St. John's Drive at the Mosle Road intersection. Mr. Baio opined that the road is treacherous and that he is glad of the improvements that are being proposed. There was some further discussion regarding possible improvements to the site distance to the left at the Mosle Road intersection. Mr. Moschello stated that he will look at this in more detail for discussion at the next hearing. He also confirmed that all of the conditions he discussed were in the prior resolution from 2015.

Mr. Moschello stated that from a third-party approval perspective, there are a number of approvals that are required, which are as follows:

- Morris County Planning Board approval, which has already been received.
- Morris County Soil Conservation District, which is still pending.
- NJDEP Waste Water Management Plan amendment, which was already approved for the project.
- NJPDLS was already received for the project and will not be changing.
- NJDEP TWA will be required for this project and if the Board approves the project, the applicant would submit for that permit with the proper endorsements.

Ms. DeMeo stated that in the EIS, it was indicated on Page 16 that a request for information regarding threatened and endangered species was sent to the Natural Heritage Program. She inquired as to whether the applicant has received a response back from them. Mr. Malman stated that the applicant's consultants are preparing an addendum to the EIS that will address this. He stated that the report was received from the Natural Heritage Program and that it will be submitted.

Mr. Moschello addressed the reports from the Board's professionals and the comments from the various committees. At this time, these reports and comments are still being reviewed and that he is working with some of the consultants on some of the items in order to respond to those comments.

Mr. Monaghan inquired whether the applicant can reach out to the First Aid Squad in addition to the Fire Department in terms of emergency services to the sight. Mr. Malman responded that

the applicant can certainly do this. Chief Johnson stated that he would also follow up on this as well.

There were no further questions for Mr. Moschello from the Board members or professionals. Chairman Giordano entertained a motion to open the meeting to the public for the sole purpose of cross-examining Mr. Moschello on his testimony. A motion was made, and it was seconded. All agreed.

Mr. Roger Thomas stated that he is the attorney representing Peapack/Gladstone. He inquired about the standard that would be used to repair St. John's Drive. Mr. Moschello responded that it is a pavement thickness that is based on a 4-inch base course and 2-inch top course and has a good sub base per the geo tech cores performed by a geo technical engineer back in 2015. There were further questions with regards to the sufficiency of pavement thickness that is being proposed and what the RSIS standards require, and Mr. Moschello stated that the RSIS standards do not apply in this case. He explained to Mr. Thomas why RSIS standards are applied further up on top of the hill since it is a new road and that this new road needs to comply with RSIS standards. The existing St. John's Drive does not have to meet the RSIS standard. Mr. Thomas continued to question Mr. Moschello regarding the cores that were performed on St. John's Drive, and Mr. Moschello explained that the sub base of the road was solid based upon the core samples. Mr. Moschello stated that more cores would offer a more representative sample of the underlying sub base and that should a future core indicate a less than solid sub base then the applicant would remedy this before the final paving.

Mr. Thomas questioned Mr. Moschello with regards to the width of St. John's Drive and what the proposed paving plans would be to accomplish a 20-foot width as planned. Mr. Moschello explained some of the aspects of what would need to be done, and there was further discussion regarding the maintenance of the 20-foot road. He confirmed that there is no proposal for curbing on St. John's Drive. Mr. Thomas inquired whether the 18-foot culvert at the top of the road would be widened to 20 feet. Mr. Moschello responded that in that particular location the width of the road for that small section would be reduced to 18 feet and explained the reason for this. He believed that the culvert has been there since the construction of the road (early 1900's). Mr. Thomas questioned the structural integrity of the culvert and asked Mr. Moschello to expand the proposal to replace the guard rails. Mr. Moschello explained where the guard rails would be replaced and that they would be located on both sides of the road.

Mr. Thomas inquired as to when road repairs would begin on St. John's Drive. Mr. Moschello responded that the idea is to demolish the buildings first. Once the demo work is completed and site work commences, then repair work would begin on St. John's Drive. Mr. Thomas inquired as to the trucking of the material out of the site and whether the emergency access road, which is in good shape, should be used for trucking the materials out of the site. Chairman Giordano interjected and stated that the emergency access road is not an option and that it is more logical that the trucking of materials offsite should be conducted on St. John's Drive since it is proposed that this road will be repaired and repaved once all of the materials have been trucked offsite. Mr. Malman added that the emergency access road cannot be used for construction access since the applicant does not own that road. There is an easement, which allows it to be used for emergency access only and that he provided a copy of the easement to Mr. Thomas. Chairman Giordano made his position once again clear on the use of St. John's Drive for offsite trucking and not the emergency access road. In responding to Mr. Thomas' questions with regards to the offsite trucking access, Mr. Moschello stated that he would prefer the trucking be conducted on the road that is in poor condition since it will be repaired as stated and that once it's repaired it will then be in good condition as opposed to using a good road that can end up being damaged during construction.

Mr. Thomas inquired about the noise from the pump house, and Mr. Moschello responded that there are consultants working on this and that there will be some level of insulation in the pump house, which would provide some noise reduction. There was some further discussion with regards to the noise from the larger pumps. Mr. Thomas also inquired about the proposed lighting on the site and the impact it would have on the residents below the site. Mr. Moschello clarified that the distance from the nearest resident to the closest light is over 1,000 feet and that these lights are interior to the road network with a lot of vegetation, landscaping and buildings in between. The distances to the light source are so far away that any resident would see a very muted light from this stretch of distance. Mr. Thomas inquired as to whether evergreens should be planted for all-year coverage, and Mr. Moschello responded that he would confer with the applicant but that given the distances, he opined it would not be necessary to screen the lights themselves.

Mr. Thomas inquired as to the effects of tree removal on the residents, and Mr. Moschello discussed the applicant's intention of relying on the existing trees along with adding hardwood trees for some screening of the proposed townhouses. He confirmed that evergreens are not proposed and that this is outside the scope of the project.

Mr. Chris Goodrich at 4 Carriage Hill Drive inquired about the slope disturbance in the 25% category and whether this is in line with the deed of conservation easement from 2008. Mr. Malman responded that there is no conservation easement on the site that is being disturbed. He also inquired about the electric from Carriage Hill Road to the site, and Mr. Moschello confirmed that this is already existing.

Mr. Arjan Roganchi at 10 Brockden Drive had a comment, and Chairman Giordano declined to hear his comment since only questions are allowed for the witness.

Mr. Jordan Orlins at 6 Westminster Road inquired about the matter of traffic that the site would produce. Mr. Malman stated that a traffic engineer will be testifying at some point during the hearing.

Ms. Valerie Zoller at 20 St. John's Drive inquired about roof runoff, for which an exception is being sought along with two ground water holding areas on the westerly portion of the property and whether there is anything being done to prevent the ground water entering the wells of the residents at the top of St. John's Drive. Mr. Moschello explained that once the water goes into the ground it has already been treated by the treatment plant and is clean water. The treatment level standards for the site were approved by DEP in 2016/2017. Ms. Zoller inquired about the townhouse units with regards to height and level of stories, and Mr. Moschello stated that the architect will be testifying regarding the actual townhouse units themselves.

Ms. Zoller inquired about the lights on back of the townhouse units, and Mr. Moschello again stated that the architect would answer this type of question. She referred to the driveway entrance side of her own lot and inquired about the drainage ditch that is in her front yard. There was some discussion with regards to the drainage ditch.

Ms. Kathleen Campbell at 12 St. John's Drive inquired about how many plans are available regarding drainage on St. John's Drive. Mr. Moschello responded that there has been no analysis of drainage on St. John's Drive and that at some point there would be a meeting with the individual residents along St. John's Drive in order to discuss their concerns regarding the front of their individual home sites. She also inquired about the time line for construction, and

Mr. Moschello responded that at this point there is no exact time frame on when the final pavement would be done.

Mr. Ed Coury of 87 Mosle Road inquired about the sewage treatment plant and stated that as a resident abutting to the site that he is concerned about the odor. Mr. Moschello stated that there are no open tanks with no effluent to the air, and he explained the design of the sewer treatment plant and how it functions. Mr. Coury also inquired about the electric, which would be running from Mendham Township and asked whether a utility easement on his property would be used for this purpose. Mr. Moschello responded that the applicant is currently in discussions with the utility companies to determine this. Mr. Coury also inquired about any restrictions on potential inground pools on the site. Mr. Moschello responded that it is his understanding that typically homeowner associations restrict this in their by-laws and that in townhouse developments such as this one, improvements in backyards are very, very limited.

Mr. Anthony Reitano of 3 Carriage Hill Road inquired about the discharge from the sewer treatment plant with questions and ensuing discussion regarding standards that must be met for discharge along with the monitoring of the sewer plant. He also inquired about the monitoring wells around the site, and Mr. Moschello stated that testing was conducted in 2015/2016 and that there were permits obtained by the hydrogeologist who did the work for the testing that was done. He went on to say that he does not believe the information was resubmitted on this application. Mr. Reitano opined that this should be part of the record since these permits are being relied upon as part of this application. Chairman Giordano asked Mr. Malman if he could submit these reports to Ms. Foley so that they would become part of the record. Mr. Malman confirmed that he would do this.

Mr. Reitano inquired about the height and stories of the buildings and referred to Plan 4 of 28. He asked about the basis for the height measurement of 34 ½ feet. Mr. Moschello responded that it is an average grade calculation around the four corners of each individual structure. There was some discussion regarding the average grade calculation to determine the height measurement for the townhouses, and Mr. Moschello stated that the architect will be testifying further on this subject. Mr. Moschello stated that there has been no tree elevation study done to determine what the impact of the removal of trees would have on the visibility of the new townhouses from the surrounding area. There was further discussion regarding Plan 8 of 24 with regards to the disturbance of a particular steep slope area and the removal of heritage trees on this steep slope area.

Chairman Giordano ended the public portion of the meeting because of the time (11:00 pm) and stated that Mr. Moschello will present himself again as a witness at the next meeting on May 19, 2021 so that Mr. Thomas, Mr. Kline and Mr. Reitano and any other member of the public can continue with their questions for Mr. Moschello.

Mr. Malman stated for the record that the meeting will be carried to May 19, 2020 at 7:30 pm via the zoom platform without further notice. He also stated that he would be agreeable to an extension of 30 days after the next hearing.

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

Chairman Giordano entertained a motion to adjourn the meeting. A motion was made, and it was seconded.

Respectively Submitted,

Beth Foley
Planning Board Secretary