

MANCHESTER TOWNSHIP PLANNING BOARD REGULAR MEETING MINUTES
MONDAY, DECEMBER 6, 2021
1 COLONIAL DRIVE, MANCHESTER, NEW JERSEY

The Regular Meeting of the Manchester Township Planning Board was called to order by Chairperson Barron at 6:00 P.M. on Monday, December 6, 2021.

A Salute to the Flag and Pledge of Allegiance was repeated.

This meeting has been advertised as required by enactment of the Sunshine Law.

ROLL CALL:

William Barron	Chairperson	Present
Felicia Finn	Vice Chairperson	Present
Rory Wells	Mayor's Designee	Present
James Vaccaro	Councilman	Present
Bill Foor	Member	Absent
James Teague	Member	Present
Frank Stavallo	1 st Alternate	Absent
Gregory Hock	Board Attorney	Present
Robert Mullin	Board Engineer	Present
Dan Bloch	Township Planner	Present

APPOINTMENTS AND OATHS ADMINISTERED:

1. Timothy Poss, Class IV Member of the Planning Board, term expiring December 31, 2024
2. Todd W. Luttman, Alternate #2 Member of the Planning Board, term set to expire December 31, 2021

MEMORIALIZATIONS:

Memorialization of a resolution approving a Minor Site Plan with Bulk Variances for Replacement of a Site Identification Sign

Block: 100 Lot: 23 36 Lacey Road

Applicant: Steve Clark and Greg Feld (on behalf of the Community Reformed Church)

Attorney: Nick Carlson, Esq.

Case #2021-00269

Approved: November 1, 2021

Mr. Hock: The Applicant proposed to remove and replace the existing sign with a new sign, which is slightly smaller. Through testimony provided, the Applicant proved that the positive benefits of the application outweigh any negative impact of this application, no negative impact on light, air and open space, and no detriment to the public good or Master Plan.

The LED sign would comply with the Township Ordinance and would be used primarily to display text messages to the public. The Applicant agreed that there would be no animations, no scrolling letters, no blinking messages, there would be no less than 8 seconds between messages, there would only be one message at a time. They testified that the new sign was also be beneficial because it can be adjusted for brightness during different times of the day.

Mr. Mullin: Added that the sign would be tied to the Amber/Silver alert system.

There were no further questions or comments from the Board Members

Motion to approve made by, James Vaccaro, seconded by Felicia Finn
ROLL CALL: Chairperson Barron-Yes, Ms. Finn-Yes, Mr. Vaccaro-Yes
Messrs. Foor-Absent, Teague-Yes, Wells-Yes, Stavalo-Absent

APPLICATIONS:

Preliminary/Final Site Plan Approval, 2132 Route 37 West
Block: 38 Lot: 4
Applicant: 2132 Route 37, LLC
Attorney: Keith Davis, Esq.
Case #2021-00267
Carried from September 29, 2021 meeting with notice required

Keith Davis, Esq., of Nehmad, Davis & Goldstein, attorney for the Applicant, began by asserting that this was an application for Preliminary and Final Site Plan approval for a 124 bed, 3 story, short-term acute care facility with associated site improvements to include parking, lighting, landscaping and sewage and water management. There would be no variances required and the use is permitted by the Redevelopment Plan adopted in September of 2020.

Mr. Davis said that the application would sound familiar to the members of the Planning Board and the public because it is an application that was approved by the Planning Board on January 21, 2021, but that an appeal was filed through the NJ Superior Court and the Applicant agreed to cease further litigation and make changes to the application to re-present to the Board. This is a new application and the Applicant was granted leave by the Court which allowed them to make a new application.

Some changes made to the application since they were last in front of the Board in January of 2021 were the following:

- Building Orientation on site
- Variance free
- Fully complies with the Redevelopment Plan

Professionals introduced as:

Engineer: Millis J. Looney, PE, CME
Architect: Barry Brommer, RA, AIA
Traffic Engineer: Nathan Mosley
Elena Ortiz: Chief Operating Officer of Spring Hills Post-Acute Center
Professional Planner: Tiffany Morrissey, PP

Required Notice to the public was provided.

Mr. Hock: Confirmed that the Board has jurisdiction to proceed.

Mr. Mullin was sworn in.

Mr. Bloch was sworn in.

Mr. Davis called Ms. Looney as the first expert. Ms. Looney was sworn in by Mr. Hock and her credentials as a Civil Engineer, being licensed in NJ for over 30 years and appearing before many other Boards, were accepted by the Board to provide expert testimony. There were no questions by the Board.

Mr. Davis: Were you engaged by the Applicant to do the engineering work on this project and provide professional engineering testimony?

Ms. Looney: Yes.

Mr. Davis: What is on the site currently?

Ms. Looney: Presented her first Board marked into evidence as A-1, which was Page 3 of 20 from the set of Engineering plans submitted for the Application and prepared on August 3, 2021. The Board showed that the property is 500 ft. west of Farm Rd., to the left of the Manchester Golf Center (driving range), to the east of Mavis and to the rear of the Residential neighborhood on Karen Ct. It is located in the HD-3A Zone and subject to the Redevelopment Plan.

Mr. Davis: Will there be 124 beds?

Ms. Looney: Yes, and 3 stories and 100 employees.

Mr. Davis: Is this a short term care facility?

Ms. Looney: Yes. There will be a 113 parking spaces provided, 107 of the spaces being regular spaces. The parking provided meets ADA requirements. The regular parking spaces will be 18 x 10 head to head, separated by curb, where 20 x 10 is generally required.

Mr. Davis: Was this in accordance with the provisions set forth in the Redevelopment Plan?

Ms. Looney: Yes. And the side setback provides shared access with Manchester Golf Center.

****Planning Board Waived this requirement****

Mr. Davis: Is there an easement?

Ms. Looney: Yes.

Mr. Davis: We will submit the easement to the Board for approval.

Ms. Looney: Access from Route 37 will use existing depressed curb and the parking lot will be in the rear of the property. The proposed circulation can accommodate Fire Trucks and tractor trailers.

Entered A-2 into the record as a depiction of other facilities they have.

Asserted that the lighting will comply with the Township Ordinance.

Entered A-3 into evidence as sheet 3 of 19 from the plans that were previously approved in January and drafted November 9, 2020, which shows the Generator that is now located in the rear, which was relocated from the parking lot away from the Residential neighborhood.

Mr. Davis: When would testing of the generator occur?

Ms. Looney: Only during regular business hours.

Asserted in reference to storm water management that, general measures are being utilized and that a front basin has been added for roof runoff. The basin would be piped underground to another basin in the rear. The Storm water plan provisions comply with CAFRA and have already been submitted for their review and approval.

She testified that additional "green infrastructure" provisions have been taken such as forest being preserved and an additional forest buffer being installed along with recharge basins underground throughout the site and the use of porous pavement.

A-4 was entered into evidence as the grading drainage and utility plan, which is sheet 4 of 20 in the Plans submitted August of 2021 for the new application presently before the Board.

Mr. Davis: Submitted A-5 as the Landscaping Plan, which was sheet 6 of 20 in the Plans submitted August of 2021 for the new application presently before the Board.

Submitted A-6 as the Landscaping plan page 6 of 19 from the previously approved plans submitted to the Board.

Ms. Looney: The Applicant is providing additional buffering between the project and the residential neighborhood. They had originally proposed 84 buffer plants and they are now proposing 146 buffer plants. Showed the area where the basin starts on the landscaping plan and showed the existing trees that are remaining.

Mr. Davis: The adjacent property owners to this buffer are the residential neighborhood?

Ms. Looney: Yes. The buffers will be on the applicant's property. The buffer land will be deed-restricted.

A-7 entered into evidence as the color Site Plan.

Ms. Looney asserted that 2 acres of forest preservation area are required and that 2.1 acres are provided. The buffer property will be deed restricted to remain as open space. Red Oak will be a good substitute for what was previously proposed. She testified that utility plans for water and sewer were approved, and Ocean County Planning Board had already approved the application.

Mr. Davis: Asserted that they had covered issues that were addressed in Mr. Mullin's Report.

Mr. Barron: Asked Mr. Hock and Mr. Mullin if they had questions. Mr. Hock had none, but Mr. Mullin wanted to know about the where the power transformer would be located.

Ms. Looney said that she was not sure yet and that would be up to JCP&L.

Ms. Finn: Asked what the regular business hours would be and when the generator and compactor testing would be during regular business hours.

Ms. Looney testified that the testing would be during normal business hours.

Mr. Davis said that Elena Ortiz would testify as to what the hours would be.

Ms. Finn asked if the generator and the compactor will be maintained and serviced at the same time.

Ms. Looney asserted that it would only be during normal business hours.

Mr. Wells asked about the landscaping in the rear.

Ms. Looney asserted that the roof drains are recharged in the ground and produce clean water.

Mr. Wells asked if there would be porous pavement required or if that is the applicant's attempt to go above and beyond what is required.

Ms. Looney said that it may be required.

Mr. Wells asked if it is a requirement under the new rules.

Ms. Looney: Yes.

Mr. Wells asked how much parking is being provided.

Ms. Looney said there would be 5 banks of parking in the rear.

Mr. Barron asked if any of the other Board members had questions. None had questions. Mr. Barron then asked for questions from the public.

Mr. William F. Harrison, Esq. of Genova Burns asserted that he represents Joseph and Gail Blythe, Barbara Pringley, Florence Marren and the Arbors Propco LLC.

Mr. Davis asked if Mr. Harrison's clients were present and only the Blythes were present.

Mr. Harrison asked if they submitted to CAFRA for a permit modification.

Ms. Looney said they submitted to CAFRA in March.

Mr. Harrison asked if these were the plans that were submitted to CAFRA.

Ms. Looney said that she was not sure because she did not do the CAFRA submission.

Mr. Harrison confirmed that the plans were last revised in August.

Mr. Looney said yes.

Mr. Harrison said that his clients appreciated all the changes made to the application to make it more conforming. He then asked about the parking.

Ms. Looney said there are 113 parking spots being provided.

Mr. Harrison asked where the employee parking will be designated.

Ms. Looney said that she was not sure and that all employees would not be there at the same time.

Mr. Harrison asked if this was an outpatient facility.

Ms. Looney said that they can convert some land to more parking if the needs are not met.

Mr. Harrison asked if all the spaces were 18 ft. long and if the parking spaces along the building would overhang the side walk.

Ms. Looney said yes.

Mr. Harrison asked how wide the sidewalk is proposed to be.

Ms. Looney said that the sidewalk would be made 6 ft. to accommodate walking space.

Mr. Harrison asked about the drive aisle

Ms. Looney said no.

Mr. Harrison wanted to know what control the Board has over making sure this was done.

Mr. Davis objected.

Mr. Hock said that they would not get resolution compliance.

Mr. Harrison asked if it could be made a condition of approval.

Mr. Hock said yes.

Mr. Harrison wanted to know what species of plants were being used.

Ms. Looney said that it would be an evergreen buffer with shade trees throughout the site to include Norway Spruce, Easter Red Cedar, Alagenal Viburnum.

Mr. Harrison wanted to know why borings were done.

Ms. Looney said that it was a part of the new storm water regulations from CAFRA.

Harrison: Does the current basin proposed on the plans comply with CAFRA?

Looney: Yes, they meet the criteria.

Harrison: Why is the large detention basin directed toward the properties to the east?

Looney: Because it's higher there but it's not where it flows. The storm water has to exit the site in the same way it did previously. It flows toward the Mavis retention basin.

Harrison: What is the elevation behind the building?

Looney: It is currently 74 and 72.25 is proposed.

Harrison: What is the elevation at the North end of the basin?

Looney: 76 exists and 72.25 is proposed to stay the same.

Harrison: Asked if the existing condition was directing storm water toward the neighboring properties why that could not be addressed as a part of this application.

Looney: The storm water has to exit the same way that currently exists.

Harrison: Would you consider doing a rain garden?

Looney: Said she was not sure what the benefit of that would be, and that it is not required.

Harrison: Wouldn't it prevent storm water from leaving the property?

Looney: Said that the proposed project meets both new and old storm water criteria.

Harrison: Asked about the sound levels.

Davis: Asserted that they will adhere to the NJ noise control act.

Harrison: Asked what the sound levels were for the proposed compactor and generator.

Davis: Asserted that they will adhere to the NJ noise control act.

Harrison: Asked about the proposed retaining walls.

Looney: Answered that the structural engineer would design the walls.

Harrison: Asked how high the retaining wall would be at the east.

Looney: Answered that the retaining walls would be approximately 8 ft.

Harrison: Asked which side of the vegetative buffer will the wall be on.

Looney: Said the wall would be closest to the facility and the buffer would be on the other side of the wall.

Harrison: Asked whether there would be a wall on top of the retaining wall.

Chairperson Barron: Asked if there were more members of the public with questions. There were none.

Asked if there were any more questions from the Board members.

Mr. Wells: Wanted clarification that the wall would be closer to the building and the tree buffer would be closer to the residents.

Looney: Confirmed.

Barron: Asked member of the public to come up.

Paula Kurtz of 885A Liverpool Circle asked about the generator as she is in the neighborhood that is in the back area where the trees are. Concerned about the noise.

Looney: Said that the generator was moved further away to accommodate the residents there.

Exhibit A-8 entered into evidence as the relocated generator (sheet 1 of 1)

Is the buffer zone from the parking lot 300 ft.?

Looney: Yes. 351.83 ft.

William Burris: We put the trees in that you asked for.

Barron: Closed the Looney testimony.

Davis: Introduce the Architect, Barry Brommer.

Mr. Hock: Swore in Barry Brommer, RA. Licensed Architect in state of NJ for 40 years.

Board accepted qualifications.

Davis: Asserted that Mr. Brommer was engaged by the applicant to prepare architectural plans.

Mr. Brommer: Confirmed.

Mr. Davis: Asked what the plans consist of and what is the building layout.

Mr. Brommer: Testified that a three story building is proposed with 124 patient rooms, 88,860 SF, ground floor approximately 30,000 SF and the second and third floor are approximately 29,000 SF.

Davis: Asked if single occupancy rooms were proposed.

Mr. Brommer: Confirmed.

Mr. Davis: There is a benefit of that from a patient standpoint?

Mr. Brommer: Confirmed.

Davis: Asked if these would be state of the art rooms with all the modern amenities available to provide the best recovery.

Mr. Brommer: Confirmed that. Pretty much a step above any other facilities out there. Extra measures are being taken to assure that above average service will be provided.

Mr. Davis: Asked about the dining services.

Mr. Brommer: Confirmed the dining services were above average.

A-9 entered into evidence as ground floor plan

A-10 entered into evidence as second floor plan

A-11 entered into evidence as third floor plan

A-12 entered into evidence as Building elevation

A-13 entered into evidence as other elevations

Mr. Davis: Asked whether the building provides a more desirable visual environment even though it doesn't have to because no variances are required.

Mr. Brommer: Confirmed that the building advanced that purpose.

Mr. Davis: Asked whether the project provided open spaces in the building itself.

Mr. Brommer: Confirmed that open space would be provided on the second floor.

Mr. Davis: Asked for a site analysis and entered A-14 into evidence as Landscaping Sheet 1.

Mr. Brommer: Testified that the landscaping plan allowed for a lot of screening. The building is just under 40 ft. high.

Mr. Davis: Asked whether there would be a screen to the building mechanicals.

Mr. Brommer: Confirmed that a screen would be provided to any mechanical equipment above the building.

Mr. Brommer: Did a line of sight from the Almonte property, which is the closest property to the project. A six ft. high fence is being installed for screening with an easement. Norway Spruce will be installed at 10 ft. but grow up to 40 ft. to 70 ft. They grow three feet a year. Additional buffer with trees closer to the building. Within 25 years from now you won't see the building because it is so densely vegetated.

He then spoke about the line of sight done from the Perez property because their property starts increasing elevation, which would be the same situation with the Norway Spruce. He said their line of site would be obscured with fence and the existing canopy of trees and shrubs. He confirmed that there would be adequate buffering.

Mr. Davis: Confirmed that there would be adequate buffering particularly with the adjacent neighboring properties.

Mr. Davis: Asked Mr. Brommer to confirm that there are no accessory structures that would need to mirror the architectural design of the principal building.

Mr. Brommer: Confirmed.

Davis: Asked whether there would be any wall mounted signage.

Mr. Brommer: Confirmed that there would be, and that any signage would comply with the sign ordinance. Showed areas on the elevation on the front of the building and asserted that there would be two areas on the front corner of the building that would be appropriate for a wall mounted building sign.

Mr. Davis: Will the appearance of the sign be similar to what was marked into evidence as A-2?

Mr. Brommer: Confirmed that.

Davis: Concluded questions for Mr. Brommer.

Mr. Barron: Asked whether Mr. Mullin, Mr. Hock or Mr. Bloch had question for Mr. Brommer and they did not. Questions were then opened to Board Members.

Mr. Wells: Asked Mr. Brommer to confirm that there were no plans for any amenities beyond the third floor.

Mr. Brommer Confirmed that.

Mr. Mullin: Asked what the second floor deck would overlook.

Mr. Brommer: Said that the second floor deck would overlook Rt. 37.

Mr. Mullin: Asked Mr. Brommer to confirm that the deck would be in the front.

Mr. Brommer: Confirmed.

Mr. Vaccaro: Asked what the plans were for the third floor.

Mr. Brommer: Said that it would be similar to the second floor with the rooms but it would not have a deck.

Mr. Vaccaro: Asked to confirm that the patients would not have access to the roof.

Mr. Brommer: Confirmed.

Chairperson Barron: Asked what the height of the building would be.

Mr. Brommer: Answered 39.6 ft.

Chairperson Barron: Asked where the location of the sprinkler room would be.

Mr. Brommer: Said that all mechanical rooms would be to the rear of the building.

Mr. Bloch: Asked whether the fence would be within the easement.

Mr. Brommer confirmed that.

Mr. Bloch: Asked whether the fence would be six feet along the entire property line.

Davis: Called Ms. Looney back up.

Ms. Looney: Testified that the fence starts near the front property line and continues.

Mr. Bloch: Asked if it was on the property line.

Ms. Looney: Said that it was very close to the property line.

Mr. Bloch asked if they were aware of the fences in front yard ordinance that requires they only be 5 ft.

Ms. Looney: Confirmed that it would comply.

Chairperson Barron: Opened questions to the public.

Mr. Harrison: Questions about screening to the residential properties.

How high will the spruce trees be planted and will they be planted all along the residential properties by Karen Court?

Mr. Brommer: Said the existing woods would continue to buffer the residential properties.

Mr. Harrison: Asked how tall the evergreens projected to be planted would be.

Mr. Brommer testified they were 10 ft.

Mr. Harrison: Asked if it was typical for these plants to grow up to three feet a year in sandy soil.

Mr. Brommer: Said that would be out of his expertise.

Mr. Harrison: Asked if the building would be visible from the second floor of the residences.

Mr. Brommer: Confirmed that it would be.

Mr. Harrison: Asked whether it would take several years for the trees to grow enough to obstruct the view of the building.

Mr. Brommer: Confirmed.

Mr. Davis: Called Nathan Mosley as a traffic expert.

Mr. Hock: Swore in Mr. Mosley.

Mr. Mosley: Partner at Shropshire Associates, licensed in NJ as a civil engineer specialized in traffic for 12 years, and testified before.

The Board accepted his credentials as an expert.

Mr. Davis: Asked Mr. Mosley to describe the traffic impact report.

Mr. Mosley: Said that it was done on September 9, 2021 and was a fairly common report describing the potential impact from the proposed project and asserted that this project could provide safe and efficient access. The intersections at both Buckingham and Commonwealth were studied and they used 2017 studies due to Covid.

The study was done during typical high times, 7-9:00 a.m. with the busiest being between 7:30 and 8:30 a.m., and 4-6:00 pm with the busiest being between 4:30-5:30 pm.

Made a note that this use works in shifts 7:00 am-3:00 pm being the busiest shift, putting arrival time between 6:30 am-7:00 am and departure a little after 3:00 pm.

Based off the number of proposed units, during peak hours, there would be approximately 24 trips in the am and approximately 32 trips in the pm. There will be more trips during off peak hours.

They also did a level of service analysis with Level A being minimal service delay and Level F meaning that you might have to wait a cycle or two to get through.

At the Buckingham intersection the current level of service is A and the proposed level of service is A.

At the Commonwealth intersection the current level of service is B in the am and C in the PM. The proposed level of service would be the same in the AM and in the PM. No discernible change will be seen.

The driveway location is under the jurisdiction of the DOT and is acceptable under DOT standards.

The On-site traffic has 24 ft. wide circular aisles with 113 parking spaces which meet the parking requirements.

Mr. Davis: Closed testimony from Mr. Mosley.

Mr. Bloch: No questions.

Mr. Mullin: Asked to confirm that this study was based off of 2017 conditions.

Mr. Mosley: Confirmed. There is approximately a 6-7% growth.

Mr. Mullin: Asked if this is based on DOT requirements.

Mr. Mosley confirmed.

Mr. Well: Asked where the most traffic would be.

Mr. Mosley: Yes. To the main entrance.

Mr. Wells: Asked if the main entrance was just a drive-by and no parking.

Mr. Mosley: Confirmed and that and the only parking is in the rear of the building.

Mr. Barron: Asked if when the study was done if it included the employees and the units.

Mr. Mosley: Said that it was only the number of beds.

Ms. Finn: Asked if there are outpatients.

Mr. Mosley: Said that he would defer to the operator of the acute care facility.

Mr. Davis: Confirmed. Based on the unit count. Asked if these counts include employees as well.

Mr. Mosley: Confirmed.

Mr. Harrison: Asked if they relied on ITE data for nursing facilities.

Mr. Mosley: Confirmed.

Mr. Harrison: Asked to confirm that the purpose of the facility is to treat and send the patients on their way.

Mr. Mosley: Confirmed.

Mr. Harrison: Asked if he contacted the operator and compared the number of employees and shifts to the nursing criteria.

Mr. Mosley: Yes. He had done 4 or 5 in NJ and this is the Land Use criteria that is most acceptable with assisted living.

Mr. Harrison: Asked to describe what is required to make a left into the site.

Mr. Mosley: Said that to east you proceed to Commonwealth and take the jug handle.

Mr. Harrison: Asked whether the same maneuvers are level E or F.

Mr. Mosley: Yes. There are some delays for the side streets that are existing that will continue.

Mr. Harrison: Can you quantify the change?

Mr. Mosley: The project will not add any left turn movements adding to the level F rating.

Mr. Harrison: Acknowledged that 2017 conditions were used because of Covid, but asked if he had looked at current conditions.

Mr. Mosley: Testified that he did not look at current conditions, but that in his experience counts were higher prior to Covid. Schools are open but work patterns have changed. Peak hours are probably lower now and higher in 2017.

Chairperson Barron: Opened to the public.

Paula Kurtz of 885A Liverpool asked about the intersection of Buckingham and 37 and the effect of the delivery trucks on that jug handle going into Leisure Village.

Mr. Mosley: Said that there would only be approximately one or two delivery trucks for food per week and that most others were the size of Fed Ex trucks. There are projected to be approximately 4 vehicles in the AM peak hours and 11 vehicles in pm peak hours using the Buckingham U-Turn.

Chairperson Barron: Closed questions to the public.

Mr. Davis: Introduced Elena Ortiz, Chief Operating Officer/Spring Hills Post-Acute Center as a witness.

Mr. Hock: Swore in Ms. Ortiz.

Mr. Davis: Asked how many facilities.

Ms. Ortiz: 32

Mr. Davis: Operating in how many states?

Ms. Ortiz: 6 states.

Mr. Davis: Asked how many facilities in NJ.

Ms. Ortiz: 8 facilities, 6 being assisted living.

Mr. Davis: Asked what type of facility this is.

Ms. Ortiz: Answered that it is a sub-acute rehabilitation center.

Mr. Davis: Asked to confirm that it is short term.

Ms. Ortiz: Confirmed.

Mr. Davis: Asked what the purpose is.

Ms. Ortiz: Clinical and physical therapies.

Mr. Davis: Emphasized that it is short term and asked if there would be out-patient.

Ms. Ortiz: Confirmed.

Mr. Davis: Asked how large the facility will be.

Ms. Ortiz said that she was not sure of the square footage.

Mr. Davis: Asked about the approximate number of patients.
Ms. Ortiz: Said approximately 10 per month.
Mr. Davis: Asked if the rooms were single occupancy.
Ms. Ortiz: Confirmed.
Mr. Davis: Asked if this would be beneficial to the patients.
Ms. Ortiz: Confirmed because of privacy and infection control.
Mr. Davis: Asked if all approvals were received.
Ms. Ortiz: Confirmed that all approvals would be attained.
Mr. Davis: Asked when the generators and compactors would be utilized and tested.
Ms. Ortiz: Between 8:00 am and 6:00 pm.
Mr. Davis: Asked if the generator would kick on at night during a power outage.
Ms. Ortiz: Confirmed.
Mr. Davis: Asked about the number of employees during the 3 shifts.
Ms. Ortiz answered that there would be approximately 65 employees during the 7-3 pm shift and 45 employees during the weekend.
Mr. Davis: Concluded Ms. Ortiz's testimony.
Mr. Hock: No questions.
Mr. Mullin: No questions.
Ms. Finn: Asked if there would be visiting hours on the weekend.
Ms. Ortiz: Confirmed.
Ms. Finn: Asked if there were enough parking spaces to accommodate that.
Ms. Ortiz Confirmed.
Ms. Finn: Asked with the deliveries would be.
Mrs. Ortiz: Said they would be during the week.
Mr. Vaccaro: Asked what the noise level of the generator and compactor would be.
Mr. Davis: Answered that it would comply with NJ noise control act.
Mr. Vaccaro: Asked how the noise of the generators would impact the patients.
Ms. Ortiz: Said that there would be no effect, non-disturbing and they have never had an issue.
Mr. Vaccaro: Asked if the noise was ever an issue at any other facility.
Ms. Ortiz: No. It there to provide electricity needed for care.
Mr. Brommer: Said there is a sound attenuation enclosure. At best, most enclosures are about 70 decibels measured 40-50 ft. away from the generator. 70 decibels is like a lawn mower. The generators will be approximately 115 ft. away from the residential property line.
Mr. Barron: Asked how often the generator gets tested.
Ms. Ortiz: Answered that they get tested daily.
Mr. Barron: Asked how long the testing takes.
Ms. Ortiz: Said that it takes a couple of minutes and they are on an automatic timer.
Mr. Barron: Asked if they run on propane.
Ms. Ortiz: Answered that they run on diesel.
Mr. Hock: Asked to confirm the number of employees and the shifts.
Ms. Ortiz: 7-3 pm- 65 employees during the week and 45 employees on the weekend, 3pm-11 pm 32 employees, and 11:00 pm-7:00 am approximately 17 employees.
Mr. Hock: Asked whether those employee numbers included all employees or just nursing.
Ms. Ortiz: Testified that these numbers included all employees.
Mr. Hock: Asked what the administrative employees hours are.
Ms. Ortiz: 9:00 am-5:00 pm for most. Some 8:00 am -4:00 pm.
Mr. Hock: Asked to confirm that some employees will arrive during peak hours.
Ms. Ortiz: Confirmed that some will.

Mr. Hock: Asked about how many.

Ms. Ortiz: Answered probably around 55 employees.

Mr. Hock: Asked how many truck deliveries daily.

Ms. Ortiz: Asked whether he meant FedEx and mailman too.

Mr. Hock: Asked about food deliveries.

Ms. Ortiz: Answered once a week.

Mr. Hock: Asked if there were any other deliveries.

Ms. Ortiz: Answered that medical supplies are delivered in a small van.

Mr. Hock: Asked what kind of truck food deliveries came in.

Ms. Ortiz: Answered that they come in a tractor trailer.

Mr. Hock: Asked how many visitors.

Ms. Ortiz: Answered approximately 9-10 at full capacity.

Mr. Hock: Asked about the number of visitors on the weekend.

Ms. Ortiz: Answered a few more.

Mr. Barron: Closed questions from the Board.

Mr. Davis: Concluded testimony and reserved the right to sum up.

Mr. Barron: Opened for Public comments and questions.

Mr. Harrison: Called Gale Blythe and Joseph Blythe and asked them to show the Board where their house was on the board provided by the applicant's engineer and to explain their concerns about the storm water basin.

Mr. Blythe: Said that storm water basins are not perfect and with more water comes more insects (mosquitoes).

Ms. Blythe: Said that other properties have mosquito problems, and it affects the use of their backyard.

Mr. Harrison: Asked whether there were storm water problems already existing.

Mr. Blythe: Said yes.

Mr. Harrison: Asked if they had noise level concerns.

Mr. Blythe: Said yes with the generator, compactor, and trucks and tractor trailers.

Mr. Harrison: Asked about the lighting impact.

Mr. Blythe: Said that the parking lot light lamps are high and wants to see pitch black and won't anymore.

Mr. Harrison: Asked if they thought that the landscaping proposed was adequate.

Ms. Blythe: Said no because it is a 40 ft. building and by the time the trees are big enough, she will be "in the ground" so they won't affect her. They are not tall enough, mosquitoes will go right through the trees and insisted that they should be required to spray for bugs.

Mr. Blythe: Mentioned a problem with trash control.

Mr. Harrison: Asked about a loss of privacy.

Ms. Blythe: Said that she likes to sit out in a bathing suit, spent a lot of money on a fence and patio, but the second and third floor will be able to see right into her backyard.

Mr. Harrison: Asked about fire issues.

Mr. Blythe: Said that there was no testimony provided that the fire department can handle a three-story building. He was concerned that they had the right size ladders and training.

Mr. Harrison asked if they were familiar with existing traffic on Rt. 37.

Mr. Blythe: Said that they use Farm St. or Commonwealth Blvd and it is not that bad at the moment.

Ms. Blythe: Said it is peaceful right now and they don't hear the traffic on Rt. 37. She is concerned about the ambulances noise and lights.

Mr. Davis: Asked the Blythes if Mr. Harrison was their attorney.

Mr. and Mrs. Blythe: Yes.

Mr. Davis: Asked if they knew who the Arbor was.

Mr. and Mrs. Blythe: Said yes that they own Silverwoods.

Mr. Davis: Asked if the Arbor was paying for the legal fees.

Mr. and Mrs. Blythe: Answered yes.

Mr. Davis: Asked if the Blythes were paying for the legal fees at all.

Mr. and Mrs. Blythe: Answered no because they could not afford it.

Mr. Davis: Asked if they understood that this is a permitted use.

Mr. and Mrs. Blythe: Answered yes.

Mr. Davis: Asked if they participated in the process when the redevelopment of the zone was done.

Mr. and Mrs. Blythe: Said no.

Mr. Davis: Asked if they received notice about the redevelopment of the zone.

Mr. and Mrs. Blythe: Answered yes that they received a letter that they were going to change what was going to be allowed to be built.

Mr. Davis: Asked whether either of them were storm water engineers.

Mr. Blythe: Answered no that he was a Chemist.

Mr. Davis: Asked if they heard testimony that this would be a dry basin.

Mr. Blythe: Answered yes, but that he didn't believe it.

Mr. Davis: Asked if they had any experts or reports to prove that the basin will not function correctly?

Mr. Blythe: Answered No.

Mr. Davis: Asked about the Blythes concerns about whether the fire department could handle it and whether they were aware that the Manchester Office of Emergency Management reviewed the plans.

Mr. Blythe: Answered no.

Mr. Davis: Asserted that the Department of Emergency Management had no comments at all.

Mr. Harrison: Do you have concerns about mosquitoes if the basin drains within 72 hours?

Mr. Blythe: Yes.

Mr. Barron: Asked if there were any more members of the public wishing to ask questions. There were none.

Mr. Davis: Asked if Mr. Harrison wanted to sum up.

Mr. Harrison: Raised concerns about:

1. Assumes that conditions will be applied to the application upon approval.
2. Additional handicapped parking to be provided.
3. The generator and compactor would be limited to the times indicated
4. Generator and compactor noise levels to be tested before they are installed.
5. Require that the applicant be required to comply with the new storm water rules because it is a new application
6. Would like to make the applicant do more to prevent a mosquito impact. Suggested that maybe the Township should inspect the property on a regular basis.

Mr. Barron: Called Mr. Davis to make summation.

Mr. Davis: Thanked the Board. Stated that this is a permitted use, by right plan of development and no variances are being requested. Nothing has been shown by objectors otherwise.

They have storm water management reports that comply. The applicant will adhere to the new restrictive regulations and the applicant has addressed all other legal requirements. The applicant mitigated a lot of the concerns raised by the residents.

Mr. Hock: Said there will be a list of conditions.

Mr. Mullin: Had no further questions or comments.

Mr. Wells: Thanked the applicant and the Blythes for appearing and asserted that he would be voting in the affirmative. He mentioned the comments made about Mr. Harrison's fees and that he also represents the residents and that he appreciates their concerns. Regarding the project, he

wanted to reiterate that the applicant is not asking for variances, he appreciates the adjustments made to the application and working with the neighbors, and that he understands the concerns of both sides.

Mr. Hock: Conditions as follows:

1. Undersized parking spaces allowed.
2. Parking setback waiver under redevelopment plan.
3. Outside agency approvals.
4. Deed restriction
5. Willow Oak will be replaced with Red Oak
6. Adjust the sidewalk to 6 ft. wide.
7. Will meet all requirements of NJ Noise Control Act.
8. Will provide appropriate railing on retaining wall.
9. Use of the compactor and generator will only be during business hours.
10. Deliveries will take place during business hours of 8:00 am to 6:00 pm.
11. Will comply with Mr. Mullin's letter.

Mr. Mullin: Said he will work with the applicant's engineer to provide the appropriate ADA spaces.

Ms. Looney: Confirmed.

Mr. Harrison: Asked to confirm that the generator would be tested prior to installation.

Mr. Mullin: Confirmed.

Mr. Barron: Called for a Motion.

Motion made to approve by, Rory Wells, seconded by Felicia Finn

ROLL CALL: Chairperson Barron-Yes, Ms. Finn-Yes, Mr. Vaccaro-Yes

Messrs. Foor-Absent, Teague-Yes, Wells-Yes, Poss-Yes, Stavallo-Absent, Luttman-Yes

APPROVAL OF MEETING MINUTES:

November 1, 2021 Regular meeting minutes

Motion to approve by James Vaccaro, seconded by Rory Wells

Roll Call: Chairperson Barron-Yes, Ms. Finn-Yes, Mr. Vaccaro-Yes

Messrs. Foor-Absent, Teague-Yes, Wells-Yes, Stavallo-Absent

PAYMENT OF BILLS:

Felicia Finn read in Bills as follows:

We are in receipt of ten invoices from Collier Engineering and Design total of 20.5 hours and an amount of \$3,515.80. We are in receipt of three invoices from Mr. Hock, ESQ for 6.75 hours and \$877.50. The total of the invoices is \$4,393.38.

The services are in support Correspondence; Application Review; Resolution Compliance; AND Preparation and Attendance at Planning Board Meetings.

Motion made to pay bills by, James Vaccaro, seconded by Rory Wells

Roll Call: Chairperson Barron-Yes, Ms. Finn-Yes, Mr. Vaccaro-Yes

Messrs. Foor-Absent, Teague-Yes, Wells-Yes, Poss-Yes, Stavallo-Absent, Luttman-Yes

PROFESSIONAL REPORTS: None

OPEN PUBLIC PORTION: None

CLOSE PUBLIC PORTION: Mr. Barron

MOTION TO ADJOURN: by Felicia Finn, seconded by James Vaccaro

ALL IN FAVOR

NONE OPPOSED

ADJOURNMENT: 8:23 P.M.

Respectfully submitted

Amanda Kisty
Secretary to the Board