

**PENNINGTON BOROUGH  
PLANNING BOARD MEETING MINUTES  
JULY 13, 2011**

Chairman Thompson called the meeting to order at 7:30 p.m. and compliance with the provisions of the Open Public Meetings Act was announced.

Board Members Present: Mark Blackwell, Jeanne Donlon, Joshua Levy, William B. Meytrott, Thomas Ogren, Mayor's Designee, Katherine O'Neill, James Reilly, Winn Thompson, Chairman. Absent: Eileen Heinzl, Anthony Persichilli, Mayor.  
Alternates 1 & 2 vacant.

Also Present: Allen Schectel, Acting Planning Board Planner; Carmela Roberts, Roberts Engineering Group, LLC; Edwin W. Schmierer, Board Attorney, Mason, Griffin & Pierson; John Flemming, Zoning Officer (left 7:45 p.m.), Mary W. Mistretta, Planning Board Secretary

**OPEN TIME FOR PUBLIC ADDRESS** – Mr. Thompson asked if there was anything that the public would like to address that was not on the agenda. There being no comments, the public portion of the meeting was closed.

**ZONING OFFICER'S REPORT**

Mr. Flemming reported that he has received a proposal for a Mexican restaurant that is locating in the former Cup of Joe's located at 20 N. Main Street. The space will be reconfigured to accommodate more seats and an external walk-in freezer is proposed in a covered area at the rear of the property. Mr. Flemming stated that he had checked with Mr. Wittkop and the existing grease interceptor is adequate for the proposed restaurant. The restaurant will be open for lunch and dinner. The Board felt that it was a good addition to the town and did not find any problem with Mr. Flemming approving it.

Mr. Thompson introduced Ms. Carmella Roberts of Roberts Engineering Group, LLC, the new Borough and Planning Board Engineer and Allen Schectel who was filling in for the Board Planner.

**APPLICATIONS**

**The Pennington School**, Block 502, Lot 4 and Block 205, Lot 1

Present: Daniel E. Haggerty, Attorney, Stark & Stark; Graeme McWhirter, The Pennington School; Herbert Seeburger, Van Cleef Engineering Associates

Mr. Schmierer announced that Proof of Notice and Proof of Publication were in order and the Board could take jurisdiction. Mr. Haggerty stated that he has been representing The Pennington School for approximately 30 years and it has been approximately three years since the Board granted site plan approval for the campus improvement project that will be discussed. The project includes the new synthetic turf field that has been installed with lights and bleachers, the softball field on Green Street which is completed and a proposed loop road with modifications to the entrance on the main campus. The amended site plan is to address a condition of approval in the resolution releasing the Performance Guarantee for the project and for modifications to the site plan. The condition is to relocate the bleachers for the turf field as reflected on the approved site plan. The applicant is also requesting to amend the size and position of the bleachers and requesting approval to go ahead with modifications to the entrance which were previously approved.

Herbert J. Seeburger, Jr., Van Cleef Engineering Associates and J. Graeme McWhirter, Chief Financial Officer, The Pennington School, were sworn in. Mr. Seeburger gave his qualifications which were accepted by the Board. Entered into Evidence was Exhibit A-1 Colored rendering of Site Plan 1-A. Mr. Seeburger explained the changes that are proposed and the approvals that the school would like to proceed with at this time. The applicant would like to move the dumpsters to the approved area at this time since they are in close proximity to the bleachers. The area would include the three dumpsters, concrete pad, fence enclosure, gates and landscaping as approved. There would be approximately two or three trucks per week going to the dumpster area before 7:00 a.m. to avoid conflicting with any other campus activity. The temporary stone road that goes behind Stainton Hall would be used to access the dumpster area. The road goes behind Stainton Hall where there is a parking area for eleven cars that was administratively approved for use by the previous Borough Engineer. The area is the same foot print that was approved and is restricted to staff. Mr. Seeburger stated that they are also proposing to construct the improvements that were approved for the entrance since the trucks would enter and exit on West Delaware Avenue. The improvements would include curb returns, sidewalks, cross walks and signage. The width of the access way varies, but would be widened to 18 ft. where it goes into the parking area.

Mr. Seeburger stated that the bleachers would be centered on the 50 yard line. The number of bleachers would be increased, but the rows will be reduced to five and have less impact on the parking area. Handicapped parking spaces will be provided and a handicapped ramp to the bleachers will be constructed. Mr. Seeburger stated that they are proposing to construct a free standing press box on the opposite field. The approved plans were for a press box that would be an integral part of the bleachers. The change is being requested to help eliminate the sun from shining directly into the press box and interfering with the video equipment. Entered into evidence was Exhibit A-2 – The Pennington School, Press Box Detail, an elevated view of the proposed press box. The overall height would be 24 ft. and the understructure would be constructed with steel angle irons in a grid pattern. There will not be any speakers or public address system mounted on the press box. Modifications have been made to the placement of the score board which has been constructed on the 20 yard line and placed at an angle for better viewing along the sidelines.

Modifications have also been made to the fence surrounding the field. A 4 ft. high black vinyl fence has been installed on an existing wall on the southern end of the field, where the approval called for a 6 ft. high safety fence and a matching fence has been installed on two sides of the field. There is an existing 6 ft. high chain-linked fence on the other side of the field and gates have been installed for security and to keep the ball in the field.

Mr. Haggerty suggested that they next review the comments in the professional memorandums from Roberts Engineering Group dated July 8, 2011 and Coppola & Coppola Associates dated June 28, 2011. Mr. Haggerty stated that they had originally requested a variance for the press box, but both Ms. Roberts and Ms. Coppola informed him that the press box was considered an accessory building and did not need a variance. Ms. Roberts had questions regarding the conditions of the 2008 site plan approval which were addressed and reports were being provided to Ms. Roberts to help in the transition of the files from the former Borough Engineer. Mr. Seeburger stated that Condition F of the resolution requires the applicant to test the infiltration rates and this has been done for the turf field and the rates were conforming. Ms. Carmella Roberts was sworn in. Ms. Roberts asked if there would be additional testing when the rest of the construction was finished. Mr. Seeburger responded that additional testing would be done during construction.

Mr. Thompson asked what hours the field was being used and Mr. Haggerty responded that it was being used 4:00 p.m. – 8:00 p.m. daily and up to 30 times a year. On a Friday or Saturday night the hours could be extended to 10:00 p.m., but only if there is an official game taking place. Mr. Haggerty stated that over 100 notices had been sent out regarding this hearing and no one has shown up to complain about the lights.

Mr. Seeburger stated that the pond has been tested in three different areas and the results were given to the former Borough Engineer and have been given to Ms. Roberts. In addition, the school hired the Geese Police and a report recently filed by them showed that there was a zero count of geese nests and eggs. It was suggested that the testing be submitted annually and Mr. Haggerty agreed.

Mr. Haggerty stated that he had e mailed Ms. Roberts a copy of the Deed of Easement along West Delaware Avenue which was a requirement of Condition K. Mr. Seeburger stated that he believes Condition M regarding bumper blocks has been met. In regards to Condition F, Mr. Seeburger will submit the periodic reports regarding inspections of the inlet located at the detention basin to Ms. Roberts. Mr. Haggerty stated that they agree to all the comments in Section IV of Ms. Roberts' memorandum.

Mr. Seeburger stated that in 2008 an environmental firm delineated the wetlands around the lake and along the railroad. The report was submitted to NJDEP and a LOI (Letter of Interpretation) was issued. The LOI stipulates that the channel below the outfall of the lake to the culvert that goes under the railroad is State open waters and a 50 ft. riparian buffer was required for this area. The area does not have any impact on the work being done.

Ms. Coppola reported on the need of trees to buffer the lights from the turf field in her memorandum of July 7, 2011 and feels that the existing trees provide adequate buffering. She reported that there was a dead tree in the corner by the track across from the Masonic Temple. Mr. Seeburger did not recommend replacing the tree in the same spot because of a problem with electric wires and suggested that the school plant another tree a little further back where it would not interfere with the wires.

Ms. O'Neill asked if there was a dumpster in the kitchen/dining room area and Mr. McWhirter responded that they recycle and the rest of the trash was brought to the dumpster area. Mr. Ogren had questions regarding the press box location which is 7 ft. from the field and he asked if it could be moved further back in the interest of safety for the players. Mr. Seeburger responded that it is right up against the existing fence, but they would move it back as far as they could. Mr. McWhirter stated that padding would also be placed on the press box. Mr. Blackwell asked if the school had any intentions of putting a crosswalk on Delaware Avenue by the tennis courts since a lot of children cross there and it is a busy road. Mr. Meytrott thought that the only way to prevent the students from crossing there was to put up a fence on the north side of Delaware Avenue between the sidewalk and the tennis courts. Mr. Schmierer asked about screening around the base of the press box since both professionals had commented on it. It was agreed that the bottom of the press box would be open and there were plenty of trees behind it for sufficient screening. Ms. O'Neill had concerns about the trucks navigating the curves at the beginning of the driveway and asked about the size of the garbage trucks that would be using the driveway and if the Fire Company had approved it. Mr. Seeburger stated that dump trucks used the driveway when the field was constructed and they were the same size as the garbage trucks. Mr. Blackwell responded that the Fire Chief had been on vacation, but the original plans were approved by the Fire Chief and there have not been any changes to the driveway. There was discussion

regarding the traffic backup that occurs on Delaware Avenue when students are being dropped off or picked up and when buses come from out of town. Mr. Riley questioned the use of the temporary parking area and driveway. Mr. Seeburger stated that the driveway was required since the construction trucks for the turf field were not allowed access from Burd Street. The area behind Stainton Hall had been packed down from the trucks and it was an opportunity to use the area to provide extra parking. The former Borough Engineer gave administrative approval conditioned on Mercer County Soil Conservation approval which was received.

Mr. Allen Schectel, Acting Planner, was sworn in. Mr. Schectel stated that he would like to address several comments in the Coppola memorandum of June 28, 2011. The first item was the suggestion that the Jersey barrier shown to exist along the edge of the stone driveway by the shed should be shown on the demolition plan as being removed when the one-way drive is built and the applicant agreed that this would be done. Another item was the indication in the Rider to the application that the prior approval included an addition to the library and to the gymnasium. Mr. Haggerty agreed that the wording regarding the additions was incorrect. The additions were proposed, but not approved because of the lack of floor plans and elevations. Mr. Schectel asked when the school would be doing the final improvements. Mr. McWhirter explained that it was originally the school's intention to raise money for all the improvements, but it was difficult with the change in the economy. He stated that they did receive money that was given specifically for the turf field. He stated that it was still important to them and when they could afford it they would like to go ahead with the project. Mr. Thompson asked if the campus would accommodate parking for all the students once the project was completed. Mr. McWhirter stated that the parking problems start when the juniors start driving towards the end of the school year and they have to park off campus, but he feels that the additional parking should make a significant difference.

Mr. Thompson asked Ms. Roberts what was being done at the intersection of Green Street and Delaware Avenue. Ms. Roberts stated that it was part of a Safe Streets grant. The intersection was being narrowed by building out the curbs to make a smaller crossing at the intersection and should also help in traffic calming. Mr. Thompson stated that the corner gets very dark in the fall and he felt that it would be worthwhile for someone to look at the lighting in that area. Mr. Meytrott stated that there will be a pedestrian activated flashing light installed in the area.

Mr. Thompson asked if there was anyone in the public who had comments or questions regarding the application, there being none the public portion of the hearing was closed.

Mr. Schmierer asked the Board if the school would have to put up additional bonding. There was discussion regarding this and the Board agreed that since there was a limited amount of work being done the Board would waive the need for a bond. Ms. Roberts had questions regarding the need for a variance for the 18 ft. width of the two-way area. Mr. Haggerty stated that the applicant will agree that the driveway will be at least 18 ft. wide back to the parking area and from that point on 15 ft. to the dumpsters.

Mr. Blackwell made a motion, seconded by Ms. O'Neill to approve the modifications discussed with conditions and granting a waiver for the need of a performance bond. Mr. Schmierer reviewed the conditions discussed. Voting yes: Blackwell, Donlon, Levy, Meytrott, Ogren, O'Neill, Reilly, Thompson. Absent: Heinzl, Persichilli. The hearing ended at 8:50 p.m.

**MINUTES**

Ms. Donlon made a motion, seconded by Mr. Reilly to approve the April 13, 2011 minutes with a correction and the minutes were approved. Ms. Donlon made a motion, seconded by Mr. Reilly to approve the May 11, 2011 minutes with corrections and the minutes were approved.

Ms. O'Neill inquired about the property on North Main Street where a three or four foot fence was erected on top of a three foot wall. Ms. Mistretta stated that the Zoning Officer had informed the residents that they need a to go before the Board.

There being no further business, the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

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Mary W. Mistretta  
Planning Board Secretary