

**PENNINGTON BOROUGH
PLANNING BOARD MEETING MINUTES
DECEMBER 9, 2015**

Mr. Thompson, Chairman, 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: Deborah Gnatt, Eileen Heinzl, Mayor's Designee, Joshua Levy, Thomas Ogren, James Reilly, Vice Chairman, Winn Thompson, Chairman.

Absent: Mark Blackwell, William B. Meytrott, Katherine O'Neill, Nadine Stern, Alternate.

Also Present:

Edwin W. Schmierer, Mason, Griffin & Pierson, Attorney

Carmela Roberts, Roberts Engineering Group, LLC, Borough Engineer

Michael Bolan, Borough Planner

Norman Nelson, Van Note Harvey, Borough Water and Sewer Engineer

Mary W. Mistretta, Planning Board Secretary. Absent: John Flemming, Zoning Officer.

OPEN TIME FOR PUBLIC ADDRESS – Mr. Thompson asked if there was anyone in the public who had comments or questions regarding items not on the agenda, there being none the open time for public address was closed.

APPLICATION

American Properties at Pennington, LLC, 105 West Franklin Avenue, Block 102, Lot 1, MR Zone. Preliminary/Final Major Subdivision & Site Plan, Variances, Application No. P15-009.

Present: Frank Petrino, Eckardt Seamans, Attorney

Fred Coco, Menlo Engineering Associates, Inc., Engineer

Richard Arzberger, Sonnenfeld and Trocchia Architects, P.A., Holmdel, NJ., Architect

This hearing is continued from November 12th. Mr. Frank Petrino stated that since the last hearing they have had several meetings including the Hopewell Valley Bureau of Fire Protection and Pennington Borough Public Works to address issues that were brought up at the last hearing and Mr. Coco will finish his testimony and respond to those issues. Mr. Thompson noted that Mr. Levy was not at the last hearing, but has certified that he has listened to the recording of the meeting and is qualified to vote on the application. Entered into evidence was Exhibit A-4 Subdivision Exhibit, Menlo Engineering Associates, December 9, 2015, a slightly enlarged view of the original subdivision plan with more details including buildings within the lots, curbing and lot lines for the affordable buildings 8, 7 and 13. There are parking areas by these buildings that would require easements and variances are being requested for the three affordable buildings to exceed the maximum side yard and rear yard setback. The variance is different for affordable building number 13 as it will have a portion of the building corner in the setback. Mr. Coco stated that they believe this is a C-2 bulk variance as it has no impact on the zone plan. Mr. Petrino stated that they could have a conforming building, but felt that this is a more appropriate design. Mr. Coco stated that they had placed it in an area not needing a variance, but it created a convoluted layout and with the building arranged around the curve of the driveway it looks better aesthetically and operates better. Mr. Petrino pointed out that the variances for this building and 7 and 8 would not be required if they were condominiums.

Mr. Coco stated that there were concerns about the two dead end parking areas, by buildings 3 and 19 and they have worked with the traffic engineer to find an alternate plan. They have revised the plan to have a one-way 15 ft. wide driveway that would exit onto W. Franklin Avenue and Knowles Street. Entered into evidence was Exhibit A-5 Alternate Exit Plan, Menlo Engineering Associates, December 9, 2015. Mr. Coco stated that the Board also had concerns regarding trash collection and Rick Smith, Public Works Director, has provided them with a marked-up plan suggesting seven locations throughout the site where the trash would be collected and this would be made part of the homeowners' documentation. Mr. Smith may want to propose an additional pick-up location when he sees the new exits. The applicant has agreed to follow the Public Works Director's decision regarding this.

Mr. Coco stated that they were asked about the amount of impervious coverage on the site. They have calculated it the site as shown on the submitted drawings and it amounts to 42%. He stated that prior to the zoning change on the site, it was the MU-3 Zone and up to 50% was allowed. He stated that visually Pennington Point looks like it is well over 50%.

Mr. Coco stated that Ms. Roberts pointed out two areas behind buildings 1 and 17 where she had concerns regarding the grade at the rear of those buildings. Mr. Coco agreed to modify the grades and put retaining walls to create a flat area.

There were concerns regarding drainage and Mr. Coco stated that they have completed an informal report and have analyzed the entire drainage area to the west side of the railroad and the culvert below and it will be submitted to the Borough Engineer for review. They feel that when the site is developed the peak flows will be less than what they are today. They have also scheduled additional soil testing to provide information on the permeability rates of the soil. They feel that the rates will be very low, but when the results are received they will be submitted to Ms. Roberts and revisions will be made to the plan.

In regards to comments regarding the widening of West Franklin Avenue, Mr. Coco stated that they would widen it to 24 ft. to match the opposite side of the street which would amount to 12 ft. from the center line to their frontage. They have agreed to a sidewalk along their frontage on West Franklin Avenue and to provide the widening of the sidewalk on Knowles Street.

The Fire Bureau has indicated that they just purchased a new truck and will provide information as soon as they receive it. Mr. Petrino stated that a memorandum was received from the Hopewell Township Fire District dated December 8th and one of the issues they raised was the approval of the location of fire hydrants by their office which the applicant agreed to. They also inquired if the hydrant system would be private and this has not yet been discussed. The Fire District also requested that the roadways be designated fire lanes to give fire apparatus access to the buildings and the applicant agreed to this with the exception of the perpendicular parking areas.

Mr. Coco stated that a question was raised regarding the well head protection zone affiliated with Well No. 5. The well head zones were set up by the Department of Environmental Protection (DEP) and he stated that they cannot find any current regulations that regulate what occurs within that area or above it. Mr. Coco stated that the applicant has agreed to a Board Member's request to extend the conservation easement to include the area behind the well.

Mr. Petrino stated that they had no further testimony regarding the engineering issues at this point. Mr. Thompson suggested that they finish reviewing Ms. Roberts memorandum of November 5th. Mr. Coco stated that they are working with Ms. Roberts on other nonstructural stormwater management strategies and are waiting for the soil tests. The applicant has agreed to Ms. Roberts' suggestion that the flow from the basin be directly tied into the storm sewer system in Knowles Street and a revised plan will be prepared to show this. There was discussion regarding the classification of the detention basin. Mr. Coco stated that the detention basin is classified by DEP as a Class 4 dam since it is more than four feet from the toe of the slope to the top of the berm. They are also classified by the volume of water they hold and what is downstream from them. Mr. Coco stated that Class 4 is the lowest classification. Mr. Coco stated that an operation maintenance manual would be prepared and would be maintained by the homeowner's association. Mr. Coco stated that they would not be able to reconfigure the basin to avoid being a dam since they need the volume to control the runoff.

The applicant agreed to submitting as-built drawings prepared by a Licensed Land Surveyor for the drainage system and detention facilities and engineer's certification that the detention facilities have been constructed in accordance with approved plans and that appropriate detention size and volume of storage is provided. The certification would include a table comparing the design storage volumes to

the as-built conditions. These would be submitted upon completion of construction and prior to release of any performance guarantees.

The roadway lighting will be PSE&G fixtures and the spacing will provide adequate lighting levels. Ms. Roberts pointed out areas that she felt would not be sufficiently lit and Mr. Coco stated that they have not included lighting coming from the homes, but they will look at the areas she has suggested. They will also provide additional data regarding the fixtures and clarify the mounting height. The developer will work with PSE&G and pay all upfront costs for street lighting and work with them to reduce ongoing maintenance and operation costs that would be paid by the Borough.

Mr. Coco stated that they will try to save as many trees as they can on the perimeter of the site, but it would be hard to save them inside the area where construction will be taking place. They will look at trees along the perimeter and preserve as much as possible when grading and place a small retaining wall along the perimeter. They also have a landscape plan to plant a significant number of trees throughout the site to help replace the ones taken down.

There has to be further discussions regarding easements over roads and maintenance of the water and sewer systems. The applicant will provide as built drawings, including CAD/GIS files for the water and sewer system. Mr. Coco reviewed the approvals that they have obtained and must submit for the project. Mr. Thompson stated that there were questions at the last hearing from residents at Railroad Place regarding any impact they would have from the lighting. Mr. Coco stated that there were only two lighting fixtures that might have an impact, but they will cast the light downward and they should not have an impact on Railroad Place. Mr. Thompson had concerns about the impervious coverage and if homeowners would be allowed to add additional patio space. Mr. Coco stated that this would be up to the individual owner and they would have to come to the Planning/Zoning Board for approval. If the homeowner's association decided they wanted to enlarge the playground or something similar they would also need to go to the Board for amended site plan approval. Mr. Reilly suggested that perhaps there should be a condition regarding expansion of patios since a lot of them would not need a variance for setbacks.

Mr. Ogren stated that he did not feel there was adequate landscaping by Route 31 and he did not feel that it was consistent with the zoning ordinance requirement for plantings on Route 31. Mr. Ogren stated that there were very few evergreen trees and the spacing was not consistent with the ordinance. Mr. Petrino stated that they would check their landscape plan. Mr. Ogren also suggested that in lieu of widening the road, the applicant extend the curbing and sidewalk down to Route 31. He stated that a lot of the residents from the development would want to walk to a retail development that is only a block away. Mr. Thompson also suggested an alternative plan, but preferred Mr. Ogren's suggestion. Mr. Petrino stated that their concern is that there is not enough right-of-way to provide sidewalks, but they would have their Traffic Engineer look into it. He also noted that this would be an off-tract improvement that is not shown on the Borough's circulation or Master Plan. Mr. Thompson stated that there are quite a few references in the Master Plan that point to the importance of sidewalks in the Borough. Mr. Thompson also stated that the Board could be more flexible with the width of the street if the sidewalks to Route 31 were included since the Board has been consistent over time with sidewalks being a high priority for the Board.

Mr. Thompson asked if the public had any questions on the subjects that had just been discussed.

Terry Evanko, President, Pennington Point Condominium Association, stated that the driveway coming out of Pennington Point into Knowles Street does not allow left hand turns and wanted to know if the drives coming out of American Properties into Knowles would be allowed to make left hand turns and if so she did not feel it was fair that they cannot. Mr. Coco responded that they are proposing full access from the driveways. Ms. Evanko also had questions about the buffer area, wetlands, location of the playground and dam (detention basin) and asked what the closest distance was between an existing building in the Point and proposed building (13). Mr. Coco pointed out the various areas and stated that

90 ft. is the closest point of the buildings. In response to a question regarding lighting, Mr. Coco stated that most of the lighting would not be visible except for one area where it might be visible. Ms. Evanko also had questions regarding the total number of units and affordable units. There will be a total of 80 units. There will be eight buildings of four unit villas; 8 buildings holding 32 units of town houses; and three COAH buildings holding 16 units.

Mark Godrey stated that in response to a comment made earlier, plantings can be placed in the wetland area as long as the character of the wetlands is not changed.

Claire Burchell, Pennington Point, asked for clarification about the water going under Knowles Street. Mr. Coco explained that the drainage will drain to the east towards the railroad, discharge to a pipe underneath Knowles which discharges into a ditch on the opposite side of the railroad, goes through yard areas and crosses N. Main Street. They are doing further analysis regarding this at the request of the Borough Engineer. Mr. Coco stated that the flow coming off the site will be less than what exits today.

Barbara Young, Pennington Point, asked about the necessity for a variance for building 13 and if it was possible to fit the building in without going into the setback. Mr. Coco explained that by putting it perpendicular it made the building fit in better with the community and looked better aesthetically and there would still be a 90 ft. separation. Mr. Thompson asked if the landscaping could be enhanced and Mr. Coco stated that they have planned landscaping for that area, but could add more. Mr. Petrino stated that only 150 sq. ft. of a 4,500 sq. ft. building would be intruding into the setback, 97% of the building would be outside of the buffer. Ms. Young thought that this was the one area where they could conform and they were taking advantage.

Rosemary Cunningham, Pennington Point, asked for an idea of what 90 ft. would equal and Mr. Petrino stated that it would be approximately four times the width of the meeting room.

Margaret Moore, 90 Woolsey Court, Pennington Point, stated that she has seen the basin full of water and it takes about two days to fill up. Ms. Moore asked if the applicant was keeping the woods to help keep the privacy for the Pennington Point residents and Mr. Coco stated that they would be keeping the woods and there was also a little driveway which will remain.

Weed Tucker, Pennington Point, asked Mr. Coco to point out the affordable building that was being discussed.

Nigel Jamieson, Pennington Point, pointed out that wildlife in this area will be completely destroyed when the development is built and asked "if we were happy with that"? He felt that he would be deprived of one of the most important things that brought him to this area. Mr. Thompson responded that the Borough has an obligation to provide affordable housing which this development will provide. He also noted that the Borough has a very active open space preservation program and they have been buying up land in and around Pennington to help preserve the open space. The Borough decided many years ago that this site could provide some of the affordable housing in Pennington. Mr. Jamieson asked if the residents of Pennington Point would see the buildings or lights and could they plant extra trees along the buffer. Mr. Coco stated that he might see the buildings with their interior lights or street lights through the trees. He also asked if there would be young children and Mr. Petrino stated that they are set up more for young couples getting started or people that are retired and there could be children living there.

Terry Evanko asked what was the Borough's affordable requirement and Ms. Heinzl stated that the number has not been decided yet, but this property is zoned to include eight affordable units and the developer will be providing sixteen units.

Geraldine Maul, 14 West Franklin Avenue, stated that she agrees with Mr. Jamieson about the wildlife and feels it should be considered. Ms. Maul asked if the engineer would point out the affordable buildings. She stated that they were very small compared to the other buildings and she felt that people moving into the affordable units could be using the bus and would need the sidewalks. Ms. Maul also stated that some of trees were very tall along Knowles and she would like to see as many as possible saved. Mr. Coco stated that when they are doing sidewalks or street widening it is sometimes impossible to save the trees.

Mr. Petrino noted that the ordinance requires that 20% of the units be affordable and that is what they are providing. There is a mix of one, two and three bedrooms in the affordable units.

Jeanne Donlon, 113 King George Road, asked about the height of the structures and what they anticipated would be the height of the trees. Mr. Coco stated that he would leave this question for the architect.

Terry Evanko asked why the affordable units could not be intermingled with the other units like they are at Pennington Point.

There being no further questions, the public portion of the meeting was closed.

Richard Arzberger, Sonnenfeld and Trocchia Architects, P.A., Holmdel, N.J. applicant's architect was sworn in and gave his qualification which the Board accepted. Mr. Arzberger stated he was a licensed architect in New Jersey since 1984 and was also a N.J. Planner and has testified before Boards throughout the State. The following were submitted to the Board with the application, dated October 30, 2015 and entered into evidence: Exhibit A-6 Townhouse, Sheet A-2.0 First Floor Plan; Exhibit A-7 Townhouse, Sheet A-2.1 Second Floor Plan. Entered into evidence was Exhibit A-8 Colored Rendering on Board of Front Elevation of Townhouses. Mr. Arzberger described the floor plans of the town houses and stated that they are 25 ft. wide, two-story and have one-car garages. The end units are approximately 2,300 sq. ft. of living space. All town house units are the same size and the end units have windows on the side. Mr. Arzberger described the exterior of the town houses referring to Exhibit A-8. They will have vinyl siding that looks like wood shakes with brick and traditional detailing and trim that will be made from a composite material. The roofing will be asphalt shingles.

The following were submitted with the application, dated October 30, 2015 and entered into evidence: Exhibit A-9 Villas, Sheet A-1.0 First Floor Plan; Exhibit A-10 Villas, Sheet A-1.1 Second Floor Plan; Exhibit A-11 Villas, Colored Rendering on Board of Front Elevation. Mr. Arzberger described the Villas and stated that they are age-targeted units. They are 35 ft. wide, have two-car garages and a master bedroom suite on the first floor and are meant for one-story living. Age-targeted units are designed to appeal to a downsizing buyer who wants the ability to have one-story living, but still have bedrooms upstairs intended as guest rooms. The second floor has two bedrooms and the attic area is not intended to be used as living space and contains the mechanicals. The end units of the villas are 2,368 sq. ft. and the interior units are 2,500 sq. ft. of living area. The buildings are on slab and do not have basements.

Mr. Arzberger next described the affordable units. Entered into evidence were: Exhibit A-12 Affordable Building 13, Sheet A-3.0 Floor Plans; Exhibit A-13 Affordable Building 19, Sheet A-4.0 Second Floor Plans; Exhibit A-14 Affordable Colored Rendering on Board. Building 13 has two and three bedroom units that are on the first and second floors. The first floor units are directly accessible from outside and the second floor units have a staircase accessible through a door at grade level. The two bedroom units are 1,107 and 1,500 sq. ft. and the three bedroom units are 1,235 and 1,313 sq. ft. Building 19 has one bedroom and two bedroom units. The one bedroom is 955 sq. ft. Entered into evidence was Exhibit A-15 Affordable, Sheet A-5.0 8-unit Building Floor Plans. This building consists of six two bedroom units and two stacked three bedroom units. The other affordable buildings have four units each. The rendering of the eight unit building is very similar to the town houses and villas and will have similar

siding and trim materials. They will have a slightly different look since they will include decks. The affordable buildings do not have garages, but will use the parking areas adjacent to the buildings.

Mr. Petrone stated that there were a few comments regarding the architecture of the affordable buildings and comments regarding sprinklers from the Fire Commissioners and asked that they be addressed. Mr. Arzberger explained that in terms of the N.J. Uniform Construction Code town houses are addressed by the International Residential Model Code and any multi-family building is addressed by that code. The town homes are under the same code as a single family detached house and are not required to have sprinklers in New Jersey. The affordable units are considered multifamily and are required to have a sprinkler system and each affordable building will have them. Mr. Arzberger described the fire protections that would be included with the town houses and the villas.

Ms. Heinzl asked if the renderings showed the colors that the applicant intended to use and Mr. Arzberger responded that all the buildings would have the color and material combination shown on the renderings. Mr. Reilly asked if the false dormers in some of the villas were in the attic space and what material would be used for the roof. Mr. Arzberger stated that they have called it attic space, but they are actually trusses with metal connector plates and there is no possibility of that area being finished into living space. The dormers were added to give the building a little more traditional look. The shingles on the roof will be Timberline, 30 year, and are upscale shingles. No fire places are proposed, but Mr. Petrino stated that it's possible that they could be made an option. Mr. Thompson stated that he noticed on the floor plan for the villas, A-1.0, it shows a four bedroom unit. Mr. Arzberger stated that the age-targeted units have a den on the first floor which could also be used as an extra bedroom and the only units with that feature are the ones on the right side of the building. Mr. Bolan pointed out that the ordinance limits them to three bedrooms and they would have to work this out. Mr. Thompson asked the applicant to give the height of the second floor windows above grade looking out over Pennington Point and Knowles Street. Mr. Arzberger reviewed the elevations from the top part of the windows to grade and Exhibits A-16 Rear elevation of villas, A-17 Rear elevation of town houses, A-18 Rear elevation of affordable buildings were entered into evidence. Villas – side elevation from top of window fronting Knowles is 19 ft.; villa rear elevations are mostly roof area and one-story, height of second floor window would also be 19 ft.; town houses – are two stories in the rear are also 19 ft. The affordable buildings are two-story and would also measure 19 ft. from the top of the windows to grade at the rear of the buildings. There are little windows in the attic areas of the buildings, but they are not in living space.

Mr. Thompson asked if there was anyone in the public who had questions regarding the testimony that was just given.

Terry Evanko, Pennington Point, stated that she felt there was a stigmatism being put on the affordable people and also asked if it wasn't possible that there could be a light in the attic window or that someone could look out that window at Pennington Point and also asked if any of the balconies faced Pennington Point. Mr. Arzberger stated that the balconies are located on the ends and fronts of the affordable buildings and none are located in the rear. It would be possible for people to look out the dormer window if they wanted to crawl over the trusses, but the attic spaces are pretty inaccessible. Mr. Arzberger replied that he did not feel that there was any stigma associated with the affordable units.

Claire Brusseau, Pennington Point, asked if any of the affordable units were handicapped accessible. Mr. Arzberger stated that they were required to have 50% of the units handicapped accessible and all first floor units were handicapped accessible.

There being no further questions, the public portion of the meeting was closed.

Karl A. Pehnke, Traffic Consultant, was sworn in. Mr. Pehnke stated that he was Vice President of Langan Engineering and Environmental Services, Inc. and gave his qualifications which the Board accepted. Mr. Pehnke described the methodology used in preparation of the Traffic Impact Study,

dated September 23, 2015 for the proposed development. It includes sampling existing traffic flows in the project areas to obtain an understanding of operations and conditions that exist on the roadways adjacent to the site. Mr. Pehnke stated that they did a fairly large study for this project and focused not only on the driveways, but also several key intersections along Route 31 at N. Main Street, W. Franklin Avenue and Delaware Avenue. They also looked at the localized intersections as part of their study. They found that the development will be a relatively modest traffic generator and felt that the traffic generated will not change. Mr. Pehnke stated that the peak hours are generally in the morning and evening going to and from work. The morning peak hour is generally 7:15 a.m.–8:15 a.m. and 4:45 p.m.-5:45 p.m. in the evening. During those hours the project would generate about 36 vehicles per hour and in the evening there would be a little more. The access driveways into Knowles will allow left or right turns in and out. Mr. Pehnke stated that the left turn restriction for Pennington Point's driveway was probably because there is a bend in the road and they have access out to N. Main. He stated that this project will not make the condition any better or any worse. The site's circulation and parking is designed following Residential Site Improvement Standards. The cartway will be 24 ft. and sidewalks will be 4 ½ ft. wide, curbing with sidewalks will be done on Knowles Street and W. Franklin Avenue. The only change since the Traffic Impact Study has been prepared is resulting from discussions regarding the stub streets in the project. They have agreed with the Board's suggestion and prepared Exhibit A-5 which extends the stub streets to a one-way connection out to W. Franklin and Knowles Street. He feels that they can operate safely and will not be a detriment to the project. Mr. Pehnke stated that the width of West Franklin Avenue is presently 23 ft., 20 ft. is allowed on roadways without parking and he feels that 23 ft. is safe. Mr. Pehnke suggested that in lieu of widening the street they could put sidewalks in front of Lots 6, 7 and 8, but the Board might want to reach out to the home owners to be sure the right-of-way is there. There may also have to be a few trees that would have to be removed. The Board agreed that they would prefer the sidewalks in lieu of widening the street. Mr. Thompson stated that it was the best way to provide a pedestrian link for the residents. Mr. Ogren stated that he felt the sidewalks were a priority rather than widening the road and felt the benefit far outweighed keeping the trees that were there. Mr. Pehnke stated that they would look into this. Ms. Heinzl asked if they looked at the left hand turn out to Route 31 from West Franklin. Mr. Pehnke stated that they did study it and it was a place where they found the worse condition as making the left is very difficult during the peak periods. Eliminating the left hand turn is a decision that Borough Council may want to take up. Mr. Bolan asked if the distance of the new driveway exit was a safe distance from the intersection and Mr. Pehnke responded that it was and the distance was fine. Mr. Thompson asked if the intersection of Knowles and W. Franklin should be a three-way stop and Mr. Pehnke stated that he had no idea why it was a three-way stop. He stated that he would recommend a stop sign only at W. Franklin.

Mr. Thompson asked the public if they had any questions concerning the traffic testimony.

Mark Godrey stated that the Board should be mindful that the NJ Department of Transportation may ultimately have the right to increase the number of lanes on Route 31 which is adjacent to many of the proposed homes and to note the placement of the telephone poles. Mr. Thompson stated that they do have the right-of-way already. This would not affect the applicant's 50 ft. buffer area.

Terry Evanko stated that there is already a back-up of cars when students are being dropped off and picked up from the Cambridge School at the Straube Center.

Terry Goeke, Pennington Point, asked the applicant to please put the numbers on the buildings so the EMT's and emergency personnel can find them. She stated that they are still having difficulty at Pennington Point with emergency services locating them. She also pointed out that the traffic starts at 3:00 p.m. at Broemel and Franklin.

There being no further questions, the public time was closed and Mr. Thompson asked if the Board had any further questions.

Mr. Ogren asked if they had suggestions regarding street names and Ms. Heinzl stated that she had an e mail from Greg Kanter and he is inviting the Borough to suggest names and the Historic Commission will probably have some suggestions. Mr. Petrino stated that they have presented their case and addressed most of the open issues. Mr. Schmierer suggested that they still have to give the public an opportunity to testify and a number of the people have left. He felt that it would be a courtesy to allow them to come back to the next meeting to testify. There are also some issues that still have to be addressed and he suggested that the applicant agree to continue the meeting to next month. Mr. Bolan stated that he had some issues in his memorandum that probably could be conditioned.

Norman Nelson, Borough Water and Sewer Engineer, Van Note Harvey Associates, stated that correspondence has been distributed to the Board between him and John Flood. He would like to know the numbers related to fire flows proposed and how they will impact DEP approval regarding the water permit.

Mark Godfrey still under oath, 6 Park Avenue, stated that he was here representing himself and described his previous professional experience which included being a professional geologist and working for the NJ Geological and Water Survey. He stated that he made comments at the November meeting regarding water availability for the project, alternative use of the site for senior/youth services, Pennington COAH's requirements and Pennington's provision of housing for the disabled. Mr. Godfrey feels that the plans the applicant has asked approval for are overly simplistic and provide a project with which the applicant will realize the greatest profit with minimal expense. He feels that it is the Planning Boards obligation to ask for revisions that will represent the best interests of the Pennington community at large, as well as future residents of the proposed development. Mr. Godfrey read a statement with concerns regarding: water availability, well head protection/stormwater management and vegetative preservation/buffers and compatibility. Mr. Godfrey stated that based on the presentation by the developer, he is not convinced that adequate water supply will be available for the existing Pennington community as well as the proposed project. He feels that the basin should be located far away from the well head to protect the well from roadway oils, greases and other pollutants. Mr. Godfrey also had concerns that the applicant is not providing a sound barrier for traffic noise along Route 31 and has not provided sufficient buffering along the neighboring residential development. A copy of his statement is available in the Borough office.

There being no further comments, the public portion of the hearing was closed.

Mr. Thompson stated that the Board would like to hear discussion on how the phasing of the project would be done and where the buildings including affordable would be located. There had been discussion that they are limited by Stony Brook Sewerage Authority to 40 units until an expansion of the plant takes place and the Board should know the process if the applicant only goes ahead with 40 units and where the units would be located including the COAH units. Mr. Ogren stated that the Board would also need to know what would happen to the undeveloped part of the site if it is done in phases. Mr. Petrino agreed that they would have to be more specific regarding this.

Mr. Schmierer indicated that the application will be continued at the January 13, 2016 meeting, but no new notices will be sent out. Mr. Thompson also suggested that at the next meeting the Board should be provided with more details regarding buffering/landscaping around the perimeter and sidewalks. Ms. Heinzl suggested discussion regarding performance bonds and Mr. Petrino stated that they would try to discuss them before the next meeting. Mr. Nelson will look into well head protection, the appropriate regulations and if anything needs to be done to the basin given the proximity to the Borough's water supply. Ms. Roberts asked if the applicant would be submitting revised drawings before the next meeting and Mr. Coco stated that they probably should be submitted before December 31st for the January meeting. He stated that they may not be a full set of revised plans, but the plans would address landscaping, driveways and some of the other issues that have been discussed. Mr. Coco stated that they are not sure if the drainage plans would be ready by December 31st as they have not

received the soil data that they need to complete the drainage design which would then have to be discussed with Ms. Roberts.

Ms. Heinzl made a motion, seconded by Mr. Reilly to continue the hearing to January 13, 2016 without additional noticing.

MINUTES – Ms. Gnatt made a motion, seconded by Ms. Heinzl to approve the November 12, 2015 Planning Board minutes and the minutes were approved.

There being no further business, the meeting was adjourned at 10:50 p.m.

Respectfully submitted,

Mary W. Mistretta
Planning Board Secretary