

**WARREN TOWNSHIP ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES August 7, 2017
APPROVED**

MEETING CALLED TO ORDER: 7 p.m.

ROLL CALL:

Mr. John Villani
Mr. George Dealaman
Mr. Richard Hewson
Mr. Fernando Castanheira
Mr. Frank Rica
Mr. Donald Huber
Mr. Foster Cooper (excused)
Mr. Scott Bowen, Alt. #1
Mr. Clerio Martins, Alt. #2
Steve Warner, Esq.

ANNOUNCEMENT:

Adequate notice of this meeting has been provided by posting Public Notice on the Municipal Bulletin Board on the main floor of the Municipal Building, and sending a copy to the Courier News and Echoes Sentinel, and filing a copy with the Municipal Clerk, all on January 19, 2017. We plan to adjourn by 10:00 p.m.

FLAG SALUTE:

MINUTES:

The minutes of the 6/5/17 meeting were forwarded to members for review.

Motion to approve the minutes from June 5, 2017 was made by Mr. Rica, seconded by Mr. Hewson.

Roll Call

For: Mr. Villani, Mr. Dealaman, Mr. Castanheira, Mr. Rica, Mr. Huber, and Mr. Bowen

Against: None.

COMMUNICATIONS:

PRIVILEGE OF THE FLOOR PORTION OF THE MEETING

Mr. Dan Picaro came forward to discuss a property at 144 Liberty Corner and asked if the property had any recent changes that would permit them to run a night club. Mr. Chadwick stated they were recently made aware of the situation and it is being addressed by the Township, including the police.

Seeing no one else come forward Mr. Villani closed this portion of the meeting.

AGENDA Case Applications:

CASE NO. BA 17-10 WESTFIELD HALL
Block 80 Lot 12.02
10 Technology Drive

Mr. Michael Osterman, Esq. of Kennedys CMK LLP, came forward on the behalf of Westfield Hall. One witness was sworn in, Mr. Andrew Markham, from 15 Stern Avenue, Springfield, NJ; as well as Mr. John T. Chadwick, the Warren Township Planner, and Mr. Christian Kastrud, the Warren Township Engineer.

Mr. Osterman went over the application. In 2013, Westfield received preliminary and final major site plan approval to build a church, and in 2016 they obtained amended preliminary and final site plan approval to allow the installation of two accessory storage sheds, totally about 723 square feet to be located on the existing pavement in the rear parking lot of the property. They seek now to relocate the approved sheds adjacent to, but not located, on the rearmost parking lot on the property.

Mr. Chadwick reminded the board that since it is a use variance, they had to come back to the Board of Adjustment. If it was not a use variance it would be a field change.

Plans were submitted for where they proposed the sheds and the approved plans were also submitted showing where the sheds are currently, the plan is by Bohler Engineering, dated May 5, 2017. The sheds will be about 2.5 feet off the curb.

Mr. Osterman asked Mr. Markham some questions. Mr. Markham has been involved with the church construction since inception. They feel the sheds will look nicer off the pavement. There will be pads that the sheds will sit on. Both sheds are 728 SF and the pads will be slightly larger. No variances are required and the sheds will be secured to the pads. They were hoping to move the sheds this summer.

They discussed if the church could move the sheds before the resolution was memorialized. It would be conditioned that they would adhere to all previous conditions and would be compliant with the plan submitted.

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Mr. Villani asked if there were any questions from the board or public.
No one came forward from the public.

There were no statements from the public either. The board went into deliberations and agreed that previous conditions will be adhered to.

Mr. Warner went over the motion.

A motion was made for approval of the amended plans by Mr. Bowen, seconded by Mr. Villani.

Roll Call

For: Mr. Villani, Mr. Dealaman, Mr. Hewson, Mr. Castanheira, Mr. Rica, Mr. Huber, Mr. Bowen
Against: None.

Case BA17-05 CAMP JOTONI/ARC
Block 95 lot 1.01, block 86.01 lots 13.05 & 13.06
Old Stirling Road
Use Variance/Preliminary & Final Major Site Plan

Kate Coffrey, Esq. from Day Pitney LLP came forward for the applicant, she went over the application. The property is located in the CR130/65 Environmentally Critical Rural Residential District and is approximately 17.28 and is the existing site of Camp Jotoni, a summer camp that serves developmentally disabled adults and minor campers.

They propose proposes to construct a two-story lodge and four (4) one-story cabins. The Applicant also proposed to install parking spaces, drive aisles, landscaping, and related Site improvements. The proposed new cabins will accommodate up to 12 individuals and will contain two accessible bathrooms each. The new cabins will include air conditioning and heat such that the Camp can be used all year, rather than only during the summer. The proposed two-story lodge will be made available to the Camp for programming and will contain a great room which includes 108 seats.

The plans is shown on engineering plans prepared by Thomas J. Fik, P.E. of Carroll Engineerig, dated July 6, 2017. The architectural plans were prepared by Carmine Cerninara, A.I.A, dated April 19, 2017. An environmental assessment report was prepared by Amy S. Greene Environmental Consultants, Inc. dated May 2, 2017. They do not propose to expand the number of campers and propose to continue to offer its nine week summer camp program as well as year round respite weekends. They offer respite weekends prior and after the summer camps and have been full.

This approval would allow respite weekends through the year for day and overnight respite and weekday evening life skill classes. This would only be about once a month. They would allow other non-profit civic organizations. This application is a use variance.

Ms. Coffey introduced Ms. Lauren Frary, the executive director of the camp. Mr. Thomas Fik, P.E. of Carroll Engineering is the engineer, and Mr. Carmine Cerminara is the architect. They were all sworn in, as well as Mr. Kastrud and Mr. Chadwick.

Ms. Frary went over the history of the camp. It was used in the 1930s and 40s as a retreat for people coming from New York City. Later it was used as homes for migrant workers who worked the farms locally. Then it was bought by the local YMCA and they operated it as a true camp. The ARC of Somerset County bought the camp from the YMCA 41 years ago and continues to operate as a day and residential camp.

It is a summer camp for people from age 5 to 75. It is nine weeks, and also respite weekends at the beginning and end of camp, usually Friday night to Sunday afternoon. The camp brings in local individuals as well as some from other counties. There are 300 campers and it has gone up recently. The camp runs into August. There were 35 staff members for the 30 residential campers. There are approximately 50 staff members for the approximately 50 non-residential campers for a total of 85 staff members on site during the course of a day. There is a scholarship program for many.

The proposed renovations would not increase the number of campers on site at any given time because the current number is the maximum number of campers that can be accommodated.

The board inquired as to whether the lodge/community space would be used for other groups, and the applicant stipulated that the space would only be used by civic groups. Ms. Frary said she has been approached by organizations seeking to use the property, including the boy scouts and a seeing eye dog training group.

The programs usually end at about 8 p.m. They might offer a movie or singing by the fire but usually they end at 8 p.m.

There was further explanation of what the camp offers. Respite care is the most requested option from families. They again stated they would not increase the number of campers.

Mr. Hewson asked about the number of people in the cabins and total beds with the new cabins. There would be a 48 bed capacity with the new cabins. It is dependent on more special needs of the campers. The construction will depend on funding and timing for the construction without disrupting the camp season.

There were questions on other groups using the facility. Ms. Frary stated they wanted to open it up to Warren Township to share with civic groups. Mr. Villani asked how they would decide who would be able to use it. Ms. Coffey said they would have some sort of agreement that would limit how the facility would be used.

Mr. Warner suggested a stipulation that they would create an agreement to that affect.

Mr. Villani asked if there were any questions for Ms. Frary. Ms. Lynette Kliss from 62 Hillcrest Blvd came forward. They have been there for 20 plus years. She asked about people that may be on the same water line or power grid that is shared by Camp Jotoni and if they would be notified if power or water would be shut off before it is shut off. She said the water was cut off on March 30th and 31st the water was cut off. There was work being done in the camp. Water company said they were not involved. Ms. Frary said the ARC also involves a group home and they had replaced a bathroom.

Maureen Spadoto from 63 Hillcrest Road came forward. She was concerned with alternate use that allow to sleep over. She likes the current camp. Ms. Frary stated they would not permit alternate users to stay over. Any groups would conclude by 8 p.m.

There was discussion on how old the cabins are and there was an environmental report done.

There is a great deal of bamboo along the property lines. The applicant agreed to remove the bamboo on the property.

Mr. Frank Deluca from 67 Old Stirling Road came forward and asked if it is necessary to build a lodge to support the camp. The applicant said it will support the camp functions for a dining hall and to be able to serve campers at one time. He asked about others using the camp.

Discussion continued on who would be using the camp other than the ARC.

Ms. Patricia Stamm came forward from 58 Old Stirling Road and asked about other facilities that could be used for groups instead of the ARC facility.

There was no other questions.

Mr. Thomas J. Fik, P.E. of Carroll Engineering came forward and went over the plans.

Mr. Fik brought in the following exhibits:

Exhibit A-1: A colorized rendering of Sheet 1 of 15 of the engineering plans over an aerial map dated April 19, 2017;

Exhibit A-2: A colorized rendering of Sheet 2 of 15 of the engineering plans over an aerial map, entitled “Existing Conditions” and dated April 19, 2017;

Exhibit A-3: A colorized rendering of Sheet 5 of 15 of the engineering plans, entitled “Site Plan” and dated April 19, 2017;

Exhibit A-4: A “Fire Truck Turning” exhibit;

Exhibit A-5: A colorized rendering of Sheet 11 of 15 of the engineering plans over an aerial map, entitled “Landscaping Plan” and dated April 19, 2017; and

Exhibit A-6: A colorized version of a “Phasing Plan.”

Mr. Fik described the proposed improvements. He testified that the site contains approximately sixty-eight (68) 9’x18’ unstriped parking spaces, including a lower level parking area. The parking areas will be striped to improve circulation. Once the striping is complete, the parking areas will accommodate 88 parking spaces, 4 of which would be ADA compliant. Mr. Fik further testified that the Applicant proposed to relocate the pool from the lower level to the upper level to increase functionality and provide a better opportunity to supervise the campers. He confirmed that the total impervious coverage would be reduced. Mr. Fik went through the exhibits.

The lodge would be a focal point and provide covered area for camper drop off and pick up. Four proposed cabins would be located in the same location as the existing cabins, minimizing disturbance. The existing dining hall would be a nurses station and offices.

Exhibit A-4 is the fire truck turning exhibit. Mr. Fik stated that the Fire Marshall had approved the exhibit. It would be a condition that the applicant will obtain a letter from the Fire Official confirming the review and approval.

Mr. Fik went through the utilities, public water and sewer. There is a 30 foot wide sanitary and storm sewer easement through the property. He described the storm water system proposed.

Mr. Fik went to Exhibit A-5, the landscape plan. The applicant will install approximately 21 green giant arborvitae to the property. He went over the lighting plan with downward directed LED lights, which will reduce sky glow and light spillage. Lights would be off by 10:00 p.m. except for security lighting.

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Mr. Fik went over the Exhibit A-6, phasing plan. During the first phase, the existing cabins will be replaced. The second phase would include the lodge, and the new nurses' station. The third phase will be the driveway aisles and parking improvements. Finally, the fourth phase will replace the existing pool with grass, and installation of the new pool.

The applicant agreed to the Township Planner's, John Chadwick, suggestions in is memo dated July 20, 2017. They also agreed to Mr. Christian M. Kastrud's, engineering memo recommendations and comments, dated July 28, 2017.

Mr. Villani asked if anyone from the public had questions. There were questions concerning traffic and asked if a traffic study had been done. There were concerns with the site line. There were no changes proposed, but some clearing of shrubs. The respite weekends would be once a month. The applicant agreed that the use of the lodge would be limited to the Warren Lions Club, the Warren Elks, and the Warren boy and girl scouts. All activities would terminate by 8:00 pm.

Mr. Villani called for a break at 9:00 p.m. The meeting was called back into order at 9:08 pm.

Mr. Villani brought up that there were two other cases on the agenda for the meeting.

Case BA 17-06 Warren Construction
23 Stiles Road, Block 212, lot 16.02
FAR Variance

Case BA17-07 Warren Construction
25 Stiles Road, Block 212 lot 16.01
FAR Variance

Mr. Sordillo, the attorney for the two cases came forward and requested that the two applications be carried to September 18, 2017. The cases were carried with no further notice. The time to act was also extended to the end of September 2017.

The ARC's architect, Carrmine Cerminara, A.I.A, of Cerminara Architect, came forward, having a business address of 224 Courtyard Drive, Hillsborough, New Jersey, was duly sworn according to law, provided his qualifications and was accepted as an expert in the field of architecture. Mr. Cerminara introduced the following exhibits into evidence:

Exhibit A-7: A colorized version of the rendered elevations of the cabins dated April 19, 2017; and

Exhibit A-8: A colorized version of the rendered elevations of the lodge dated April 19, 2017.

Mr. Cerminara went over the exhibits of the lodge and the cabins. The lodge will be approximately 7,200 SF over two floors and the cabins were about 1,600 SF. The lodge will have an elevator and staircases and a ramp. There are some classrooms on the first floor. The great room will be a lunch room and a place to hang out.

There were some questions on improving the entrance. The applicant agreed to work with the township engineer for landscape and signage. There was discussion on exiting the property.

Mr. Villani asked if there were any questions from the board. There were none. Mr. Villani asked if there were any statements from the public. There was some further concern about the camp being used for outside groups. There was also concern for water runoff and issues of Old Stirling Road with water spilling out on it.

There were no other statements from the public.

Ms. Coffey went over the use variance to permit the continued use of the property as a summer camp serving developmentally disabled adult and minor campers. The applicant has shown the positive criteria, include special conditions, and serves the generally welfare. The negative criteria requires the evaluation of whether there is a substantial detriment to the public good and substantial impairment to the intent and purpose of the zone plan and zoning ordinance. In the case of the use variance the positive criteria is enhanced. However, it is inherently beneficial. There is no other camp like this in the community or general area. Ms. Coffey stated the negative criteria is also met. The camp does not pose any detriment to the public good. It will enhance the property. It does not substantially impair the intent and purpose of the ordinance and master plan. The use is long standing on the property and confined to this property. The current use is not intensified. She requested the board approve with conditions previously discussed.

Mr. Villani closed the public portion of the hearing and the board went into deliberation. Mr. Bowen stated it was great that there are facilities here, and the plan is well thought out. Mr. Rica felt it is a beneficial use and needed upgrades. Mr. Hewson was fine with the proposal. Mr. Dealaman has concern with the entrance/exit. It is tough to get out of property. Mr. Huber felt that there is a lot with the phasing of the project but the site improvements make sense, and he appreciates the ARC. Mr. Castanheira said he has a nephew has severe autism and has used the facility and it is a good service and needs upgrades. Mr. Martins had no objections. Mr. Villani stated it was a great presentation and great use. He does think they should try to work on the entrance. Mr. Warner went over the conditions for the Preliminary and Final Site Plan and the variance. It is a d2 expansion of the non-permitted use. It requires five of the 7 votes.

A motion was made by Mr. Castanheira, seconded by Mr. Hewson.

Roll Call

For: Mr. Villani, Mr. Dealaman, Mr. Hewson, Mr. Castanheira, Mr. Rica, Mr. Huber, and Mr. Bowen.

Against: None.

Memorialization of Resolutions

CASE NO. BA17-0134 WASHINGTON VALLEY, LLC
Block 61, lot 2
34 Washington Valley Road

Variance for 3 story residential dwelling. Denied 6/5/17. Mr. Warner had a small change on page 7 of the resolution. The decision of the board voted 7 to 0 to deny (in resolution), and it was 5 to 0.

Motion was made by Mr. Bowen, seconded by Mr. Rica

Roll Call

For: Mr. Villani, Mr. Dealaman, Mr. Rica, Mr. Huber, and Mr. Bowen.

Against: None.

CASE NO. BA16-24 Emmanuel Chinese Christian Church
104-108 Hillcrest Road
Block 200 Lots 6.03 and 7.01

Conditional Use, variance for front yard setback, Minor Site Plan. Approved with conditions. Mr. Warner asked for a minor correction. The resolution had a 6 to 1 vote but it was a 5 to 1 vote.

Motion was made by Mr. Bowen, seconded by Mr. Rica.

Roll Call

For: Mr. Villani, Mr. Castanheira, Mr. Rica, Mr. Huber, and Mr. Bowen.

Against: None.

MEETING ADJOURNED: 9:45 P.M.