

In compliance with the Open Public Meetings Act of the State of New Jersey adequate notice of this meeting has been mailed to The Daily Record and posted at the municipal building.

ROLL CALL:

Members Present: John Mania, Dan Nelsen, Nelson Russell, Brian Schaechter, Scott Van Ness, Kim Mott, Sandra Stotler, Howie Weiss

Members Excused: Joe Fleischner, Judy Johnson & David Koptyra

Professionals Attending: Tiena Cofoni, Esq., Catherine Natafalusy, Planning Administrator/Secretary

Professionals Excused: Chuck McGroarty, Planning Consultant, Eugene Buczynski, Township Engineer, Edward Buzak, Esq.

MR. WEISS: Thank you Catherine. Right now before we get into the agenda I'd like to welcome Sandy to the Planning Board you round out the Board very well and we look forward to you making nice contributions. So thank you for joining us.

MS. STOTLER: Thank you.

APPROVAL OF MINUTES

June 19, 2014 – Public Meeting

Motion: John Mania
Second: Scott Van Ness

Roll Call:

John Mania - yes
Nelson Russell - yes
Scott Van Ness - yes
Kim Mott - yes
Howie Weiss - yes

COMMITTEE REPORTS

MR. WEISS: Judy Johnson couldn't be here this evening so we don't have a Mayor's report. John unless you add something to your Council report we don't have a Mayor's report.

MR. MANIA: I just want to share with the Board and the public about the 250 trucks that are daily going to go through our municipality for the capping of the Fenimore Landfill. Originally our Police Chief and the Police Chief in Roxbury had given the route of Route 80 east, Route 206 up to Mooney Mountain. The State Police changed the route through Route 10 and into the Flanders section of Mount Olive to head to the capping site. The problem I have is that we don't have any monies in our budget for any police that have to be used for traffic and my personal feeling is that the DEP should be paying this and I made that known at the Council meeting. Just to share that with the public so that when you see 250 trucks every day going through Flanders at least you'll know what happened it wasn't our fault.

MR. NELSEN: John is it 250 trucks a day?

MR. MANIA: A day, daily.

MR. WEISS: When is that going to start John?

MR. MANIA: Probably next week.

MR. SCHAECHTER: Okay and what are the hours of operation?

MR. MANIA: I don't have that. But I would assume 7:00 in the morning until probably 5:00 at night.

MR. VAN NESS: I can add to that. Actually they've already started, I don't know to that extent with the volume but what they've been doing is bringing them off Route 80 at least to start and they've been sending them into the Trade Center the upper Trade Center by Lowe's and sending them out Gold Mine Gold. The State Police are setting up truck inspections making sure their safe trucks before

sending them on. Basically starting off their process letting the truckers know that this is going to be a monitored event that all the safety that is require them to inspect as well as their license. It's got nothing to do with this Board really but it's good information to have going forward.

MR. WEISS: Thanks Scott.

MR. MANIA: Thank you Scott. Also I just . . . a letter was sent to Senator Arohoe to see what he could do about it.

MR. WEISS: You're not holding your breath there are you John?

MR. MANIA: No, no I don't want to turn blue.

MR. WEISS: Okay thanks John. All right Nelson anything from the Environmental Commission?

MR. RUSSELL: Nothing to report.

MR. WEISS: And Joe is not here from the Ordinance Committee and I know we haven't met. Catherine there's nothing of news to report from the Ordinance Committee is there?

MS. NATAFALUSY: I've actually been putting the . . going through the Re-Exam Report and doing the amendments and I think Chuck and I are going to meet again next week. We're hoping to get it to Council by September 15th.

MR. WEISS: That's going to come in front of this Board before that.

MS. NATAFALUSY: It will go to Council for first reading and then come back here.

MR. WEISS: Okay perfect thank you. I have nothing from the Street Naming Committee, David is not here from Open Space so we're (inaudible).

EXTENSION REQUEST

Application #PB 11-35 – Eleventh Hour Rescue – (Block 8301, Lots 11 & 12)

MR. WEISS: This moves us to our first item which is extension request PB 11-35 which is Eleventh Hour Rescue we have an extension request at 484 Route 46 Block 8301, Lots 11 & 12. Is somebody here from Eleventh Hour? What you could do before you sit down if you could raise your right hand and put your left hand on the Bible.

(CHRIS ROGERS SWORN IN FOR THE RECORD)

MS. COFONI: If you could just state your full name spelling your last name and giving your business address for the record please.

MS. ROGERS: Chris Rogers (R-O-G-E-R-S) my business address is 44 Route 46, Hackettstown, NJ 07840.

MS. COFONI: Thank you.

MR. WEISS: Mr. Rogers you're here in what capacity?

MR. ROGERS: I am the fundraising volunteer/director for Eleventh Hour I'm an unpaid volunteer and I'm representing Linda Schiller who is the President of the organization.

MR. WEISS: Tiena is that a little out of the ordinary, is that okay with you?

MR. ROGERS: We're an all volunteer organization.

MR. WEISS: No I understand and I'm very, very familiar with Eleventh Hour Rescue I just wanted technical . . .

MS. COFONI: I just want to look at one thing. You're not a Corporation?

MR. ROGERS: We are a corporation.

MS. COFONI: Technically corporations have to be represented by Council when they come before the Board. However this type of matter can even be heard by the Board without testimony from an applicant so I think in this case given that it's an extension there's going to be limited testimony we can go ahead and proceed. But just so you're aware in the future technically any corporations need to be represented by Council.

MR. ROGERS: I will let them know.

MR. WEISS: Now we all understand this is a very simple process or we already doubled the amount of time you need to have in front of us Mr. Rogers but if you will again we're familiar with the project but why don't you maybe give us a summary of what's happened in the last 12 months or so since we've seen you here before the Planning Board.

MR. ROGERS: Sure. If I could actually go back before that, Linda Schiller our president actually started this organization back in 2004 I believe that year she saved about twelve dogs. Since then as of last year I'm happy announce that the organization has actually saved upwards of about 3,500 dogs and cats. So the organization is growing rapidly. We have a facility in the Randolph area that we currently rent, the owner has told us that eventually he's going to sell the location and so we've had to look for a new location thus we've purchased the Mt. Olive facility. We brought in about a million dollars last year which is the good news; the bad news is we spent about a million dollars last year saving those dogs in our operation and so forth. So the money goes out just as quickly as it comes in. We are an all volunteer organization we do not have any large grants from any governmental entities we're pretty much we run the operation based on the good nature of our donors. So having said that it was our best plan to get the operation started two years ago, because the economy and so forth we unfortunately did not make much progress on developing the facility. I do have good news to report and I believe there is permit in front of the Zoning Board if I will?

MR. WEISS: It's the Planning Board.

MR. ROGERS: I'm sorry the Planning Board and we are going to be demolishing the building that's to the left.

MR. WEISS: You'll get a demolition permit.

MR. ROGERS: Correct, correct. So we are actually starting the process involving the property. So if I can answer any questions for anybody I'd be happy to but I just want to let you know we are making incremental progress, I know it's probably not as quick as we'd like it to be, certainly not on our end I'm sure not on your end as well but we are doing our best we are an all volunteer organization. And well that's basically it.

MR. WEISS: So I know you said you had about a million dollars worth you spend on saving dogs and cats. Do you have a plan to raise money to build the structure?

MR. ROGERS: About six months ago we put in place a fundraiser director for this facility specifically. She's been running everything from wine tastings to comedy nights and so forth and we are in the progress of raising money. I believe the estimate was about a million five to develop the property completely. We're trying to do what we can to again make incremental progress. So that's the intention this year.

MR. WEISS: I'm sure I speak for the Planning Board you certainly have whatever support you have from this Board I just need to remind you that the clock is ticking and it's out of our control. So tell me if I'm wrong the applicant has three extensions they can request? This is your first?

MR. ROGERS: This is our second.

MS. COFONI: No this will be the second.

MR. WEISS: Okay so this is your second, not a problem for us I would imagine but you know the (inaudible) maybe work against you if you don't make better progress. Have you requested a certain time frame for your extension?

MR. ROGERS: Forgive me I believe it's . . . I believe we've requested the extension for the year is that the question?

MR. WEISS: Yeah I think . . . Tiena is that correct they've requested for one year extension? Because I think the Planning Board probably helped a little bit there by being a little bit more gracious with your extension I don't know if you're aware.

MR. ROGERS: That would be wonderful.

MS. NATAFALUSY: I don't think she says anything in the letter.

MS. COFONI: Yeah she doesn't request a certain time period in her letter.

MR. WEISS: Well that's good then that will help them. Do you have anything else Mr. Rogers to say?

MR. ROGERS: No.

MR. WEISS: All right I didn't think you did. Does anybody from the public have any questions for Mr. Rogers about the application? Seeing none let's close it to the public anybody from the Planning Board want to make a suggestion on an extension that we might want to grant the Eleventh Hour Rescue?

MR. RUSSELL: Two years.

MR. MANIA: Two years would be enough?

MR. ROGERS: I'm very hopeful that we could make significant progress within the next two years.

MR. MANIA: I don't have a problem with the two years.

MR. WEISS: Okay that's acceptable from this end of the table.

MS. COFONI: I'm sorry two years?

MR. WEISS: Two years would be better for you than one year.

MR. ROGERS: That would be wonderful.

MR. WEISS: Anybody on the Planning Board have any problem with a two year extension? Okay well then seeing nobody has a problem let's make a motion.

MR. NELSEN: I'll make a motion to accept PB 11-35 two year extension.

MR. MANIA: I'll second it.

MS. COFONI: And that extension would expire on June 21, 2016.

MR. WEISS: Okay we have the motion and seconded, any comments? Seeing none Catherine roll call.

MS. NATAFALUSY: John Mania - yes
Dan Nelsen - yes
Nelson Russell - yes
Brian Schaechter - yes
Scott Van Ness - yes
Kim Mott - yes
Sandra Stotler - yes
Howie Weiss - yes

MR. WEISS: Good luck.

MR. ROGERS: If I could just say thank you to everyone involved especially Scott Van Ness I know you've been more than helpful in our fundraising activities and I thank the whole town for helping us complete our mission.

MR. WEISS: Well we know it's a very nice application; we're very pleased when you were coming before us so we're looking forward to seeing it.

MR. ROGERS: Thank you very much have a great day.

APPLICATION #PB 14-07 – GARY & BARBARA BEAR – (Block 1700, Lot 4)

MR. WEISS: Our first developmental matter is PB 14-07 Gary & Barbara Bear requesting a variance for rear yard setback on property located at 7 Lisa Drive Block 1700, Lot 4. Mr. & Mrs. Bear please if you would also come up to the table. Will you both be testifying? Okay so let's swear you both in.

(GARY & BARBARA BEARS SWORN IN FOR THE RECORD)

MS. COFONI: If you could state your full name each in turn spelling your last name and giving your address for the record please.

MR. BEAR: Gary Bear (B-E-A-R) 7 Lisa Drive, Budd Lake.

MS. BEAR: Barbara Bear it's spelt the same I still live with him too.

MS. COFONI: Thank you.

MR. WEISS: So what we'll do just for the record Catherine maybe you want to review just review what the Bear's are in here for this evening from a technical standpoint and just let the Planning Board know what we're going to be looking at.

MS. NATAFALUSY: Okay well (inaudible) photographs of the property so it gives you an idea of where the deck is proposed.

MS. COFONI: These were submitted as part of the application?

MS. NATAFALUSY: Yes they were submitted as part of the application.

MS. COFONI: Okay.

MS. NATAFALUSY: This is Lot 4 in Tax Block 1700 otherwise known as 7 Lisa Drive, the property is part of the residential subdivision subdivision known as Stonehedge West. The application is for the construction of a deck and a gazebo area consisting of approximately 752 square feet on the rear of the dwelling. The variance they're seeking is for encroaching into the rear yard setback, at its closest point the deck will be approximately 28 feet from the rear lot line whereas 50 feet is the rear yard setback in the R-1 zone. So that's what they need, building and lot coverage are within acceptable limits. You know basically in looking at the applications (inaudible) look at the location of the septic area and where they put the house and that kind of pushed the house back because of the location of the septic area. If they had put the house further towards the front lot line they wouldn't be having this problem but I think the septic area has created the problem that they have tonight.

MR. WEISS: Okay so that's kind of technical we here because you need a rear yard setback variance and of course Catherine told us that the standard is 50 feet and your closed deck would end up being at 20 feet. So why don't you tell us a little bit about your property, tell us what's going on in your back yard. Actually I did a drive-by and I was a little bit familiar I was going to knock on the door but I was able to see for myself. Maybe for the record why don't you just tell the Planning Board what's going on in your back yard, tell us about the topography, tell us about the existing conditions.

MS. BEAR: Our house backs up to woods that were declared wetlands after a couple of years after we moved in so there will never be development behind us. We have a very old deck that the builder threw up, very simple old deck it's falling apart and we'd like to replace it with something bigger that's a very small deck and it wouldn't really interfere with our neighbors, we have a walk-out basement so basically they're just putting up the pylons right?

MR. BEAR: Yeah.

MS. BEAR: So that there will be nothing to interrupt the ground area really.

MR. BEAR: The deck right now is not the full width of the house as it is, we'd like to make the deck the full width of the back of the house to give us more room to spread out.

MR. WEISS: Okay tell me about the topography. From the road it appears that there's a steep slope at the back of your house. Is that accurate?

MR. BEAR: It tends to slope towards the back yes not real steep but there is a tiny little creek back there which is for run-off from the street, that's in the back.

MS. BEAR: It slopes to the back off of the driveway but that hill and then to the left if you're looking at the house and the woods to the left to the next door neighbor's property is all level. It's all level with where our basement and everything is.

MR. BEAR: Yeah it's a walk-out basement.

MS. BEAR: That's the only area that has a bit of a hill.

MR. WEISS: What else do you have going on in the back yard I think I saw from the street to the left of the house some kind of octagonal patio or fire pit or

MR. BEAR: It's just a fire pit area so we could hang out and have little fires so the bugs don't bother us.

MR. WEISS: And then from the street perspective to the right it looked like, is it a child's swing play area?

MS. BEAR: Yeah we're taking that down.

MR. BEAR: Yeah we're taking that down our son passed away in 2002 so we're going to take it down.

MR. WEISS: Okay I just want to make sure everyone gets a feel for what's happening. And again Catherine made a note that the septic system is right kind of smack in the middle of the yard which forced the home to be built towards the back towards the rear. And my first concern before I took a look is that this is an acre how can you not have . . . it's an R-1 zone.

MR. BEAR: Yeah it's actually a little over a half acre.

MS. NATAFALUSY: I'm sorry it's in the R-1 zone but its only 26,000 square feet so it was . . .

MR. WEISS: Oh okay so it's not quite at even three quarters.

MS. NATAFALUSY: Right.

MR. WEISS: Regardless I saw it and I certainly understand what the concern is. I don't know if anybody . . . I know Joe Fleischner told me he took a look at it as well. So based on some of the testimony that you just gave with a unique shape and topography and you have (inaudible) I would imagine that that's enough testimony, Tiena tell me if I'm wrong, to certainly qualify for positive criteria.

MS. COFONI: Yes.

MR. WEISS: And if anybody else on the Planning Board has any other questions about that positive criteria now we can address that but being that it seems to be satisfied let me as you another question or so about the neighbors. For the record, again I've seen it but for the record do your other neighbors have decks similar to the deck that you're building?

MS. BEAR: Yes.

MR. BEAR: Yes.

MR. WEISS: And would you say that the deck that you're proposing, and we have the plans in front of us, will deter from the character of the neighborhood?

MS. BEAR: No.

MR. BEAR: No.

MR. WEISS: So the deck has been designed to kind of flow with what's there.

MR. BEAR: Exactly.

MR. WEISS: And so therefore the building of the deck would not have any negative detriment on the community?

MR. BEAR: No we have a very good rapport with our neighbors and have mentioned and explained what we're doing and they're all for it. We're very close to our neighbors let's put it that way.

MR. WEISS: Those are great answers. To me and tell me I'm wrong that sounds like testimony has been given to prove the negative criteria that the construction won't be a detriment to the community. If anybody from the Planning Board has any questions about the negative criteria.

MR. NELSEN: Mr. Bear it looks to me like the proposed deck is just about a foot or two maybe going out further than the existing deck.

MR. BEAR: Right exactly.

MR. NELSEN: And the existing deck is already preexisting nonconforming.

MR. WEISS: Certainly put that right back into the positive criteria I suppose. Does anybody from the public have any questions for the Bear's about the testimony that they've given? Seeing none anybody else from the Planning Board? Okay Mr. & Mrs. Bear do you have anything else to say?

MR. BEAR: Just that we have two Eleventh Hour Rescue dogs.

MR. WEISS: Okay that being said would somebody make a motion to approve this application.

MR. VAN NESS: I'll make a motion to approve PB 14-07 variance for rear yard setback.

MR. RUSSELL: Second.

MR. WEISS: Any comments? Roll call.

MS. NATAFALUSY: John Mania - yes
Dan Nelsen - yes
Nelson Russell - yes
Brian Schaechter - yes
Scott Van Ness - yes
Kim Mott - yes
Sandra Stotler - yes
Howie Weiss - yes

MR. WEISS: So what's going to happen now in about a month the resolution will be signed probably September 11 we'll sign the resolution on the 12th you can pick it up and you can get yourself a building permit.

MR. BEAR: Excellent.

MR. WEISS: So good luck to you.

MR. BEAR: Thank you very much.

MS. BEAR: Thank you.

APPLICATION #PB 14-03 – ROADRANGER HOLDINGS INC. – BLOCK 8301, LOTS 17 & 18

MR. WEISS: PB 14-03 Roadranger Holdings coming in for preliminary and final site plan at 398-400 Route 46 West at Block 8301, Lots 17 & 18 has been carried to October 9 with no further notice required. If anybody is here for that application there won't be any other notice.

(APPLICATION CARRIED TO THE OCTOBER 1, 2014 MEETING)

MOUNT OLIVE BOARD OF EDUCATION – MIDDLE SCHOOL (CAPITAL REVIEW)

MR. WEISS: So let's complete our agenda for the evening with Mount Olive Township Board of Education NJSA 40:55D-31 capital review of the Middle School the new turf field and lighting located at 160 Wolfe Road Block 8101, Lot 22. Mr. Monahan I see you are here, Mr. Schaechter sits on both Boards he's going to remove himself from this hearing thank you Brian. And Mr. Monahan it's all yours, I think what you might want to do assuming that (inaudible) maybe explain the process that brings us here today. There are some members from the public that have concerns and obviously this hearing is for the members of the public so . . .

MR. MONAHAN: Right. Thank you Mr. Chairman I'm Sean Monahan I'm from the law firm of Skank, Price, Smith & King and we represent the Mt. Olive Township Board of Education. You recited the statutory citation of NJSA 40:55D-31 and that calls for an entity which is an arm of the government to come before the Planning Board and have a project like this reviewed by the Planning Board and to get the Planning Board's comments and recommendations. So while it was not necessarily required to provide notice to property owners within 200 feet under the statute we did send out notice to the property owners within 200 feet as if it was an application for development. So we're glad to see members of the public here and taking an interest in the project. I would like to basically present two witnesses Mr. Follini who is the Athletic Director and can speak to the operation of the project and then Mr. Gianforcaro who is the architect who designed it and can speak to the technical aspects of the project. The project is an upgrade to the playing field at the Middle School which is just down the road, the grass field has been replaced with artificial turf and field lighting is to be constructed. There's been no change to the size or layout of the field or any of the buildings on the site. It's a replacement basically of what was there plus the addition of lighting. The Board of Education intends to make the field available for use as part of the Township's recreation program and we believe the project will benefit all the residents of Mt. Olive Township. We received and responded to inquiries from Mr. McGroarty and Mr. Buczynski regarding the lights, Mr. Gianforcaro can speak to that and his testimony will demonstrate that there will not be glare from the lights onto the adjacent properties to disturb the property owners. So if it's alright I'd like to start with Mr. Gianforcaro.

MR. WEISS: What we'll do is we'll swear you in.

(ANTHONY GIANFORCARO SWORN IN FOR THE RECORD)

MS. COFONI: If you could state your full name spelling your last name and giving you business for the record please.

MR. GIANFORCARO: Anthony Gianforcaro (G-I-A-N-F-O-R-C-A-R-O) 555 East Main Street, Chester, New Jersey 07930.

MS. COFONI: Thank you.

MR. GIANFORCARO: You're welcome.

MR. WEISS: Is it all right if I just refer to you as Anthony?

MR. GIANFORCARO: That's fine I'll do the same.

MR. MONAGHAN: Anthony are you a licensed architect in the State of New Jersey?

MR. GIANFORCARO: Yes I'm a licensed architect and a licensed engineer in the State of New Jersey.

MR. MONAGHAN: And did you prepare the plans for the athletic field renovations at Mt. Olive Middle School?

MR. GIANFORCARO: I did.

MR. MONAGHAN: And were those plans submitted to the Board?

MR. GIANFORCARO: Yes they were.

MR. MONAGHAN: And did those plans include a site construction and grading plan, a soil erosion plan, a lighting plan and a field detail sheet?

MR. GIANFORCARO: Yes they did.

MR. MONAGHAN: And do those plans include facilities for lighting of the field?

MR. GIANFORCARO: Yes they do.

MR. MONAGHAN: And will that lighting from that field spill over onto adjacent properties?

MR. GIANFORCARO: It will not.

MR. MONAGHAN: And how do you know that?

MR. GIANFORCARO: We specified Musco Lighting for this project it's a very up to date technology and there is shields on the light that prohibit the light to go a certain distance away. If any Board member wishes to view something that I gave to Gene Buczynski I did bring copies with me, 240 feet from the actual edge of the field we will have zero footcandles. So essentially there will be no light and basically as you move away from the field the light levels reduce by an extraordinary amount. Even at 200 feet it's .1 so what I also did on my plan was I brought an aerial photograph of the whole area showing where the adjoining property, the closest property owners would be and I can show you how the light level where the 240 feet goes to.

MR. WEISS: Anthony I'm going to ask you to mark that if you would mark it as A-1 with today's date. A-1 is going to be an aerial view of the site.

MS. COFONI: What is the date on the aerial view?

MR. GIANFORCARO: 5/12/14 so May 12, 2014.

MS. COFONI: Okay thank you.

MR. MONAGHAN: Okay and we'll call it exhibit A with today's date?

MS. COFONI: A-1 please.

MR. WEISS: A-1.

MR. GIANFORCARO: This is an aerial photograph that we took from Google maps and you'll see Flanders-Drakestown Road, Wolfe Road is going up towards the left of the sheet . . .

MS. COFONI: Excuse me I'm sorry, if members of the public want to come closer you might be able to have a better view of the . . . even if you want to go on that side you might be able to see better. I saw you all straining to try and take a look.

MR. GIANFORCARO: You'll see Flanders Road crosses the street at a diagonal, Wolfe Road is going up more towards the left. This is actually that we're in right now and you can see the school site where the Middle School is facing Wolfe Road. Behind it we've put a yellow rectangle where the actual soccer field is located. Adjacent to that is the existing bus depot and adjacent to the soccer field moving towards this residential development is the baseball field. So what we did was we scribed a 240 foot off-set and that's where the point will be where there's zero footcandles. So you can see we barely made it into left and center field the property line is somewhere in the wooded area so at that point right there we will have zero footcandles so there will be no spill over onto any adjoining property.

MR. MONAGHAN: And when you say a footcandle is that a measurement of the level of the brightness of a light?

MR. GIANFORCARO: Yes it is.

MR. MONAGHAN: And a zero footcandle means there's no detectable light?

MR. GIANFORCARO: Detected but there's no light exactly.

MR. WEISS: It doesn't mean that you can't see the lights is that right?

MR. GIANFORCARO: That's correct there will be no glare and there will be no . . . if you were to try to read if you would have something you would have no light to read you would need another source. You wouldn't be able to . . . you would have trouble seeing if you were going to step on something. That's why when you design a parking lot usually you want at least one footcandle in a parking lot, two footcandles at least to be able to traverse the area. This will have zero at that point.

MR. WEISS: Okay. Scott?

MR. VAN NESS: Will looking at the lights from a distance create a glare or would you have a difficult time seeing around you if you have those lights in the background whereas the actual bulb itself will . . .

MR. GIANFORCARO: The bulbs will be facing directly down at the field. Obviously there's going to be four light stanchions so they'll be aimed at different parts of the field. We are going to light the field with two settings one will be 30 footcandles, one will be 50, 30 is usually a practice setting, 50 would be a competition setting. And we ran the grid pattern which again I shared with your engineer; we ran the grid pattern for the maximum amount which would be the 50 footcandles to be conservative to show at that point there would be zero.

MR. VAN NESS: But the actual bulb itself is not going to be visible at any point from any of the residents nearby. I understand that the lighting . . .

MR. GIANFORCARO: I'm not going to say that . . . you're going to see a light stanchion. If there's not an obstruction yes you may see part of the bulb, the ones that will be most visible would be obviously the ones on the school side because they'll be facing in that direction. But again the intensity of the light is shining at the field. You may see a light in the distance it's called a hot spot I don't know if anyone has ever (inaudible) the actual but it's a hot spot I don't know if anyone has ever (inaudible) the actual lighting but there's a hot spot on the light and then there's preferable light around it. You won't be able to see the hot spot because it's not going to be directed in the direction of the house it's going to be directed down.

MR. VAN NESS: This preferable light of course he's not talking about because it's obvious that that's what's going to be designed is that the hot spot will focus on the field. How much influence will the preferable portions of the stanchions that are facing the residents over behind the school, how much of an impact will they have? What is the height again of the highest point?

MR. GIANFORCARO: 80 feet.

MS. COFONI: Can you point out where on the field those lights will be?

MR. GIANFORCARO: They will be right on the edge, there will be one somewhere between home plate and first base, between the field the soccer field and baseball field, there will be one housed say the middle of right field if you would between the baseball field and the soccer field. And then these two will be between the field and the tennis courts. I can give you exact distance if you'd like . . .

MS. COFONI: Well I'd like to know what the distance between the light, I guess that's by first and home and the nearest residence. I think that would be something that's interesting to know. How close those lights are going to be to them. I don't know if that's to scale or not but . . .

MR. GIANFORCARO: To the closest home will be just under . . .

MR. WEISS: Are the pictures to scale?

MR. GIANFORCARO: Yes 200 feet . . . so it's going to be somewhere between 300 and 350 feet somewhere in the neighborhood of 300 and 350 feet. I can't give you the exact.

MR. WEISS: Is there any kind of natural buffer there right now?

MR. GIANFORCARO: There is there's a tree line there's a heavily wood line along the back of the baseball field between the residents and the school property.

MS. COFONI: Do you know about how tall those trees are?

MR. GIANFORCARO: I'd be guessing somewhere about 50 feet maybe. They're mature tall trees.

MR. MANIA: Anthony what kind of impact will it have on the house that's 350 feet away?

MR. GIANFORCARO: There will be zero footcandles technically it should not even cast a shadow. For example somewhere shouldn't be able to you know make shadow puppets on the wall based on the light shining into their house. That will not happen. Yes there will be something off in the distance but there will be zero footcandles at the 240 feet so there will be no light shining at the property.

MR. MANIA: So it's not going to affect that . .

MR. GIANFORCARO: No it shouldn't I mean will they be able to see over a tree? I'm not going to stand here and say no they may see something off in the distance but it won't affect the light on their property. There won't be any light on the actual residential property.

MR. NELSEN: Mr. Gianforcaro are those deciduous trees or are they evergreens?

MR. GIANFORCARO: I think the majority of them are deciduous there may be some evergreens in there but I think the majority are deciduous.

MR. NELSEN: Okay so the closest lights to the homes are 350 feet so the other side of the field will be 500 feet away.

MR. GIANFORCARO: Yeah somewhere approximately there.

MR. RUSSELL: For comparison purposes approximately how many footcandles is a full moon?

MR. GIANFORCARO: I do not know that answer. I've never taken a light level obviously there are brighter moons at times, not too long ago there was a moon that was closest to the earth and it was a very bright moon. I've never actually gone out and taken a light level reading.

MR. RUSSELL: Can you approximate?

MR. GIANFORCARO: Maybe at its brightest you may get one footcandle I don't know if you'd even get that. I mean there are times in a very clear night when the moon is extremely bright you'll cast a shadow on it you will see a shadow. I don't want to testify to a number that I've never taken.

MR. RUSSELL: Okay I understand thank you.

MR. MANIA: Those lights they can't be changed to a different place? Is that a possibility? Do they have to be where they're at?

MR. GIANFORCARO: Yes it's the only way to light the field.

MR. NELSEN: That's where the field is.

MR. MANIA: Oh I know that's where the field is I want it for the record.

MR. GIANFORCARO: You'd have to I mean if you went on the opposite end of the field they'd go that much higher so they'll be again won't shine light on it but they'll be that more visible from farther away. If we want to put it on the end of the field we'd probably be in the neighborhood of 100 to 110 feet in height. So this is really the only practical place to put it to light the field.

MR. MONAGHAN: I just want to touch on the management of stormwater with the system could you describe that?

MR. GIANFORCARO: Years ago I was called in after the school was built. Some of these neighbors were actually flooded out when the original field and the original school was built. And I was called in by the Director of Buildings & Grounds afterwards and asked to remedy the flooding situation. So what we did was we put an open trench drain around the back of the baseball field and then we started putting in area drains picking up all of the water. The water for whatever reason and I'm not going to comment on someone else's design it was all directed that way. So what we did was we started putting area drains in the entire swale around the field stopping somewhere in the back of the baseball field and we brought all of the water in the opposite direction into the detention basin that exists we enlarged the detention basin that exists in front of the bus garage. I was out after a very, very heavy rain after we completed the project years ago and if you stood on the one side the baseball field side you're up to your ankles in water and if you stood on the other side you were bone dry. So I'm proud to say that our drainage system alleviated the water running from this baseball field in this whole field in that direction. So what we're doing with this field is we put a series of under drains in and the under drains are tied into the drainage system, directly tied in to the drainage system that goes to the basin. So there will not be any drainage impact at all on this development adjoining property.

MR. WEISS: Anthony with the installation of the turf field has the existing drainage system that you spoke about been compromised at all?

MR. GIANFORCARO: No. Now it's only been in existence for you know one month maybe but . . .

MR. WEISS: Well I guess maybe a better question is has any of it been vacated? Did they rip any of it up?

MR. GIANFORCARO: Oh no, no absolutely not.

MR. WEISS: Okay.

MR. GIANFORCARO: Everything is still intact it's all been protected with soil erosion measures and everything. But no it's completely intact and it's still flowing freely to the pond or basin I'm sorry not pond.

MR. WEISS: Scott?

MR. VAN NESS: How far along is the project?

MR. GIANFORCARO: The turf is down that's it.

MR. VAN NESS: A little premature? You don't have to answer that I seem to have this problem with the Board of Education coming in and saying look what we did instead of . . .

MR. WEISS: Hey Scott let me stop you and maybe I'll let you have the floor at the end.

MR. VAN NESS: No I'm not going to pontificate later on that.

MR. WEISS: That would be your decision I think we're hearing from the engineer, as we know the engineer had nothing to do with it.

MR. VAN NESS: Okay I'll pick on each one individually.

MR. WEISS: Feel free you'll have my blessing.

MR. MONAGHAN: Anthony is there a layer of stone under the turf field?

MR. GIANFORCARO: Yes there's actually 8 inches of stone, there's 6 inches of what we refer to as base stone it's clean stone that's where the under drain system is at the bottom of that and then there's 2 inches of finished stone above that. The reason that you have two layers of stone is the finished stone has to be at a certain density and compaction in order to lay the turf. If you just put clean stone down when you put the turf down the fork lift that carries it would put ruts in the stone and it would show through the turf itself. So the finished stone at the top is what enables them to actually lay the turf.

MR. MANIA: That's QP on the top right? Quarry process?

MR. GIANFRANCO: It's actually not, no it's not it's more of a . . . there's not as many fines that you would find in the QP. It's more of a granule sand if you would mixed with almost like a (inaudible) gravel.

MR. MONAGHAN: And does that 6 inches of base stone actually provide some storage capacity for stormwater?

MR. GIANFRANCO: Absolutely, so we're actually slowing the volume of water down.

MR. MONAGHAN: Right because that condition didn't exist with the old turf field.

MR. GIANFRANCO: No it just ran off to our drainage system.

MR. MONAGHAN: So the drainage has been improved.

MR. GIANFRANCO: Yes.

MR. VAN NESS: The new drainage system drains to . . .

MR. GIANFRANCO: The existing one that we put in years ago in order to alleviate water running onto adjoining property owners.

MR. VAN NESS: Where is the ultimate departure of that drain?

MR. GIANFRANCO: There's a basin there's a detention basin in front of the bus depot.

MR. MONAGHAN: I don't have any further questions for Anthony.

MR. WEISS: Okay so let me do this let me open up the hearing to the public, is there anybody from the public want to address issues to the engineer Mr. McEntee I would suggest maybe . . . our engineer/architect Mr. McEntee maybe you'll slide the podium forward or you can move the photo back a little bit. You've been here before you'll state your name and address for the record and any questions will be addressed to the professional based on the testimony that they gave.

MR. McENTEE: Lawrence McEntee 22 Aldersgate Circle, Budd Lake. And in order of full disclosure for those of you who don't know I'm past member of the Board of Education and President of the Board of Education and I manage . . . I was the Chair of construction during the Middle School and the High School construction so I'm well versed in the nuances before the Planning Board and the Board of Ed's rights and notification. And I would like to start off by saying that I'm in favor of the turf field and the lights but at the same time I'm embarrassed and highly insulted that you send me the letter after the field is in and the lights are in the poles are in all you have to do is put up the poles which I assume which will be done tomorrow by 4:00 because the crane is there the poles are there . . .

MR. WEISS: Let me just make a quick suggestion because the process this evening let's talk to the experts as they come up and then I'm going to invite you back up if you have a comment.

MR. McENTEE: Okay.

MR. WEISS: So let's use this part of the meeting to address anything that Anthony might have told us.

MR. McENTEE: Okay one thing I see is you know you show a light pattern there the bus garage has much less lighting and it still lights up the back of my house and I'm a good 300 feet from the bus garage property. So even though these lights may be pointed down the glare will create, I mean as matter of fact when my son was young there were times at night we had to put blinds on the windows because in the wintertime it's all deciduous so in the wintertime it created quite a bit of shadow on the back of the house from the bus garage so I can only assume this would create similar shadows. Also there is a tree line that we put up on our property line and we actually implored the Board of Education to do it and they planted a tree line along the home run fence. Which is now probably about 25 foot white pines but a good number of it got knocked down last winter in the storm which me and my neighbor, who by the way they're not here because they're all on vacation two of my neighbors on both sides, they fell down on the slope and they haven't fixed it yet. So I'm concerned about the shadow in a sense and I'm also concerned, and maybe it's not under this guise Mr. Weiss but these lights are going in no matter what I say and I'm afraid tomorrow they could put a 150 foot light pole up on the field which

would be in my backyard. Because the Board of Education did cut down the trees right to the property line when they built that field after which they told us they weren't going to take any trees down but they expanded the field from a 60 foot diamond to a 90 foot diamond and I found out they were cutting trees down the day they were doing it. So I'm concerned process jumps in a sense and there's no (inaudible) as a good neighbor.

MR. WEISS: Larry let me stop you real quick you mentioned real quickly a 150 foot tower but I would imagine that you're kind of suggesting in the event that they light a baseball field.

MR. McENTEE: Yeah.

MR. WEISS: I just want to be clear that's on the table tonight.

MR. McENTEE: Well that's why I said to you I'm half here because I want to be on the record so in the future I've learned one thing that if you don't say it when it happens and it happens later then everybody will say well why didn't you say anything about it then.

MR. WEISS: Well I would imagine, not to cut you off but I would imagine that by the end of this hearing by the time the gavel gets hit the message will be delivered about future developments.

MR. McENTEE: Well (inaudible) I was happy to see it thank you for putting the plans out there that you're tied into the French drain because I had actually me and Bruce Bott pushed for that French drain because we were flooding the properties. My house happens to be 5 feet higher than my neighbor's and the water coming off of that field didn't affect me it affected both sides of my neighbors flooded their basements and Board of Education and they're paying claims to four out of my five neighbors including my father-in-law. The water was a foot deep over the top of his in-ground pool. So you can see that the water was coming that way and mind you that was after we came to the Board referendum meetings and said look all of this water is going to come to our houses what are you going to do and they told me I wasn't a water engineer therefore I didn't know what I was talking about. So when it happened I was concerned and I'm concerned now even though I see that it should work and if it's connected to those pipes it should work beautifully because what you did design did work perfectly and stopped the flooding. But I'm also here to say that if we get floods in the next heavy rain I'm going to be back before the town and the Board of Education saying what did you do because you fixed it and now you screwed it up. But it appears, and I didn't know that before I came that you did fix it.

MR. WEISS: So you can confirm Larry that the fix that Anthony put in did make it better.

MR. McENTEE: Oh it stopped the runoff I mean we got some but not nearly as much. Because what was designed originally, and it wasn't Anthony's original design I notice because we saw the problem, was the soccer field and the baseball field dumped all of the water and then dumped it all towards the houses. And I'm sorry but I don't need to be a water engineer to read a flat and say that all the water is coming that way and you took out 150 feet of trees. What's going to happen, the water came right through the woods and thank God it happened when it did because it was still red clay the red clay was everywhere so it was like a fingerprint you could trace it right back to the school. If it happened two years later they might have claimed it wasn't their water but that was addressed. But you draw this line but I mean you said 240 but this line to this line that's only like 90 feet so is it 240 from the other pole?

MR. GIANFRANCO: I'll show you, it's 240 from the edge of the field. I mean that's 90 from there to there that little piece so you've more here, you've got more from there to there.

MR. McENTEE: Yeah it's 315 to the corner here.

MR. GIANFRANCO: Right but that's from home plate.

MR. McENTEE: I know understood.

MR. GIANFRANCO: But here . . . you can have this I'm more than happy to share it with you it's the grid pattern from that will be all of the footcandles around the field and the footcandles on the field that are on the other sheets too.

MR. WEISS: Anthony I'd prefer that maybe rather than giving Mr. McEntee that we mark it.

MR. MONAGHAN: Yeah we'll make it as an exhibit.

MR. WEISS: Mark that as A-2 and tell me what A-2 is.

MR. GIANFRANCO: A-2 there's three sheets the first one is the lighting levels on the field only when there's 28 lamps lit and that's for an average of 30 footcandles. The second one is the lighting levels on the field for an average of 15 footcandles when all 44 lights are on, and then the third page is the one I was referring to its referred to as a grid summary or a blanket grid. And what that shows is it shows the field and it shows the grid pattern of the lights, the lighting levels that are generated from these lights away from the field. And again there's a little scale down in the corner and we just scaled off 240 feet and . . .

MR. WEISS: So that document now is marked A-2 Tiena gave a couple of extra copies . . . the Planning Board has copies Larry you have a copy.

MR. GIANFRANCO: And I did submit this to Mr. Buczynski our municipal engineer.

MR. McENTEE: Mr. Weiss I appreciate again I have a comment about that but the only thing technical I have is I had asked the Board of Education to look at their own buffer because when the storm knocked the trees down they could have easily stood them back up and we called them twice and my neighbors called them and the trees are still on their side they're probably dead now.

MR. WEISS: I did see Mr. Monaghan making notes so I'm going to assume . . .

MR. McENTEE: But I'm hoping that they would return those because they're on the left field fence and you know it does help. I mean they're quite big now they were planted at 6 foot pines when they planted in 2000 but you know the storm took its toll like it did on everybody but I think it would have been an easy fix a year ago, today its probably recovery or a new tree.

MR. WEISS: Am I correct Mr. Monaghan you made a note of that?

MR. MONAGHAN: I did make a note of that I was trying to speak to the client about it.

MR. WEISS: Okay.

MR. McENTEE: But I do agree with Mr. Van Ness when he said about the ambient light, you're going to create shadows I mean I believe the new lighting . . . I'm very familiar with the new lighting it won't create a hot spot in my backyard but to say that the moon creates an ambient light these things when they're on but at the same time I don't foresee them having soccer games every night of the week until 10:00 at night and there's nothing . . . I don't mind the sound of a soccer game to tell you the truth I actually enjoy it. Growing up here I'm glad that we're actually providing facilities and the lights it's just a matter of I think I would have like to have known about it before I saw the towers being installed.

MR. WEISS: Thank you. Anybody else from the public have any questions?

MR. CHIMENTO: Yes my name is Frank Chimento and I live at 28 Aldersgate Circle. I just have a question, how late are these lights going to be on?

MR. WEISS: Well Frank you know what I would say that Mr. Fallini is going to talk about that.

MR. CHIMENTO: Oh okay then that's all I have to say.

MR. WEISS: Okay. And if not we'll certainly give the guidance on the lighting, the recommendation I suppose. Anybody else from the public? Okay Anthony I thank you for addressing those. Hold on we do have a couple questions for you. Catherine?

MS. NATAFALUSY: Looking at your lighting plan it says poles F1 and F2 shall be a minimum of 90 feet I thought you said 80?

MR. GIANFRANCO: Okay here's what happened this is a shop drawing this is what comes from Musco. When we put the design drawing out to bid we leave it up to the contractor to provide an actual shop drawing. So the shop drawing they were able to do it in 80 feet, obviously when I saw the pole was shorter I obviously approved it. I would prefer something shorter . . .

MR. WEISS: That was brought up by Gene I saw communication between you and Gene.

MS. NATAFALUSY: And it also says here that the poles shall be designed for additional 16 lights to be added in the future?

MR. GIANFRANCO: What we did was the two poles, the two poles on this side between the baseball field and the soccer field we sized the pole, not the heads on the lights, there's still only 11 lights on that hat but we sized the pole to accept in the future additional lights. So the structure itself, because the last thing I wanted to do was be blamed in the future and I'm sure there's going to be comment that if they ever want to do that but the last thing I wanted to do was some day in the future 30, 40 years from now I may be long gone somebody says who was the fool that put up a pole and now we have to put up another right next to it because we want to light the baseball field. So the arms for the lights are not on there, the lights are not on there, the power is not going to be run to it but the physical structure itself will be able to hold additional heads if ever needed. We're not asking you here tonight to put those heads on but the physical pole is strong enough to possibly take it if in 40 years somebody wants to light that baseball field.

MR. MANIA: And I'm sure if you put additional lights on you'll come before the Planning Board and you'll let the residents know so they're not left in the dark in the future right?

MR. WEISS: I got to take it Mr. Mania (inaudible) that's just directed generally.

MR. MANIA: Yeah absolutely.

MR. WEISS: If you would maybe hold on to that to the end of the meeting because right now we're simply asking questions.

MR. MANIA: It's very tough to hold on to those things.

MR. WEISS: I understand.

MR. VAN NESS: Although Anthony might be able to say hey well wait a minute did you guys get approval ahead of time? Because he doesn't want to get beat up at the meeting.

MR. WEISS: I agree that would be the appropriate thing to do.

MR. GIANFRANCO: We are not here asking to light the baseball field. I want to make that very clear but I have to have some foresight as a licensed professional to use my best judgment if the day may come and I may not even be here but maybe none of us will be here but at least the structure is there.

MR. MANIA: Anthony that was not directed at you it was directed at the Board of Education. Thank you sir.

MR. WEISS: Nelson I think you had a question?

MR. RUSSELL: No just a comment we looked it up and the full moon is .03 footcandles.

MR. MANIA: Thank you Nelson.

MR. WEISS: Scott did you have a question?

MR. VAN NESS: So the illumination summary that you provided to us is that based on an 80 foot tall or a 90 foot tall?

MR. GIANFRANCO: 80 if you look up in the corner is shows the height of the pole and then each one will show number of luminaries down in this corner chart. So the first one again you'll see 28 and that's a 30 footcandle, the next one is 44 and that's your 50 footcandle design and the grid summary you'll see the number of luminaries is 44.

MR. VAN NESS: Do you have a 90 foot summary reading?

MR. GIANFRANCO: A 90 foot? No the pole is only 80.

MR. VAN NESS: That's not the question, do you have a 90 foot with you?

MR. GIANFRANCO: No.

MR. VAN NESS: Fair enough thank you.

MR. WEISS: Anthony I have a question for you we didn't really address the transformers or electrical storage room, is there going to be such a facility for transformers or any other electrical . . .

MR. GIANFRANCO: No we're taking the power out of the school. There is a storage room right at the rear of the building about midway and along this elevation and there's enough power there, I don't know why they did it when they built the building fortunately it's there and there will be a cabinet on the outside of the building there's no transformers it's a series of relays with breakers in it and the lights can work in a number of ways. One is you can have a key I actually have one that you can turn the lights on manually, most times they'll be in the auto position and you can either go on a user who has the proper password to get on can have the lights go on and off based on a computer program and the other way is Musco takes a lot of pride that they have someone at their facility 24 hours a day 365 days a year. So if on Christmas Eve you want to turn the lights on and you are an authorized user you can call up and you can say here's the user name and password I want the lights to go on at you know 5:30 and please turn them off at 7:30. What some people do is the last guy off the field calls and says turn the lights off within 15 seconds the lights go off. So there's a number of ways to control these lights. Most of the time what they'll do is they'll go into a computer program which will be an online type thing that sends . . . there's an actual sensor on the lighting panel and it's done through the cell towers and they send the signal and they turn the light on and they send a signal and they turn them off. You can program it for a certain, a month in advance, you can program it for a year in advance you can say on these certain days we need the lights on. So there's a number of ways to control the lights.

MR. WEISS: But we'll see no other structures anywhere on the facility for lighting.

MR. GIANFRANCO: No.

MR. WEISS: Anybody else? Dan?

MR. NELSEN: Mr. Gianfranco Mr. McEntee mentioned something about the lighting on the back of the garage, when that was constructed and now are you aware of those lights and what type of the lights those are?

MR. GIANFRANCO: I've been to the bus garage obviously but I have not taken note of the lighting. I didn't design it, it was there long before I arrived doing work for the district. I can certainly make note of it when I go back out.

MR. NELSEN: Mr. Monahan would make note of that perhaps?

MR. GIANFRANCO: I can't comment on whether it's a metal highline, a high pressure sodium, whether it's a tilt head, whether it's a shoe box I've been there enough times and I can't recall.

MR. WEISS: Well you know let me refer it real quick. This process here tonight is to come up with some recommendations and perhaps one of the recommendations coming from this meeting is that we take a look at the bus garage and analyze those lights and maybe there's something that needs to be done there too. I don't think obviously we know you had nothing to do with it I don't think it's fair to ask Anthony but certainly in the recommendation phase maybe now is a good time to address it. Part of your action then is back to the client is to let's take a look at the bus garage. Thank you. Okay nothing else? Anthony thanks again. Mr. Monaghan I suppose you'll bring up Mr. Falleni?

MR. MONAGHAN: That's correct I'd like to call Mr. Falleni.

(DAVID FALLENI SWORN IN FOR THE RECORD)

MS. COFONI: If you could state your full name spelling your last name and giving your business address for the record please.

MR. FALLENI: David Falleni (F-A-L-L-E-N-I) and 18 Cory Road, Flanders.

MS. COFONI: Thank you.

MR. MONAGHAN: Mr. Falleni what is your position?

MR. FALLENI: I am the Athletic Director at Mount Olive High School and now Middle School.

MR. MONAGHAN: And what is the field at the Middle School used for now?

MR. FALLENI: It's used for our Middle School physical education classes and our Middle School athletics, High School athletics and recreation programs.

MR. MONAGHAN: And what athletics is the field used for?

MR. FALLENI: It is used for soccer, field hockey, and lacrosse.

MR. MONAGHAN: Not for football?

MR. FALLENI: No.

MR. MONAGHAN: Who uses the field now?

MR. FALLENI: Currently it's our Middle School and High School athletic programs and our recreation programs.

MR. MONAGHAN: Okay and will the field be used for the same purposes after the project?

MR. FALLENI: Yes.

MR. MONAGHAN: And the same users?

MR. FALLENI: Same users.

MR. MONAGHAN: Okay will there be limits on the hours of operation for the field?

MR. FALLENI: Absolutely yes.

MR. MONAGHAN: And what will those limits be?

MR. FALLENI: Well I broke down if I may four seasons, during the Fall season which usually runs from September 1 to November 15. The usage will be obviously during the day for the classes at the Middle School will be on the field, and in terms of light usage will be Monday through Saturday on a need basis. You know if a team or recreation program requested would be there and those lights would be on until roughly 9:00 or 10:00 well 9:00, let me preface 9:00 Fall season September 1 to November 15th, during the winter what I would recognize as the winter be November 16 through March 6 you'd probably would not the light would not be on there's just no use for it at that time unless we have an unseasonable year and there is no snow but there's no sports programs that use the field at that time at that hour. Spring season runs from March 6th to June 7th, again you know during the day would be for the classes the light usage would be very similar to the Fall season would be a need basis, roughly from when you need to turn the lights on to 9:00 p.m. And then we have Summer which runs from June 8th to roughly August this time and again Monday through Friday we eliminate the weekends and I'm basing this on the preference and referencing what we currently use at the High School with our light system at the High School. So all of this is based on that and the light usage in the Summer would roughly run from dark to 10:00 p.m. on a need basis as well.

MR. MONAGHAN: Mr. Falleni did you say that the usage would not be limited to the students of Mt. Olive School District?

MR. FALLENI: It would not it would include obviously the recreation program as well.

MR. MONAGHAN: Okay so it would benefit the entire municipality.

MR. FALLENI: Correct.

MR. WEISS: I do have one more question Dave do you have any plans to sell the field space to outside groups, to other towns, other programs?

MR. FALLENI: Well the High School field currently we do do that I would imagine with that being in place there would be people that would request it.

MR. WEISS: I would imagine that would fall into the as needed but the (inaudible) would stay the same.

MR. FALLENI: Correct and I've been the one that controls that since we have completed the light project at the High School that's controlled by me.

MR. WEISS: So the High School lacrosse field that's used by outside groups?

MR. FALLENI: Correct.

MR. WEISS: Under your control?

MR. FALLENI: Correct.

MR. WEISS: Do they ever use it at night?

MR. FALLENI: Yes in the Summer.

MR. WEISS: Okay under the same guidelines they're done by 10:00?

MR. FALLENI: Correct.

MR. WEISS: Okay.

MR. FALLENI: To be honest we've had two outside organizations since we've had lights installed at the High School and they've only used those lights Monday through Thursday during the Summer time frame and they've been off by 10:00.

MS. COFONI: I'm not sure if I caught it correctly. Summertime did you say not the weekends?

MR. FALLENI: Yeah well it's been my experience I do not approve the weekends.

MS. COFONI: So the summer is what Monday through Friday?

MR. FALLENI: Monday through Friday.

MS. COFONI: Okay.

MR. FALLENI: Everyone goes on vacations and stuff so it's not really

MR. WEISS: I have a question Dave if this was any other application your testimony would become gospel that would be part of the resolution that you would now not be allowed to use the field at night in the Summer on weekends. But this is a little bit different, is there going to be a process if you decide to change it? The reason I bring it up is now we have members of the public that are thinking okay my weekends are at least going to be light free and all of a sudden now the lights are on in a July evening because the Board of Education changed their policies.

MR. FALLENI: I agree and I based everything having this field based on my experiences with what we currently have. And we've had two years of that and I haven't had any requests in two years for a Saturday or a Sunday evening.

MR. VAN NESS: So you're saying there's no policy that says they can't use it on the weekend it just hasn't been used then.

MR. FALLENI: Correct.

MR. MONAGHAN: And Mr. Van Ness and Mr. Chairman I understand what you're getting at it's unfortunate that Mr. Falleni is just not in the position to set policy for the Board so we hear what you're saying.

MR. WEISS: No we knew that but I think as we say it there are members of the Board of Education in the room and perhaps another note by you to the applicant that would say maybe it's time for the Board of Education to make a policy. There's policies on everything else so maybe it's a good idea, a recommendation from the Planning Board to make a policy and that policy would become . . . because you know Mr. Falleni if you move on and get another position in another district and then we have a replacement and he likes 11:00 and we're kind of left with the public coming in screaming so the recommendation to the Board of Education would be to add another page to your policy book and make a policy on light usage. Because now it's two of your buildings and maybe one day Sand Shore School and Tinc Road will also be lit it will be nice to know if there's a consistent policy.

MR. MONAGHAN: Thank you.

MR. WEISS: I'm actually talking through you Dave. Again another positive outcome of this. I'm sorry sir go ahead.

MR. McENTEE: Mr. Falleni who is going to control those lights? We heard Mr. Gianfranco describe the many ways that the lights can be operated.

MR. FALLENI: Again those lights are controlled by those that are authorized. I am one of those authorized users and controllers of the lights as well as our head of buildings and grounds and other members.

MR. McENTEE: So the employees of the Board of Education.

MR. FALLENI: Correct.

MR. WEISS: If I can . . . and I'm certainly hardly testifying but for the members of the public that's the system that's in place on the municipal fields. So whether we're talking the lights in Turkey Brook or the lights in Flanders Park there's codes given to certain people who are the Administration and it's an automatic I think the municipality has a policy it might be John is it 10:00?

MR. MANIA: Yes.

MR. WEISS: I think the municipality has a rule of 10:00 and at 10:00 those lights are out short of somebody making a call and stopping them from automatically going off. So the system that Mr. Falleni talks about it's a common system it's in place and it does work and that's from my experience from the municipality. And so I think what your saying is sensible I don't know if anybody really matters who that person is you have that control and short of violation which I've never seen Musco screwing that up I think it's a good system.

MR. McENTEE: I just wanted to make sure that members of the public who decide they want to play soccer at 11:00 at night wouldn't have the ability to fire up the lights and maybe disturb neighbors.

MR. WEISS: Right there's no on/off switch.

MR. MONAGHAN: Those are actually all the questions I had for Mr. Falleni and I certainly welcome the Board's questions.

MR. WEISS: All right so let me first open it to the public, is there anybody from the public have any questions for Mr. Falleni based on the testimony he just gave? Anybody from the Planning Board have any additional questions for Mr. Falleni? Okay Dave thanks.

MR. FALLENI: Thank you very much.

MR. MONAGHAN: I guess my only comments here at the end are is we've heard some recommendations from the Board I imagine Ms. Cofoni has been making some notes too but perhaps we'll run through them and make sure I take everything back to the Board.

MR. WEISS: Well we'll to that maybe not so quickly but we'll get to it. Of course I do see that we both made some notes and again some of the recommendations that have been made I trust that you'll note but obviously a few members of the Board of Education also I think they're kind of helpful and certainly positive recommendations. So what I want to do is let me open it to the public. Mr. Monaghan has said he's done with his testimony no further testimony is going to be given what the Planning Board likes to do is open it to the public if anybody has any comments, suggestions, anything

that they like to be heard on the record. Mr. McEntee we're going to swear you in because now you're going to testify. So if you would?

(LAWRENCE McENTEE SWORN IN FOR THE RECORD)

MS. COFONI: If you could state your full name spelling your last name and giving your address please.

MR. McENTEE: Lawrence McEntee (M-C-E-N-T-E-E) 22 Aldersgate Circle, Budd Lake. Again I had a small prepared statement some of it has been answered but I do want to read it for the record only in a sense that as I said as past president of the Board of Education and member of the Board of Education and I see there are members here but they're none of the ones that were there when some of these decisions were made earlier. I just want to reiterate some things that I'm concerned so they're on the record because the last time I read them things still happened and the only reason why we got resolution is we did have minutes where we brought our concerns to the Board during the referendum process. And again I am in support of this field being lit and turfed I actually played the first night game in the Mount Olive High School football field in 1978 it was I think Howie and I were both on the field together. And there's nothing more spectacular than playing a night game in High School so it's a great thing for our kids and I think we all support it and it's probably the best field to light because it is the only field up there that's not adjacent to our property, our neighbors it's really surrounded by the bus garage and the school property. But the baseball field is all too close and when you're telling me you're going to make that tower that can hold lights that would put a 100 foot tower on my property line. Because they cut the trees down right to the property line and they also raised the grade about 14 feet so the chain link fence that's on top of that 14 foot fence is a 10 foot fence that I look at 6 months a year. For six months I can't see it, six months I can see it. The green buffers help but again we talked about that being knocked down. But as a taxpayer I'm embarrassed and insulted that we waste public money sending out certified letters and let us know about this field after the light poles are installed and even if somebody from the public or somebody made a great suggestion and everybody felt was the greatest idea in the world we wouldn't do anything about it because the field is in and the poles are in and it would cost thousands of dollars to make any changes. And the process can be done we did it at the High School, we did it at the Middle School, we took public hearing we made changes Scott was very instrumental in changing the driveway to the High School during the design phase and also the Planning Board suggestion about utilities placing them underground came from the Planning Board. So it is possible to do and I don't think the Board of Education is thinking and being a good neighbor and one of the reasons I got involved with the Board of Education in the first place was in the Middle School because when they cut down the trees it upset me because during the referendum I asked them if they were going to cut any trees down they unequivocally said no. And then I was working from home and I find out that the guy are in the backyard cutting the tree down, marking the trees and chopping them down all in one day it was done right to the property line. Then they built a 4 foot retaining wall and raised the grade 14 feet and put a chain link fence up top by my backyard and my next door neighbors. It wasn't a pleasant sight and it was quite a surprise, I might not have supported the referendum as much as I did if I knew that was going to happen. They said they changed it from a 60 foot diamond to a 90 foot diamond therefore it went from 200 feet to 350 feet. That's a big change and it also destroyed a lot of 100 year old trees which I was kind of disappointed that we did. And then the flooding, the flooding came and it came just as we told them it would and it did flood our houses. It was the old design and that's when I got involved in the Board and actually Gene, I worked with Gene and Bruce and we resolved that problem but there was a lot of opposition to it saying no it's too bad it's a five year flood and . . . because it was Floyd I believe that dumped all of the water. But it was quite expensive I mean it dumped 4 feet of water I helped my neighbor pump out his basement that never had water in his life and he had 4 feet of water in his basement. My father-in-law has 6 inches of clay dumped in his pool. So you can see that actions in the past kind of scare you because people change and the Board doesn't seem to remember what happened and that concerned me. I was told that you know I see the plans and I'm happy to see the drainage plans and they seem to work well but I also want to tell you that I'll be the first one to go before the Board of Education or this Planning Board if my yard is getting flooding again. Because all good plans sometimes come to end that way. And also I mean I was told at that time by the way that we would never light a field at the Middle School and today we're lighting a field. And that's not 20 years Gene you were there it's 12 years ago that we told the public and (inaudible) the Board and they said they have no plans and they don't see any use in lighting the field up there. It's unreasonable to think that things change and they will and like I said I do support it. But the baseball field would be a different story I feel really insulted today if we were talking about 100 foot tower in left field which would put the light tower on my property line. Because the foul pole is literally 10, 15 feet off the corner of my property line and a left foot pole would be right there on the slope probably I mean I'm not a lighting expert. And while this is a courtesy review I was on the Board for 8 years and we did come before the Planning Board we did tell them what we're doing, the construction

of the High School was extremely successful because we did work together with the Planning Board and the township they did our inspections, they saved us thousands of dollars in time with the State so it can be done and I'm disappointed in this Board that they didn't do it and I'd like to make sure that the message goes back to the Board that they should take care of their neighbors. I mean the people in our circle support the Board of Education, they have kids they love the fact that a school is right there and it's been a good neighbor basically. Even the bus garage I mean as much as it can be you know the buses starting up at 5:00 in the morning can be a little annoying but you know I bought the house the garage was there, it was there long before I was and I rode those buses so you put up with certain things. But I think I share my discussion with my neighbors and I did see that no testimony . . . but there's a lot of people that were extremely confused and dismayed that we got a certified letter after the field was in and the light poles were actually dug. It kind of says well go up there and bitch or complain or state your opinion but it doesn't matter we're still going to do what we're going to do and it doesn't matter what you say. And that's the message you send and when I'm paying \$9,000.00 school taxes I don't want to hear that message that I have nothing to say. You might not have to do anything about it and maybe it's just my house but it does affect home values and when you look into the backyard and you're looking at a light tower even if it's not on it does affect your home values. And you know you don't think it will it does I mean somebody is going to buy the house and they're in there in December and they're looking out at a light tower they're going to be concerned that they're going to be lit up. So it does concern us and I just think the Board was a little callus in a sense in your moving too quickly they could have done this back in May and I think we would have a whole other different conversation. The water is my number one concern but I am (inaudible) with that so I appreciate the time and I appreciate the drawings Gene. And that's all I have to say. Oh Anthony I'm sorry.

MR. WEISS: That's okay. Anything else from the public? Okay so I just confirmed there's not going to be a Planning Board vote but I certainly think that if we had . . . we can go right down the line if anybody from the Planning Board has any comments or recommendations, anything that popped into your head that looks like Ms. Conroy is also making some notes. Marge your title is the Board . . .

MARGE ?: School Business Administrator.

MR. WEISS: School Business Administrator I'm sorry for that thank you. So Marge is here and I'm sure she'll make some notes if we have anything of interest to say and not that I want to put Marge on the spot but I think she's here because she wants to listen so in credit to the Board of Education Marge is here as the Business Administrator. If anybody on the Planning Board has anything to say comments I'll go right down the line and if you have anything that will be your opportunity. Sandy we'll start with you.

MS. STOTLER: No I'm good.

MR. WEISS: None okay, Kim, Dan?

MR. NELSEN: I'm glad that Mr. Gianforcaro was able to alleviate the flooding problem in the past and considered the same problem coming in the back again on this one. I hope the Board gauges Mr. Gianforcaro to perhaps help with the lighting of the garages. And there was something else that Mr. Monaghan was making notes of that was asked what was that Howie? Something else that was suggested. Oh the putting it in writing the 10:00.

MR. WEISS: Yeah the policy. (Inaudible) and replanting the tree that Larry said has fallen down that was the first one. You've got to remember Mr. Falleni kind of gave us a general guideline, normally Dan that would end up in the resolution as you know, right now it's to the best of his ability to tell us how he is going to do it and short of the Board of Education policy we're in the same position as you are. So I'm sure that the Board of Education will take the recommendation. The Board of Education will do the right thing I believe. John?

MR. MANIA: Would any member of the Board of Education wish to address the reason why the Planning Board was bypassed and came before the Board after the fact? I can't hear you from back there.

?: I'm not testifying, at this time no.

MR. MANIA: Okay thank you.

MR. WEISS: Scott?

MR. VAN NESS: You know last year, was it last year or the year before the solar panel?

MR. WEISS: It was every bit of a year ago.

MR. VAN NESS: Yeah so it seems that there is a pattern since I've been on the Board that the Board of Education although this is a courtesy review doesn't seem to have the courtesy to allow us to review it. We seem to get into this pattern that we are actually a hindrance or a thorn in their side that they just have to get past to get their projects complete. The Board of Education needs to recognize that the people that sit up here are volunteers as you are, they are here on their time to review your projects and the projects that will then also probably affect some of them or their grandchildren. And it doesn't seem that we are provided the same courtesy that they would expect a project to be completed for them. And I find that disconcerting and I find that disrespectful, not only to me as a Board member but as a taxpayer. Because that field has been down and basically nearly completed before anybody knew about it. And that's the wrong way to conduct business, that does not promote a positive community relations and I for one expect to see that change for any future projects that you have for the Board of Education because I'm kind of sick of it. Thank you.

MR. WEISS: I would actually add a little bit to what Scott said and perhaps if it's important to the Board of Education, Art I'm going to direct it at you that perhaps myself or Scott would be more than happy to appear in front of the Board of Education to help encourage that this process and the way it went down never happen again. And so if the Board of Education would like to take us up on that I'm not going to volunteer Scott's time but I would certainly as the Chairman of this Planning Board offer to speak to the Board of Education as to the importance of a properly run process. I believe the Board of Education let their community down I think that there's a psychology, I think everyone in the room knows that there's really nothing we can do to stop you nor is it our intention to stop the Board of Education from progress. The progress that Larry was very eloquent and said this is good there's a couple of pitfalls to having lights in your backyard and I will talk about that in a second but overall I think the Board of Education showed a complete disregard for the MLUL as well as for the jurisdiction of this Board. It's not right, the municipality and the Board of Education needs to work together, and something like this obviously we as the Planning Board have done a great job controlling any problem I believe the folks from the community were finally given the opportunity to be heard and to hear it. I don't know Larry you made a comment about spending the money and I guess you're right but I just want to make the record known that it was at my request that the Board of Education notice although they didn't have to. So yes they did spend the money but perhaps it was at my urging. So when it comes to lights and I'm going to direct it to the folks who live there, I lived in Flanders Crossing at the time that the lights went in up at Flanders Park. The honesty is that lights are going to change the neighborhood but it's not necessarily for the bad, the testimony that I hear tonight has been proven to be correct I think the homes in Flanders Crossing are much closer to Flanders Park than these lights are to your homes. I'm generalizing I think some of the homes that get the corner on Crenshaw are much closer than 350 feet to Flanders Park and those people the quality of their lives have not been altered. It changes the neighborhood it really does but not necessarily to the point where it's a not livable thing. And although I can sit here and say that I lived it because it happened in my neighborhood. I think some of the positive things that work with a company like Musco that if there's any kind of light that needs to be redirected or (inaudible) or if you find that your home is a problem I know from experience that Musco would come out and they don't like to do it but they'll get the crane and they'll move the lights and they'll make sure that your specific problem is addressed. So they're dealing with the right company, everything that I've heard is correct I've heard it before and I've seen the outcome and the outcome is always positive. So again nobody wants lights in their backyard it's . . . I don't want to say it's not as bad because that's a relative thing but I have a little more confidence that based on the testimony that I heard the process is going to be followed, the one concern I had about water was was any kind of disruption of the existing drainage and Anthony was kind enough to tell us that that has not been compromised. Again Marge I'll go back to you the process is here to explain to the members of the community what's going to happen before. So it is truly insulting to the community when they get a notice that's says we're going to talk about the field that's already down and it does look beautiful, and lights that are going to go up and I drove by to check and the first 10 feet are already in. So big time technical changes are never going to happen and maybe if we could have moved a pole a few extra feet Anthony might have been able to move the numbers around and I'm guessing because I sell baby furniture for a living so I don't know, but it's possible that we could have done something then we can't now and that's just the way it is. So again the Planning Board doesn't vote we make recommendations Marge I know that you'll take us up on some of these and you'll share some of our recommendations and at the end we need to keep an open dialogue between the Board of Education, the public and the municipality. Sean I don't think you're the Counsel for the Board of Education I don't know why the Counsel who represents the Board did not notify the Board that they should have done something different.

MR. MONAGHAN: I was brought in for this meeting, you're absolutely right, because I enjoy appearing in front of this Board and I've done it before.

MR. WEISS: And it's always been a pleasure having you in front of us. It's not the first time and again I've been to Board of Education meetings and I didn't believe that you were Counsel for the Board of Education.

MR. MONAGHAN: I'm not the lawyer that normally represents the Board.

MR. WEISS: Right and I think that person is kind of to be held responsible and Marge maybe you might want to sit them down or Brian and the other members of the Board of Education and question why you're Counsel didn't give you appropriate advice and Counsel which is what they're hired to do. So if we can fix it for the next time I know and I'm talking back at you Marge we have great news coming that the High School capacity DEP approval at the High School football is going to be turfed which is great. But I suggest that you do the process properly the next time.

(Inaudible – Talking out from the audience)

MR. WEISS: So although Marge wasn't able to be picked up it sounds like she said they're working on it, the plans will be drafted and we'll have a review and as you can go back to Mr. Reynolds, Dr. Reynolds and let him know that this is a very positive experience and no one is going to be here to deny you, we don't have the right to deny you. But let's keep the process moving in a positive direction. So with that being said we do have a couple of notes that we'll put together, Tiena will review it and I suppose we'll just leave it at that.

MS. COFONI: I have the replanting of I believe they were white pine trees that were knocked over during the storm that is along the buffer from the fields and the residential neighborhood, a review of the bus garage lighting to see if it could be modified to reduce the effect on the neighbors. And making a formal policy with regard to the timing of lighting in connection with Mr. Falleni's testimony.

MR. WEISS: Well I think what I think your basically saying is the testimony that Mr. Falleni gave us has a general effort you need to memorialize that policy. And whether it's tweaked or not that's not or not that's not our position but you're making a suggestion in memorializing the fact that the Board of Education should have a policy. You guys do that, we're not going to tell you what to do but whatever you do just (inaudible).

MS. COFONI: That's all I have.

MR. WEISS: Okay.

MR. MONAGHAN: Thank you very much.

MR. WEISS: Thanks everybody, thanks for coming and we appreciate all of your input. Mr. Van Ness?

MR. VAN NESS: I make a motion that we adjourn.

MR. WEISS: All in favor?

EVERYONE: Aye.

(MEETING ADJOURNED AT 8:35 P.M.)

Transcribed by:
Lauren Perkins, Secretary, Planning Department