

**TOWNSHIP OF WALL
ZONING BOARD OF ADJUSTMENT
MINUTES OF THE REGULAR MEETING
HELD IN THE MUNICIPAL MEETING ROOM
MARCH 30, 2004**

The Regular Meeting of the Wall Township Board of Adjustment was called to order by Chairman Clayton at 7:13 P.M. Members present were Chairman Clayton, Vice Chairperson Mary DeSarno, Dominick Cinelli, Wilma Morrissey, Jim Gray, Wayne Palmer, second alternate Ray Slocum, Attorney Hirsch, Planning Coordinator Roberta Lang, Recording Secretary Betty Schinestuhl, Engineer Hoover and Reporter Arnone.

SALUTE TO THE FLAG

Attorney Hirsch announced that all requirements under the Open Public Meetings Act had been complied with for this meeting and read the purposes of the Board of Adjustment.

CARRIED APPLICATIONS

CASE #BA38-2003 – Date application complete: December 22, 2003. Carried from February 18, 2004, March 9, 2004, March 17, 2004 and March 30, 2004.

APPLICANT: SUNNYSIDE MANOR

PROPERTY: Ramshorn Drive and Lakewood Road, Block 876, Lots 16 and 44.01, R-30 zone.

RELIEF REQUESTED: Use with variances

Michael Landis, Esq. appeared for the applicant.

Attorney Landis stated he is going to recall Robert Nelson. Mr. Nelson is still under oath.

Mr. Drewes said there have been major changes to the plan as it relates to the parking lot. What plan are we looking at? We are basing our questions on the old plan. Chairman Clayton said our engineer just received these plans today.

Mr. Nelson said you are apparently looking at some additional parking. I don't think that is going to impact on the traffic at all.

Attorney Landis said you added parking but you are eliminating parking at other areas on the site. Mr. Nelson said he cannot see where any increase in the parking or taking it away is going to have any impact at all.

Attorney Hirsch said this plan is the amended plan. At the last meeting the Board asked to have parking relocated. They did not want parking in the front. There may have been some drainage changes also. We will address that. We have to go forward with what plans we have. I don't know if the changes are significant until I hear testimony. The public should ask questions on the testimony they have heard from Mr. Nelson.

Mr. Drewes said the 15 spaces in one parking lot will be visitor parking. Were there any changes made to that parking lot. Mr. Nelson said I am not sure the numbers have changed. I think they are the same. There are 11 spaces now. Those 11 spaces are for visitors.

Mr. Drewes said don't visitors come from the front of the site. Mr. Nelson said those spaces are for the assisted living.

Entered into evidence:

A-11 Colored rendering of the landscape plan dated March 22, 2004 with parking lot shown on it

Mr. Nelson said there are 11 spaces at the parking lot off Lakewood Road. The driveway has been made longer. Access would be on the walkway. That would be the nursing home.

Mr. Drewes said he doesn't know if visitors can get into the building there. Attorney Hirsch said the owner will address that.

Mr. Drewes said this goes to circulation, Mr. Nelson said people can make a K-turn or back out onto Lakewood Road. Will there be other spots on other parts of the site for visitor parking. Mr. Nelson said the parking lot below the building on the plan will be for visitors.

Chairman Clayton asked how many additional spaces were put there. Mr. Nelson said the total parking is the same as on the other plan. Attorney Landis said Mr. Boesch will answer those questions.

Chairman Clayton asked if the parking lot on Lakewood Road has been addressed. Mr. Nelson said yes. If anyone comes in they can turn into the area for the handicap spaces and go around or they can back out onto Lakewood Road.

Mr. Gray said we went from 15 to 11 spaces, I thought you did that so you would be able to do a K-turn. Mr. Nelson said he did not know why the parking spaces were lowered. Mr. Nelson said in between the two handicap spaces there is an 8' wide area that can be used for turning around. We did the K-turn with an SUV in three turns.

Attorney Hirsch said Mr. Nelson's testimony is the same as he gave last week. If the handicap space is empty you can make a K-turn if you want to or they can back out. The parking was reduced from 15 to 11. Attorney Hirsch said he thought that was done to gain some space. It does not change the testimony from last week.

Mr. Drewes said one space per three beds for 45 spaces. How much is for patient parking and how much for visitor parking. Attorney Landis said Mr. Keane will answer that.

Attorney Hirsch said the number of parking is based on the ordinance. There is an overall calculation. There is no variance for parking needed.

Mr. Drewes said there are three parking lots. Is there any reason why this facility could not be serviced by one driveway? Attorney Landis said it is not his determination why there are so many driveways. Mr. Drewes asked if the traffic would have less impact if there was only one entrance. Mr. Nelson said no.

Mr. Drewes said the number of employees went from 26 to 37. Mr. Nelson said he asked Mr. Keane to find that out. On the shifts, Monday thru Friday, we would have a total of 25 employees, actually a total of 32, less vacation, sick days, etc. On day shift we would have 32, Monday thru Friday. Saturday and Sunday we would have 21 on the 7:00 – 3:00 shift. The shift change would come and there would be 45 employees on site Monday thru Friday. During shift change on Saturday and Sunday there would be 33 employees. There are 59 parking spaces. In the evenings there would be 13 employees.

Mr. Drewes said during a maximum shift there would be only 26 employees. That would fit the number of parking spaces. If there are more than 26 he would need more parking and need a variance.

Mr. Drewes asked if there was one door proposed for the loading space. Mr. Nelson said yes. Mr. Drewes said six are required. Mr. Nelson said I don't know if it's six or not. Attorney Hirsch said there is a variance needed for the number of loading spaces. Mr. Drewes asked about the length of the loading area. Mr. Nelson said it is sufficient. Mr. Drewes asked if there would be any tractor trailer deliveries. Mr. Nelson said no. Mr. Drewes said there will be no queuing. Mr. Nelson said that is correct.

Tom Ross, 2407 Ramshorn Drive, asked when the traffic counts were taken. Mr. Nelson said they were taken from 7:00 – 9:00 A.M. and 4:00 – 6:00 P.M. in November 2003. Mr. Ross asked if any were taken prior to November 2003. Mr. Nelson said before the last hearing we had we took some. Mr. Ross asked if that was in 1998. Mr. Nelson said could have been. Mr. Ross asked if there was a difference between the ones taken the first time and the ones taken in 2003. Mr. Nelson said he found no reason to compare. Mr. Ross said you took the counts during peak hours, 8:00 – 9:00 A.M., Monday thru Friday. Mr. Nelson said yes. Mr. Ross said you also took them during peak hours, 4:45 – 5:45 P.M. Mr. Nelson said yes. Mr. Ross asked how you qualified those as being peak times. Mr. Nelson said highest traffic counts. We used manual counters. Mr. Ross asked if school buses were counted. Mr. Nelson said yes, whatever went passed was counted.

Mr. Ross asked what the level of service was now on Lakewood Road/Ramshorn Drive. Mr. Nelson said the level of service in the A.M. is B, P.M. it is B, Saturday it is also B.

Mr. Ross asked at what level of service the DOT requires a traffic light. Mr. Nelson said it doesn't. He explained DOT looks at accidents and the ability to make turns. It does not look at the level of service. Mr. Ross said accidents would increase with more traffic. Mr. Ross said in three to four years from now with the growth at the intersection you are telling me you don't see a light there even if it goes to a level D, E or F. Mr. Nelson said traffic signals do not get put in because of level of service. You have to look at all things.

Mr. Ross said the study in 1998 was seven to eight seconds for site safety and that's enough time as cars approach that intersection. Mr. Nelson said that is correct. That was in my study in 1998 and I don't think we've done anything to the road to change that. Mr. Ross said since 1998 we have a Shop-Rite, Four Seasons and we have 11 new homes along Ramshorn Drive. He said he is sure there has to be a difference. Mr. Nelson said he studied the intersection in November 2003. The level of service was a B. He put the additional traffic from the expansion on to the intersection and pushed that forward to the year 2006. Those numbers are still B.

Mr. Ross asked if Brielle along with DOT decided to put in a jug handle on River Road and people use Ramshorn Drive as a cut through and they increase traffic flow, would that change the site of safety of the intersection. Mr. Nelson said no, the traffic on Ramshorn Drive does not really stop. Mr. Ross said there was a study done north to south on Ramshorn other than the intersection at Lakewood Road, is that correct? Mr. Nelson said no, north and south on Ramshorn Drive is what feeds the intersection with traffic.

Mr. Cinelli asked are any of the shift changes coincide with the peak hours of your study. Mr. Nelson said no.

Star Katz, 1523 Lakewood Road, asked will the residents have parking spaces for their own cars. Attorney Landis said Mr. Keane will address that.

Frances Pilot, 1523 Lakewood Road, asked if any traffic studies were done in the summer. Mr. Nelson said no.

Ms. Pilot said she has been there 25 years and in the summer Ramshorn Drive is very crowded. She asked if they will be doing a study for that. Mr. Nelson said no.

Dennis Malanga, 2520 Autumn Drive, said Mr. Nelson said seven seconds is sufficient time to turn. Is seven seconds the cut-off? Mr. Nelson said seven seconds is the average. Mr. Nelson got that information from the American Association of State Highways Officials.

Mr. Malanga said he went to the nursing home driveway and pulled out and looked to his right and there was a hump in the road that obstructed oncoming cars. He did his own calculations. The height of that curve was about 150' from the driveway. If a person going down Ramshorn Drive going 45 MPH they are traveling at 66' per second. That gives you approximately two seconds to see the car. Seven seconds is not enough time to react. Mr. Nelson said we went out and measured. On Ramshorn Drive facing east and looking to the right the average time was 8¼ seconds. From Lakewood Road it was 9.8 seconds. This is using height of view of 3½'. Mr. Malanga said on the Lakewood Road emergency access the crown is 30' from the driveway. Mr. Malanga asked what the difference in elevation is. Mr. Nelson said about 11'. Mr. Malanga said the hill goes up and then down. Mr. Nelson said the hill goes up, flattens and then goes down.

Mr. Malanga said Mr. Nelson said that intersection was not a concern. Mr. Malanga said since the original application there has been a flashing signal at that intersection. Did you happen to look at the reason why it was installed? There are a lot of accidents at that intersection. Would that surprise you? Mr. Nelson said because of the physical condition of the intersection yes. Because of the maintenance of signs and operating speeds of vehicles, no.

Mr. Malanga said having a driveway just down the road from that intersection do you think it would have an impact on the traffic. Mr. Nelson said no as long as people look out for their own safety.

Chairman Clayton said you averaged the site view on Ramshorn Drive. Did that mean there were problems? What were some of the numbers you found? Mr. Nelson said 7.22, 7.69, 8.1, 8.96, etc. Chairman Clayton asked if these cars were part of the test or were they random. Mr. Nelson said the way you measure the cars is you wait for one to come and make sure that the vehicle, if there is more than one is ahead of the platoon, and you measure from the time you see it until the time he reaches you.

Chairman Clayton asked about having only a right hand turn out of the facility. Mr. Nelson said you just transfer the problem. If you make people go right they are going to go up and turn around in someone's driveway. I don't think it does any good. It doesn't make it any safer.

Pat Smith, 5019 Megill Road, asked how you determined peak hours. Mr. Nelson said he used standard peak hours because it includes people going to work, coming home and going to school. Ms. Smith asked if there was a book he got that from. Mr. Nelson said he has been doing this since 1965. It might be in the ASHTO design manual. It is common knowledge. Ms. Smith asked if it changes on the weekend. Mr. Nelson said generally it does. Peak times on the weekend are 2:00 – 3:00 P.M. We also measured that.

Ms. Smith said upstream and downstream traffic affects the level of service. Mr. Nelson said the heavier the traffic the slower the movement of traffic. If there is an accident upstream that will have something to do with the level of service. If someone is backing out of a driveway that would have something to do with it. When you slow down traffic the level of service goes down.

Ms. Smith asked if Mr. Nelson checked with the Police Department about how much additional traffic is in that area in July and August. Mr. Nelson said no. Ms. Smith asked if the level of service be impacted during the summer months. Mr. Nelson said no. Ms. Smith asked what that is based on. Attorney Landis said Mr. Keane will answer that.

Pamela Shellhammer, 1624 Myrtle Avenue, asked what the anticipated level is during the construction phase. Mr. Nelson said he didn't know. It would depend on the contractor, how many employees, etc. Ms. Shellhammer asked which way the construction traffic will flow. Mr. Nelson said from the Ramshorn Drive access and some from the overflow parking. Chairman Clayton asked about the impact on Route 34, Lakewood Road and Ramshorn Drive. Mr. Nelson said he did not know where they would be coming from. Attorney Hirsch said they are going to enter from Lakewood Road. Mr. Nelson said it depends on the phase of the construction. Attorney Landis said right now he could not give specific information. We don't know where the construction vehicles will be coming from.

Glen Gordon, 2397 Cherry Street, said there is a four ton limit on most of the streets. That will restrict vehicles to four tons. Would trucks be able to deliver to Sunnyside? What road would they use? Mr. Nelson said it depends where they are coming from. Mr. Keane will answer that further.

Mr. Gordon asked for the footage of the loading dock area. Mr. Nelson said 63' long. 15' in one portion, 15' again and then about 35'.

Mr. Gordon said where there is a four ton limit are you aware of that law where you cannot use a four ton truck. How do you determine what road to use? He said he is concerned about construction trucks coming down Paynters Road, etc. Attorney Hirsch said he doesn't think there is any rule. The Board can request the applicant to provide a route.

John Goodfellow, Lakewood Road, said due to the fact that you will be adding drivers from the assisted living section, the reaction time is lower on older people. Mr. Nelson said I don't think there are going to be many people driving a car.

Mr. Goodfellow said it was stated there would be no tractor trailer deliveries. There have been tractor trailer deliveries to the facility. Attorney Hirsch said that is not for Mr. Nelson. Mr. Goodfellow said his concern is safety.

Mr. Goodfellow asked about the schedule of deliveries. Attorney Hirsch said that is another witness.

Mr. Gray asked if they surveyed from 8:00 A.M. Mr. Nelson said from 7:00 – 9:00 A.M. and 4:00 – 6:00 P.M. on a weekday. Attorney Hirsch said everybody should keep in mind testimony is not when comparison of peak hours would be. Peak hours are not the same as what this operation is going to be. They will never be the same.

Susan Mazurczyk, 2609 River Road, asked what it would take to have another count done during the summer. Mr. Nelson said about \$600. I am not sure it will show that much difference. The months of November and April are the two months that are closely related to the daily average on the road in New Jersey in Monmouth County. Ms. Mazurczyk said these are standard. Mr. Nelson said you take 365 days into the amount of traffic you have and it will come very close to November and April.

Jeff Erbe, 2421 Ramshorn Drive, said the parking area on Lakewood Road would be reduced to 11 spaces. When full they can back out of that driveway. You will have to remove more trees. Mr. Nelson said the driveways are designed to pull out. Mr. Erbe said that would make the site triangle not correct. It will have to be readjusted for backing out. Mr. Nelson said the site triangle assumes the driver is 10' back from the front of the car. You are in the middle of the facility.

Mr. Erbe said 5,000 cubic yards of soil has to be removed from this project. Has anyone done a study regarding these trucks? Mr. Nelson said he will schedule a meeting with the Engineer and Police Department to find a truck route.

Chairman Clayton said if you are backing out of that driveway you make two motions. You feel that there is no concern with the site triangle. Mr. Nelson said no concern.

Pat Wierdo, 1609 Megill Road, asked if the seven second rule for the turning out of the driveway on to Ramshorn was that done during rush hour or off hours. Mr. Nelson said off hours. Ms.

Wierdo asked if he felt it would be less time during peak hours. Mr. Nelson said the more traffic the slower the speed so we took it at a time when it was off peak when the speeds would be higher.

Ed Brown, 1606 Lakewood Road, said Sycamore Street would be the obvious place for a truck to come in to unload. Am I right to assume that a truck could not get into there satisfactory and get out without having to back in or back out of the driveway? Mr. Nelson said there would be no trucks permitted there. Mr. Brown said there is no way trucks can turn around there. Mr. Nelson said there is not going to be any trucks there. You can ask that question again to the owner. Mr. Brown said you tested it with an SUV, what size? Mr. Nelson said a Ford Explorer. Mr. Brown said he went to where the emergency exit is proposed with his Chrysler LeBaron. He asked if he would be able to see Ramshorn Drive from that entrance. Mr. Nelson said yes.

Entered into evidence:

OB-1 Photo looking east towards Ramshorn Drive from the middle of the emergency exit

Mr. Brown said he took the photo a day or two after the last meeting.

Mr. Brown asked if the testimony Mr. Nelson gave at the last meeting was you could see Ramshorn Drive from the emergency exit taken from a SUV or from a regular car. Mr. Nelson said he said you can see Ramshorn Drive from the regular entrance and I also said that you probably could see it from the emergency entrance. The standard height for measuring is 4½' for the vehicle and 3½' for the driver's eye. Mr. Brown said there was a question from the Township traffic expert concerning measurements and lines from the emergency exit that you haven't taken. Mr. Nelson said we laid out the site distance by computer and it is here this evening. It still gives basically the same answer. Mr. Brown asked if he would be checking it from the distance in the photo. Mr. Nelson said not unless he is asked to.

Mr. Brown said on the Sycamore entrance there will be traffic going to the entrance, will there be an entrance sign on Lakewood Road for people that are likely to miss that turn. Mr. Nelson said we hadn't planned any back-up signs.

Mr. Brown said on the southeast side of the building there is a driveway going to the end of the building. There is a slope which is for the emergency vehicle going from the side of the building to the existing emergency car park. Is that going to stay grass? Attorney Landis said that is not a traffic question.

Richard Drewes asked do you think that size of a building will have any impact on the safety of the intersection. The building is out or character with the residential homes. Do you think someone coming down Lakewood Road could be distracted by the size of the building, the lights? Mr. Nelson said that's a judgment call on the part of the driver. I don't think that a building having some size is going to distract a driver.

The Board recessed at 9:10 P.M.

9:30 P.M. the meeting resumed.

Chairman Clayton asked if the engineer received the revised plans. Mr. Swayze said he received them on Thursday. He said they received a revised drainage report this morning. They eliminated the parking that was along the south side near the pump station. It has been relocated to the roadway entrance on the south side. They have also shifted some parking spaces from the parking lot across Sycamore to the lower half of the facility. They eliminated the above ground detention facility. They now have an underground detention facility. We found that the drainage report addresses many of the concerns that the Board had presented. We will need additional time to go through it. What they are proposing now is an improvement.

David Boesch was sworn. Mr. Boesch gave his credentials which were accepted by the Board. Mr. Boesch will testify as a landscape architect and project manager.

Mr. Boesch said a significant amount of landscape material has been added. A rough count, 97 shade trees, 368 screening trees and 67 ornamental trees are proposed. A total of 512 trees are proposed. The major components of the landscape design focus on the screening of the facility from the surrounding neighborhood.

Mr. Boesch said the parking area proposed in front of the pump station has been eliminated. We are proposing a double row of screen trees which will provide screening to the pump station. The screening will continue to the southeast corner of the property. Along the property line we are proposing 10' – 12' high arborvitae approximately 8' on center. Behind them we are proposing pockets of spruces, firs. Those are faster growing. Behind those we are providing very quickly growing shade trees. Then through the 75' open area we are putting in quite a few shade trees that will provide a natural character. We will continue with shade trees along the southerly portion. We are proposing trees at the top of the wall on the west side and along the wall on the south side. That will provide screening for the loading area. We will supplement the existing vegetation with a small berm and an additional row of shade trees and ornamental trees in the area where the existing driveway is. The new overflow parking will be 50' off the property line. Along the west side of the overflow parking area there will be a strand of existing trees with additional screen trees and conifers. Along the north we have existing woods. From the overflow parking area to Lakewood Road those existing woods will remain. Going further north from the access driveway to the visitor parking about 35' of existing woodlands will remain. That area will be supplemented with additional conifer trees and ornamentals. To the east there will be a series of berms and additional trees. Across the front there will be a number of shade trees, ornamentals, shrubs and screen trees to provide a filter. Around the pump station we are proposing a row of conifers on three of the four sides. At the center of the site we are proposing a series of ornamental trees, shade trees.

Attorney Landis said the original plan provided a detention basin. Mr. Boesch said that is correct. Mr. Boesch explained the original basin was located along the southern property edge adjacent to lot 43. It involved a couple of retaining walls. Some new materials were brought to our attention about a month ago. It is a ½ perforated pipe that you place on a stone bed. You put stone on top of it. You then pave on top of that.

Mr. Boesch said originally there were 11 parking spaces located to the east of the pump station. We have eliminated all of them from that location. Five of them were shifted to the south side turn around. The remaining six were relocated to the southerly parking area. Four spaces were

relocated from the nursing home visitor's parking lot back to the southern parking lot. This allows us to get the driveway slope to 8.3% which is the same as a barrier free ramp. It also provides for a 10' deep backup area. It increases the width of the landscape strip adjacent to the building.

Attorney Landis said the amended site plan provides for shifting of the overflow parking. Mr. Boesch said the parking was shifted to the north about 50'. He said shifting the overflow parking makes it more efficient. There are 30 spaces provided.

Attorney Landis asked Mr. Boesch to go over the signage. Mr. Boesch said other than the normal traffic control signs there will be just one identification sign. It will be located north of the entrance on Ramshorn Drive.

Attorney Landis asked Mr. Boesch to address the lighting. Mr. Boesch said in the southern and northern parking lots we have gone from 20' high 400 watt metal hale light fixture to a 16' high 250 watt metal hale light fixture. We are continuing to have accent lights at the driveway, front turn around and other areas as accent light, as well as safety lights. I refer to these lights as carriage lamps. They are gas style light fixtures. Instead of the light bulb being visible it will be in the housing.

Attorney Landis asked Mr. Boesch to go over the height of the building. Mr. Boesch said the building is measured based on what is referred to as the geometric center of the building. It is established by taking the overall length by the overall width and finding the intersection of those two lines. That point is roughly at the south side of the middle section of the building. That grade elevation is 44.8. The building height is then measured based on that geometric center. The roof line is at elevation 74'. The height of the building is 29.2'.

Attorney Landis asked how the ordinance provides a definition as to determining how many stories this building is. Mr. Boesch said a basement cannot be more than 6' above the grade plain. This basement is below grade plain. The lowest level must be below the finished grade for more than 50% of the foundation perimeter. At no point can the next level up be more than 12' above the finished floor of the lowest level. On all three counts the lowest level is classified as a basement. Since the building has only three levels, with the first one being a basement that defines the building as a two-story.

Attorney Landis asked Mr. Boesch to go over access during construction. Mr. Boesch said the Soil Conservation District is very astute about locating where construction vehicles will enter the property. Construction vehicles will enter through the new access driveway on Ramshorn Drive. The existing building traffic will use the access road at the emergency access point. Once construction is complete the paved surface will be removed and topsoil will be placed there.

Attorney Landis asked Mr. Boesch to address the Board's traffic engineer's sight distance profile. Mr. Boesch said we show a distance of 269' from the center of the driveway to the point where a 4' high object would first be visible approaching from Lakewood Road. From the proposed driveway to the nursing home visitors' parking lot that distance is 443'. There is a clear line of sight from both of those driveways all the way to Ramshorn Drive. On the Ramshorn Drive access there was concern looking to the south. There is a bump in the road

about 150' from the driveway. You need to measure the object height that you are looking to see and that sight distance from the driveway to the 4' object is 437'.

Attorney Landis asked Mr. Boesch to go over the modified drainage easement. Mr. Boesch said currently there is a 55' drainage easement that runs from the pump house to lot 44.01 into lot 43. We have realigned that portion. We are proposing to create a 70' wide drainage easement running along the southern edge of the property.

Mr. Boesch said there is an existing low spot in Ramshorn Drive that is clogged with sand. Lot 1 across the street is a natural sump which relies on the 12" diameter pipe going underneath Ramshorn Drive to an existing inlet. That inlet up until about three years ago was just a dry well. A few years ago an 8" pipe was brought out of the back of that inlet and discharged into the lawn at Sunnyside. That water goes across the Sunnyside lawn through a pipe underneath the existing driveway and then into the north end of the drainage easement. We are proposing to reconstruct the inlets on both sides of Ramshorn Drive. The 12" pipes will be replaced with 24" pipe. The system would then be brought back into the Sunnyside property.

Attorney Landis asked where the access will be to the overflow parking. Mr. Boesch said the newest access to the overflow parking and emergency access drive is located about 180' to 200' west of Sycamore Street.

Mrs. Morrissey said you are proposing 512 trees. You said some will be 6' – 8' tall. A lot of residents have two story homes. What will they see from their second floor? Will the buffer be enough? How well will the building be shielded?

Entered into evidence:

A-12 Site distance rendering

A-13 Site line diagram

Mr. Boesch said from lot 43 you would not be able to see the parking lot. You would see the building wall, part of the basement wall and the first and second floors. That is at the time of planting. These trees will grow approximately a foot a year. In a ten year growth period you would add an additional 5' to those trees. Then the line of sight would be different. The second floor would have a view of the first and second floor of the facility. From a bend in the road on Sycamore going 250' from Lakewood Road you would see the building. The HVAC units would be screened. The next sight line going north on Ramshorn Drive approaching the high point of the road, the road has a little rise in it, you would see part of the first floor and the second floor of the proposed building.

Mrs. Morrissey asked how lighting would affect the residents. Mr. Boesch said all the shoe box fixtures would have back side shields. The majority of the lights would be turned off except for one in the area where the graveyard shift would park.

Mrs. Morrissey asked about the size of the sign. Mr. Boesch said the overall height is 8' with a width of 7'. The posts are 3'. It is a non-illuminated sign. It will be 35 s.f.

Mrs. Morrissey asked how you are going to protect the existing vegetation during construction. Mr. Boesch said we have a tree preservation detail. We put a tree preservation fence on site.

Attorney Hirsch asked Mr. Boesch to explain where the berming was going to be. Mr. Boesch said along the south side of the overflow parking area. Attorney Hirsch asked how high? Mr. Boesch said it will be 200' in length and 2' high. The berm on the northeast side is 250' in length and 3' – 4' high. This berm begins to wrap around to the east side. It tapers down. Attorney Hirsch asked if there was any discussion of berming on the south side. Mr. Boesch said consideration was given to that. It was a possibility. The grade needed to be disturbed in that area in order to put in a berm.

Mrs. DeSarno asked where the poplar trees were going to be planted. Mr. Boesch said predominantly along the southern edge. They will be 12' – 14' at time of planting. Mrs. DeSarno asked how fast do they grow. Mr. Boesch said they have been known to grow about 6' a year.

Mr. Gray asked if along Lakewood Road the existing trees has there been any thinning of those trees. Mr. Boesch said the vines and underbrush have been cleared out. Only the dead trees were removed. Mr. Gray said it appears to be less dense than what it used to be.

Mr. Gray said, regarding the underground detention basin, if all the water from that is going to percolate into the ground. Mr. Boesch said they did some soil testing. At about 29' above sea level we found a layer of dry sand and gravel that came back classified as a K5. The K5 means they can percolate more than 20" per hour of water. We are required to add in a safety factor. Mr. Gray asked if that includes the rain coming from the gutters. Mr. Boesch said yes. Mr. Gray asked how often would that have to be cleaned or changed. Mr. Boesch said the manufacturer recommends that we have a maintenance plan that DEP requires.

Mr. Gray asked if the water coming down Ramshorn Road would go into the easement. Mr. Boesch said that is correct.

Mr. Slocum asked if Mr. Boesch anticipated any problems where the delivery dock is as far as the changes that have been made to the underground basin, as well as the added cars. Mr. Boesch said we exceed the minimum cover. Mr. Slocum said the weight of the delivery vehicles won't cause a problem. Mr. Boesch said that is our understanding.

Chairman Clayton asked if they had a sight view from Ramshorn Drive. Mr. Boesch said no.

Chairman Clayton asked if the overflow parking lot would have 30 spaces. Mr. Boesch said yes. Chairman Clayton asked if it will be lit. Mr. Boesch said no. Chairman Clayton asked if there was a sidewalk going to the building. Mr. Boesch said no. Chairman Clayton asked if the slope was a concern. Mr. Boesch said the slope is not a concern. Chairman Clayton asked if we are still at 59 parking spaces. Mr. Boesch said yes. Chairman Clayton asked what time do the lights go off. Mr. Boesch said ½ hour after visiting hours, about 8:00 – 8:30 P.M.

Chairman Clayton asked if the sign on Ramshorn was concrete, metal, and wood? Mr. Boesch said wood.

Chairman Clayton said you mentioned grade plain. You said you took measurements from the four corners. The definition says it is an average ground level at all exterior walls combined. Mr. Boesch said it is an average finished grade at the building corners. We took it at each main angle point.

Chairman Clayton said Mr. Boesch said that the story above grade should be 6' above the finished ground level for 50% of the perimeter. Was that to the finished surface of the floor above the basement? Mr. Boesch said no. The basement must be below grade for 50% of the perimeter. Chairman Clayton said the definition states that the measurement has to be taken to the finished floor surface of the floor above the basement. Mr. Boesch said it is not measured to the first floor. It is measured to the basement floor. The basement floor is below grade for more than 50%.

Chairman Clayton said a view from Ramshorn Drive you said that 5,000 cubic yards of soil will be removed from there. Mr. Boesch said that was on the original application. No soil will be removed from the site. All soil will be used on-site.

Mr. Swayze said he does not anticipate any concerns regarding the new landscape plan. Mr. Swayze asked about the number of employees. Attorney Landis said Mr. Keane will answer that. Mr. Swayze said when we get to Mr. Keane's testimony he needs to clarify the number of employees. He said he needs to know if a parking variance is needed or if the existing parking satisfies the criteria.

Mrs. Morrissey said one of the residents mentioned a variance regarding the loading dock. Mr. Boesch said a total of six loading spaces for this size of a facility are required. That is based on retail or larger facility not the small deliveries associated with this type of facility. The delivery schedule will be dictated and closely monitored.

Chairman Clayton said this application will be carried to April 7, 2004.

Attorney Hirsch said there are other applications on for that night. He said he may have to talk to the court about extending the dead line. He said he doesn't think the witnesses will finish. There is no way to get another special meeting in. April 7, 2004 is the only date we could find. After April 7th maybe we can schedule another special meeting.

Attorney Landis said he has two more witnesses.

Attorney Hirsch said this will be carried to April 7, 2004. No further notice is required.

There being no further business to come before the Board, a motion was made, seconded, and unanimously approved to adjourn the meeting at 10:40 P.M.

Respectfully submitted,

Betty Schinestuhl
Recording Secretary