

**MINUTES OF THE
MENDHAM BOROUGH PLANNING BOARD
FEBRUARY 8, 2016**

Garabrant Center, 4 Wilson Street, Mendham, NJ

CALL TO ORDER

The regular and reorganization meeting of the Mendham Borough Planning Board was called to order by Mr. Kraft at 7:30PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

OPENING STATEMENT

Notice of this meeting was published in the *Observer Tribune* and in the *Daily Record* on January 14, 2016 and was posted on the bulletin board in the Phoenix House in accordance with the Open Public Meetings Act, and furnished to all those who have requested individual notice and have paid the required fee.

ATTENDANCE

Mayor Henry – Present
Mr. Bradley – Present
Ms. Lichtenberger – Present
Administrator Merkt – Present

Mr. Kraft - Present
Mr. Cascais – Absent
Councilman Badal – Present
Mr. Sprandel – Present

Alternates:

Mr. Kay, Alternate I – Present

Also Present:

Mr. Quamme, Engineer
Mr. Henry, Esquire
Mr. McGroarty, Planner

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MINUTES

Mayor Henry motioned to approve the minutes of the regular and reorganization meeting of January 11, 2016 as written and Mr. Bradley seconded. On a voice vote the minutes passed.

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PUBLIC COMMENT

Mr. Kraft opened the meeting to questions and comments on items not included in the agenda. There being none, the public comment session was closed.

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DISCUSSION ITEM

CONSISTENCY DETERMINATION -ZONING ORDINANCE

After a small discussion, the Board decided that Zoning Ordinance #02-16 was consistent with the Borough’s Master Plan. Mayor Henry motioned to approve its consistency and Ms. Lichtenberger seconded the motion.

ROLL CALL: The result of the roll call was 8 to 0 as follows:
In favor: Badal, Bradley, Henry, Kay, Lichtenberger, Merkt, Sprandel, Kraft
Opposed: None
Abstentions: None

The motion carried.

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RESOLUTIONS

PB # 14-15 Roxiticus Golf Club, Inc. Phase II 179 Bliss Rd, Block 2601, Lot 3
Preliminary and Final Site Plan Approval

Two minor language changes were made on pages 6 and 10 by Mr. Henry. Ms. Lichtenberger made a motion to approve the draft resolution with the modifications and Mr. Sprandel seconded the motion.

ROLL CALL: The result of the roll call was 7 to 0 as follows:
In favor: Bradley, Henry, Kay, Lichtenberger, Merkt, Sprandel, Kraft
Opposed: None
Abstentions: Badal

The motion carried. Following is the resolution.

MENDHAM BOROUGH PLANNING BOARD

RESOLUTION

**GRANTING PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL
FOR ROXITICUS GOLF CLUB, INC.
BLOCK 2601, LOT 3
APPLICATION NUMBER #12-15**

WHEREAS, Roxiticus Golf Club, Inc. (“Applicant”) has applied to the Planning Board of the Borough of Mendham (the “Board”) for Preliminary and Final Major Site Plan approval with respect to a clubhouse addition and additional parking on the property located at 179 Bliss Road and designated

Block 2601, Lot 3 on the Tax Map of the Borough of Mendham (the “Subject Property”); and

WHEREAS, a hearing was held by the Board on December 14, 2015 at its regular public meeting, at which time Applicant’s architect and site engineer testified as to the intent and purpose of the project; the Board reviewed the documents and materials filed by Applicant, and members of the public and the Board’s professionals were given an opportunity to comment on the Application; and

WHEREAS, the Board has considered the Applicant’s submissions for the requested Site Plan approval including the filed materials, testimony presented on behalf of Applicant, comments of the Board’s consultants, and comments from members of the public;

NOW THEREFORE BE IT RESOLVED that, based upon the foregoing, the Board makes the following findings of fact and conclusions of law:

1. Applicant is the owner of the Subject Property located at 179 Bliss Road (Tax Map Block 2601, Lot 3) in the Borough of Mendham.
2. Applicant proposes a two story addition to the existing clubhouse, 54 additional paved parking spaces, and associated landscaping and storm water improvements.
3. The Property is located in the 5-AC Residential zoning district, and is a conforming Conditional Use. The Subject Property is currently the site of Roxiticus Golf Club, containing an 18-hole golf course, clubhouse, golf shop, driving range, and other related facilities. The Subject Property constitutes

approximately 110 acres of the Club's total 192 acres (approximately 81 acres being in Bernardsville Borough). Applicant recently received approval for a plan to relocate a portion of the first hole and to create three new tee boxes. [See this Board's November 9, 2015 Resolution of approval.] This is the follow-on application for expansion of the existing clubhouse and construction of additional parking.

4. In connection with the pending Application, checklist waivers were sought by Applicant with respect to items 28 (partial), 31, 33, 48, 52, 53 and 57. In accordance with the recommendation of the Technical Review Committee and the Borough Engineer, the Board granted the requested checklist waivers and proceeded with the public hearing on the Application for Site Plan approval.

5. Applicant submitted engineering plans (15 sheets) prepared by Yannaccone, Villa & Aldrich, LLC, dated November 2, 2015 and revised or reissued November 17, 2015, entitled "Roxiticus Golf Club, Inc., Preliminary & Final Major Site Plan, Clubhouse & Parking Lot Improvements" (hereinafter the "Plans").

6. Applicant also submitted architectural plans (4 sheets) prepared by FJ Rawding, AIA, dated October 23, 2015, entitled "Additions & Improvements to: Roxiticus Golf Club" (Hereinafter the "Architectural Plans").

7. Applicant also submitted landscape and lighting plans (4 sheets) prepared by Bosenberg Landscape Architecture, dated November 2, 2015, with

sheets L1, L2 & L3 revised November 17, 2015, entitled "Roxiticus Golf Club" (hereinafter "Landscape & Lighting Plans").

8. The present clubhouse is in need of major renovations and improvements, addressing accumulated shortcomings in design and operation, as well as additional amenities desired by the members. The proposed renovation and addition will include, among other things, an enlarged ballroom, expanded locker room and administrative office space, a new bag drop area and a new pro shop. The plan also provides for improvements to the outdoor terrace areas.

9. Additional parking is needed to address existing deficiencies and to improve safety of access and circulation. The proposed new parking area will contain 54 paved parking spaces (including three handicap accessible spaces), resulting in a significant increase over the presently existing 130 spaces on site.

10. The present clubhouse building is approximately 10,000 square feet. The proposed expansion and addition will add 7,324 square feet to the first floor, 7324 square feet to the lower level, additional office/administrative area on the second floor (a reduced size floor area above the first floor), and will enclose approximately 1,665 square feet of an existing patio area to expand the ballroom. After completion of all of the proposed additional space, the building total square footage is calculated to be 27,487 square feet.

11. All of the proposed construction (additional clubhouse structure and additional parking area) comply with all of the bulk provisions of the Zoning Ordinance and the applicable Site Plan Design Standards.
12. In order to implement the proposed plans for additional clubhouse and parking, a total of 23 identified trees are to be removed, requiring 45 replacement trees in accordance with applicable ordinance requirements. Applicant proposes 64 replacements (33 shade trees, 26 ornamentals, and 5 evergreens).
13. In connection with the check list waiver of item 52 (a Letter of Interpretation from NJDEP), the Board noted that a study of the Subject Property had been conducted by Environmental Technology, Inc., and a report submitted describing the study, its methodology, its findings, and the conclusion that no portion of the proposed construction activities would be within the jurisdiction of NJDEP's Fresh Water Wetlands Protection Act Rules, there being no fresh water wetlands or transition areas within the proposed areas of disturbance.
14. In reviewing on-site lighting, Applicant's site engineer indicated that there would be two-12 foot high light poles at the entrance to the new parking lot. The lighting would be at a low level of intensity, however, and there would be no flood lights.
15. Applicant's site engineer also described the anticipated approach to storm water management. Since they were moving forward now with the clubhouse expansion and parking plan, Applicant intends to install a drainage

and storm water management system utilizing a bio-retention basin. This system is depicted in the Plans submitted and is now sized and designed to handle all of the drainage and storm water management requirements of both the prior tee relocation (Phase I project) and the clubhouse and parking project now proposed. Applicant's site engineer indicated that, due to the resulting lack of necessity for installation of drywells (the prior Phase I storm water management plan), there would be a slight reduction in steep slope disturbance and a slight reduction in the total number of trees being removed.

16. Although the Board had required the drywell installation in connection with the previous approval for the first tee relocation project, use of the higher-capacity biobasin facility to manage the impacts of both the first tee relocation project and the present clubhouse expansion and parking addition project, was acceptable, provided it was installed and operational prior to issuance of a certificate of completion for the tee relocation or the use of the new tee boxes.

17. Applicant's site engineer addressed the Borough Engineer's December 7, 2015 review letter. He indicated, on behalf of Applicant, that there were no issues with any of the Borough Engineer's comments and the Applicant would comply with all of the requested plan revisions, data submission, technical requirements, and comments and conditions set forth in the December 7, 2015 letter from the Borough Engineer.

18. In addition to its being noted in the Borough Engineer's December 7, 2015 comment letter as item "D(6)", Applicant agreed that it would comply

with the Borough Fire Official's review comments and requirements with respect to the project.

19. Applicant's architect discussed his plan and design for the clubhouse expansion. He detailed its footprint, floor areas, and anticipated timing for construction. He pointed out that, although there were additional architectural features and details being added, that the basic building design elements and materials were consistent with the present clubhouse and that the overall design permitted the roof line of the addition to be consistent with the existing clubhouse. The facilities and amenities were being improved, upgraded and expanded. Particularly there would be better golf clubhouse facilities, better kitchen facilities and better dining facilities. The Club, however, is undertaking this expansion to better serve its membership. There is no proposed increase in their present maximum membership. Membership could not be increased without a septic upgrade and a new NJPDES Permit, which would have to be approved by the Borough as well as NJDEP. Applicant is hopeful that construction can begin in the late spring of 2016 and be concluded in time for the 2017 golf season. This expansion plan will not include relocation of the ladies' locker room to the main clubhouse. That will remain in the Carriage House, along with restrooms for use in connection with the swimming pool and a game room in the prior pro shop space. Although it is hoped that the ladies' locker room will eventually be relocated to the main clubhouse, significant septic changes would have to be implemented to permit this.

20. Applicant's architect also confirmed that the clubhouse facility will be sprinklered.

21. Other than a comment and some discussion regarding the design, materials and maintenance of the biobasin to assure its continued performance, there were no comments from members of the public.

22. Based upon the foregoing, the Board concluded that, under the circumstances of this case, Preliminary and Final Major Site Plan approval as detailed above, could, with appropriate conditions, be granted to Applicant.

BE IT FURTHER RESOLVED that, for the reasons set forth above, the Application of Roxiticus Golf Club, Inc. for Preliminary and Final Major Site Plan approval for the construction of the proposed clubhouse addition and renovation, as well as the proposed new parking area, along with the associated landscaping, storm water management, and other facilities, on the property located at 179 Bliss Road and designated Block 2602, Lot 3 on the Mendham Borough Tax Map, all as depicted on the Plans, the Architectural Plans, and the Landscape & Lighting Plans (as any or all of these plans are to be revised to conform to the conditions of approval), be and hereby are approved and granted, subject to the following:

1. Applicant shall comply with all applicable regulations and obtain all required, licenses, permits, and other approvals which may be required for the project which is the subject matter of this Application, whether from any municipal, county, state or federal board, body or agency having jurisdiction over the Subject Property or the project.

2. All open taxes, as well as municipal charges, Application and escrow fees, and funding of sufficient escrow to cover unbilled work to the completion of this Application and project, shall be paid by Applicant.
3. All site work, construction and operations are to be in accordance with the Plans, Architectural Plans, and Landscaping & Lighting Plans (all as revised to conform to the conditions of approval), the testimony adduced at the public hearing on this Application, the findings and conclusions of the Board as set forth in this Resolution, and the conditions of approval set forth herein.
4. Plan Revisions, Plan Notes, and other document revisions detailed in the December 7, 2015 comment letter from the Borough Engineer, shall be made by Applicant, and all construction and operation shall be in compliance with the Borough Engineer's comments.
5. The new and expanded clubhouse facilities, the relocation of the septic line, and the adequacy of septic disposal are subject to Board of Health approvals.
6. Soil erosion and sediment control measures are subject to certification from the Morris County Soil Conservation District.
7. Prior to approval of the stormwater management plans, Applicant shall arrange a site visit with the Borough Engineer for his review of Lot 3.01 driveway and downstream property impacts (which must be determined by the Borough Engineer to be satisfactory).
8. Applicant shall comply with the requirements of the Borough Ordinances with respect to tree removal and replacement related to this project.

9. Prior to site work being commenced, Applicant shall have a pre-construction meeting with the Borough Engineer, with such participants as the Borough Engineer shall determine.

10. Although a specific condition of approval with respect to the relocation of portions of the first tee addressed the installation of drywells and the furnishing of an Operations and Maintenance Manual for purposes of achieving storm water management applicable to that project, Applicant may now elect to install the biobasin feature to accomplish storm water management for both the tee relocation project and the clubhouse and parking project, provided that:

(a) Applicant must have an approved drainage plan prior to the issuance of a construction permit for the first tee relocation, as well as prior to the issuance of a construction permit for the clubhouse expansion and/or parking lot addition;

(b) If Applicant chooses to initially build the drywell storm management system, the Borough Engineer shall be furnished with an Operations and Maintenance Manual for that system;

(c) When Applicant proposes to install the biobasin system for storm water management (either initially or as a separate installation related to the clubhouse expansion and parking lot project), an Operations and Maintenance Manual for that system shall be furnished to the Borough Engineer;

(d) One or the other of the referenced storm water management designs must be completed, operational and satisfactory to the Borough Engineer prior to issuance of a certificate of compliance for the first tee relocation project or the use of the new tee boxes.

(e) Compliance with the applicable Operations and Maintenance Manual(s) shall be an ongoing condition of approval and shall be memorialized in a recorded document satisfactory as to form and content to the Borough Engineer and the Borough Attorney.

11. Applicant shall obtain and submit will-serve letters from all utilities involved in the clubhouse expansion and parking lot addition.

12. Applicant shall comply to the Borough Fire Official's satisfaction, with his December 23, 2015 review comments and requirements (or, as they may be modified by him) relating to the proposed clubhouse expansion and parking lot addition.

13. Only Club office and administrative use may be made of the "second floor" space.

14. Except to the extent that this approval and its conditions modify or amend previous approvals or conditions related to the Subject Property, either expressly or by necessary implication, all other conditions of prior approvals affecting the Subject Property remain in full force and effect and continue to condition the use of the Subject Property.

BE IT FURTHER RESOLVED that this Resolution adopted this 8th day of February, 2016, memorializes the action of the Board as set forth above, taken at its regular meeting of December 14, 2015.

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APPLICATIONS

PB # 15-15 Sisters of Christian Charity 350 Bernardsville Rd, Block 2301, Lot 13
Preliminary and Final Site Plan

Present: Mr. Ed Buzak, Esq., Attorney for Applicant
Sister Mary Edward Spohrer, Speaker for Applicant
Eric Keller, Engineer for Attorney
Mr. Richard Rosen, Architect for Attorney
Mr. Robert Pizzano, NJ Qualified Architect

Both Ms. Lichtenberger and Ms. Sprandel signed and certified that they listened to the January 2016 reorganization and regular meeting recording and are eligible to vote.

Sister Mary Edward discussed the history of the property and the mission of the Sisters. She mentioned the need for a more convenient, efficient and smaller residence area than the current motherhouse.

Mr. Eric Keller was sworn and qualified. He submitted exhibits A-1 and A-2 depicting an aerial view of the existing property and the proposed site plan respectively. He mentioned that a variance will be requested for the set back of the accessory buildings along Hilltop Road, which is exacerbated by the 8.25 foot right of way requested by the County. The applicant has submitted to the DEP for a wetlands LOI (Letter of Interpretation) to define the wetlands, which are along both stream corridors, and will be unaffected by the construction. There are no retention basins or storm-water facilities on property as storm-water currently drains off the north and south end of the property. As a result of the proposed construction, two bio retention basins have been proposed. The T-1 wastewater system on the property was approved by the DEP back in 2010 for 30,000 gallons per day. However, they have filed for a new New Jersey Pollution Discharge Elimination System permit for slightly over 20,000 gallons per day which replaces the current permit. They have also filed a wastewater management plan amendment to avoid environmentally sensitive areas for a new sewer treatment system, which only Villa Pauline and the proposed new motherhouse will be connected to.

He described the details of the proposed new motherhouse with 120 residential rooms for the Sisters, two guest rooms, 74 total new parking spaces (13 in the garage, 61 surface lot spaces, and 4 handicapped spaces). The exterior parking lot to the right of the new motherhouse will have a 6' high fence erected to block headlight glare. The present 17 parking spaces at Villa Pauline will be eliminated. The placement of the building on the property conforms with setbacks on all sides. He also submitted exhibit A-3, a steep slope plan of the property. All fire safety issues have been addressed with the fire chief. The application is compliant with impervious coverage and lot coverage, and has proposed to remove 99 trees and add 137 new tree plantings and shrubs for landscaping.

He explained that landscape and architect plans will be submitted denoting further detail about lighting, building color, and landscape buffering. There aren't any new signage plans on the property and a negligible change in traffic should be expected.

Mr. Kraft opened up the meeting for public comment, and Mr. Keller responded that no new driveways are being proposed in response to a question by Ms. Van Kennel. Another resident was concerned about excess water runoff to Hilltop Rd, and Mr. Keller stated that the water run-off to Hilltop would be reduced.

Mr. Keller responded to other resident's questions about wastewater and septic concerns, as well as the expected amount of tree removal.

Mr. Rosen and Mr. Pizzano were sworn and qualified. They submitted exhibits A-4 through A-7 representing the floor plans and elevations for the proposed new motherhouse. There are no proposed ceiling lights and all the windows will have blinds. The building exterior will be grey, hardy panels, a matte finish and grey roof. Mr. Kraft opened up the meeting for public comment and Mr. Rosen explained that there are no plans for dumpsters and no exterior uplighting in response to questions.

The hearing was carried over to the March 14, 2016 meeting.

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OTHER DISCUSSION ITEMS

Affordable Housing

The Board entered Executive session at 10:36pm

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The Board returned to open session at 11:00pm

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ADJOURNMENT

There being no additional business to come before the Board, Chair Kraft adjourned the meeting at 11:02pm. The next regular scheduled meeting of the Planning Board will be held on **Monday, March 14, 2016 at 7:30PM** at the Garabrant Center, 4 Wilson Street, Mendham.

Respectfully submitted,

Carolyn Mazucco

Carolyn Mazucco
Board Secretary