

MINUTES OF THE PLANNING BOARD MEETING
Thursday August 27, 2020

Present:

Chairman Larry Lonergan

Mayor Jack McEvoy

Mr. Tim Camuti

Mr. David Freschi

Ashley Neale, Planning Board Secretary

Deputy Mayor Alex Roman

Ms. Jessica Pearson

Mr. Al DeOld

Mr. Greg Mascera, Planning Board Attorney

Mr. Glen Beckmeyer, Township Engineer

Meeting called to order at 7:32 P.M. by Chairman Lonergan. This meeting was held via Zoom Video Conferencing due to COVID-19 pandemic.

Pledge of Allegiance:

Chairman Lonergan reads Open Public Meetings Act Statement and explains how the public can raise their virtual hands to participate in the meeting.

Public Hearing

Chairman Lonergan asks if anyone from the public would like to address the board on topics not on this meeting's agenda. No public participation.

Approval of Minutes

Chairman Lonergan asks for a motion to approve the minutes of the Regular Planning Board meeting held on July 23, 2020. Ms. Pearson makes the motion, Deputy Mayor Roman seconds. All in present were in favor.

Continuation of Hearing Site Plan Application 2020-01

Mr. Mascera notes for the record that Deputy Mayor Roman was absent from the original meeting, but he has watched the tape and signed an affidavit, therefore he is eligible to vote on this application. Mr. Freschi notes that he has only watched a portion of the meeting, and Mr. Mascera states he is not eligible to vote. Mr. Mascera notes for the record that the applicant has pulled their tree removal application and will only be seeking Site Plan approval tonight.

Mr. Trembulak introduces himself as the attorney of behalf of the applicant and gives an overview of what the Montclair Gold Club is seeking to accomplish with this application. He adds that for various reasons the club decided to withdraw the tree permit application and states they are not seeking to remove or plant any new trees, and that all trees will remain where they are unless they decide to come back before the Board with such an application. He adds that at the previous meeting there was concern about storm water management, and that the applicants engineer Mr. Derrick and the Township engineer Mr. Beckmeyer had discussion in the time between meetings to try and iron out those issues.

Chairman Lonergan asks if anyone from the Board has any preliminary questions for Mr. Trembulak. Ms. Pearson referred to the applicant's submitted report listing numerous dead trees on the site and asks for assurance that they are all to remain. She also asks whether the applicant plans to come back for approvals for both a tree removal and a landscape plan. Mr. Trembulak states that all they would only remove trees that are permitted to be removed under the Township' Ordinance, and all other trees would remain until a new application was submitted. Deputy

Mayor Roman asks if the grading and drainage plans that were submitted remained the same. Mr. Trembulak agrees they are the same as submitted.

Mr. Trembulak calls Mr. James Gilday as his first witness to testify about the lighting plan and notes he is still under oath from the previous meeting. Mr. Gilday goes through by reviewing the plan, he notes there are 20 foot poles that have full cut offs at the fixtures and custom house light shields on all fixtures. He testifies there will be not spillage of light off of the Golf Club property and that this lighting plan complies with the Townships Ordinances regarding lighting. Mr. Trembulak asks Mr. Gilday to compare the existing tennis court surface to the new proposed surface. Mr. Gilday responds by explain the courts will be made of the same material called Hardtru, but will have a different type of irrigation system from beneath the courts. He adds that the courts would have similar drainage characteristics.

Chairman Lonergan asks is the Board has any questions for the witness. Deputy Mayor Roman states that at the last meeting it was testified, the applicant would look into a system that would dim the lights when the courts are not in use, and asks if that has been resolved. Mr. Gilday responds that they have not finalized a system at this time. Mayor McEvoy comments that there appears to be a tree missing from the plans, and that the trees are directly in the area where the berm is intended to be built up to 4.5 feet. He asks Mr. Gilday if this would compromise those trees in anyway. Mr. Gilday responds with explaining the trees came from a survey and if one was missed they would have to modify the berm around any existing tree. Mr. Camuti asks about illumination on the courts. Mr. Gilday notes that this is sport court lighting specific for tennis playing. Mr. Gilday also notes that he has been retained by the Golf Club and will be on site overseeing the project, and will make necessary adjustments where needed without exceeding the designated slopes or tree removal ordinances. Ms. Pearson asks for clarification on the intent of landscaping. Mr. Gilday testifies that no new planting will be done, since they have removed the Landscaping Plan from this application.

Mr. Trembulak calls Tim Derrick as his next witness and notes that he was sworn in at the last meeting and is still under oath. Mr. Derrick states that in the time between the last meeting and now, he has communicated with Mr. Beckmeyer and submitted a revised storm water management calculations dates July 15, 2020. He continues by explaining what is required by the applicant in regards to storm water management and notes they are meeting those by reducing impervious coverage by approximately 10,000 square feet. He continues by explain ground water recharge calculations, and explains that the applicant is decreasing impervious coverage which increases recharge, meeting requirements because the proposed condition is better than the existing.

Mr. Trembulak asks to mark exhibit A2 dated August 24, 2020, Memorandum prepared by Tim Derrick, Storm Water Management Testimony Outline, into the record. Mr. Derrick continues by addressing some of the comments made in Mr. Beckmeyer's report dated August 20, 2020. He specifically speaks to the CN numbers for soil types. Mr. Trembulak clarifies that although the soil type is unknown, Mr. Derrick ran the calculation for all four soil types and all demonstrate there would be a decreased in runoff. Mr. Derrick continues with address comments that were submitted by the Township's Environmental Commission dated August 24, 2020.

Chairman Lonergan asks if anyone from the Board has questions for Mr. Beckmeyer. Mr. Beckmeyer comments that in his discussions with Mr. Derrick they have come to an agreement on most of the issues that arose. He notes that the soil calculations used were acceptable, instead of testing the actual soil on the property. Mr. Camuti asks Mr. Beckmeyer about directionality of the water runoff for the area. Ms. Pearson asks about soil types and recharge in the area. Mr. Beckmeyer responds by stating that since they are removing the tennis court and putting in grass, regardless of the soil type recharge will be increased.

Chairman Lonergan calls for a 10-minute break at 9:05 PM. Meeting is called back to order at 9:15 PM.

Chairman Lonergan asks if the Board has any questions for the witness, Mr. Derrick. Mr. Camuti asks for clarification on the runoff rates with and without the landscaping plan. Mr. Derrick responds that there would not be a significant difference because there will still be 10,000 square feet less of impervious coverage. Mayor McEvoy asks about where the inlets on the drainage maps go. Mr. Derrick states that they discharge to the catch basin on Prospect Avenue and that all existing courts drain into that catch basin and that would not be changing. Mr.

McEvoy asks if any thought was made to put in storage basins to collect and reuse the water from the tennis courts. Mr. Trembulak comments that the project as already received County Planning Board approval and he has a letter from the County Planner dated August 4, 2020, stating there would be no impact on County facilities in regards to the catch basin. Ms. Pearson asks if there will be some sort of vegetation in the berm areas. Mr. Derrick believes there will be, considering you could not just construct a barren soil mound.

Conversation among the Board and Mr. Mascera occurred about procedural requirements of the Board in regard to this application. Chairman Lonergan asks if anyone from the public had questions from the witness. No public members came forward.

Mr. Trembulak states that he has no further witnesses and makes closing statements. He notes the application is for the Montclair Golf Club to remove 1 of the existing 7 tennis courts and practice court, resulting in a decrease of 10,000 square feet of impervious coverage and the decrease in runoff which is obligated. He adds they are not seeking any variances and they are in compliance with all Township Ordinance's, therefore they are entitled to Site Plan approval.

Chairman Lonergan asks if anyone from the public has any statements regarding the application. No members of the public came forward.

Chairman Lonergan asks for the board to commence deliberation. Deputy Mayor Roman expresses concern that the Landscape Plan was pulled, especially with the grading of the berm area. There is discussion and explanation from Mr. Mascera regarding by right approvals from Site Plan applications. He notes the Board must base their decision on the evidence provided and not speculation for past or future conditions. Mr. McEvoy agrees with Deputy Mayor Roman and adds that there should have been a plan that showed all trees and elevations of the berm. He also notes in his opinion building up the berms will kill the trees. Ms. Pearson address concerns about the berms and trees located on the berms, stating some of them are dead and other good trees in the area at risk. Deputy Mayor Roman also notes his concern for the proposed grading will interfere with the trees.

Mr. Trembulak suggests making it a condition of approval that if any trees are damaged in the building of the berms the Club would replace them with 2 trees, Mr. Camuti joking states "3." Mr. Camuti suggests a condition should be that should the grading changes overlap with existing tree either the grading be altered or should the trees need to be replaced, they be replaced with 2 others, even if they were in another location on the site. Mr. Camuti also suggests, a condition be that the applicant submit revised plans showing the tree inventory in the grading area. Mr. Trembulak notes they would agree to that condition. Mr. Freschi agree with Deputy Mayor Roman, and feels full picture was not presented. Mr. Camuti agrees with prior statements, would have liked to have more confidence in the materials, but would be willing to pass on conditions. Chairman Lonergan sees red flag with last minute removal of the tree permits, but he would defer to the experts and the law, therefore there is no reason to deny the application subject to conditions. Mr. Beckemeyer comments that after the Boards vote he has to sign off on the plans that they are in compliance with the resolution including conditions, and he will only sign off once they are in compliance or it would be sent back to the Board.

Chairman Lonergan asks to enumerate the conditions that were discussed by the Board. They are as follows:

1. Applicant shall install a control system on the proposed tennis court lighting, that shall turn off the lights when the courts are unoccupied
2. Applicant shall submit an overlay of grading plan that would include list of trees are located in the limits of disturbance area, from sheet 106 & 107 of plans
3. Applicant shall replace any healthy trees harmed within the disturbance area, with a minimum of two similar species of tree, or per the Township's Tree Ordinance, whichever is greater
4. Applicant shall landscape the berm areas with sod
5. If the berm has to be relocated to accommodate existing trees, Township Engineer would be required to approve

Chairman Lonergan asks for a motion from the Board to vote on Application 2020-01, Site Plan application for Block 601 Lot 1, also known as Montclair Golf Club, subject to conditions. Mr. Camuti makes the motion, Mr. DeOld seconds. All other vote in favor.

Roll Call is taken. Ms. Pearson, Mr. Camuti, Mr. DeOld, Deputy Mayor Roman, Mayor McEvoy, and Chairman Lonergan all vote to approve the application.

Adjourn

After a motion made Deputy Mayor Roman and seconded by Mr. Camuti, there was a unanimous vote to adjourn at 11:01 PM.

Respectfully submitted,

Ashley Neale
Planning Board Secretary

PLEASE NOTE: Meeting minutes are a summation of the hearing. If you are interested in a verbatim transcript from this or any proceeding, please contact the Planning Board office at 973-857-4805.