

Minutes of the Regular Schedule Meeting of the Morris Plains Planning Board held on held on November 17, 2014 at 7:30 P.M. in the Council Chambers, 531 Speedwell Avenue. The following members were present:

Present: Mr. Andre Jensen  
Mrs. Sydney Leach, Vice Chair  
Mr. Ralph Lopez, Chair  
Ms. Suzanne McCluskey  
Mr. Leo Nichols  
Mr. Vincent Novak  
Mr. Donald Underhill  
Mayor Frank Druetzler

Leon Hall, Borough Engineer  
Elizabeth Leheny, Borough Planner  
Andrew Brewer, rep. Bd. Attorney, C. Falcon

Absent: Mr. Hank Sawoski

#### **PLEDGE OF ALLEGIANCE**

The meeting was called to order by Mr. Lopez. Mr. Lopez made the statement that adequate notice of this meeting has been published and posted in accordance with Chapter 231 of the Public Law of 1975, "Open Public Meetings Act."

#### **COMMENTS FROM THE PUBLIC**

Mr. Lopez opened the meeting to the public to speak on matters other than those on the agenda. Seeing no one, he closed this public portion of the meeting.

#### **APPROVAL OF MINUTES**

Mr. Lopez requested a motion for the approval of the meeting minutes of the Board's Regular Meeting held on September 15, 2014. Mr. Nichols moved that the minutes be approved as circulated, seconded by Mr. Novak.

#### **Roll Call**

Yeas: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mr. Nichols, Mr. Novak,  
Mr. Underhill  
Abstain: Mrs. McCluskey, Mayor Druetzler  
Absent: Mr. Sawoski  
Nays: None  
Motion carried.

#### **CORRESPONDENCE AND BILLS**

Mr. Nichols read the vouchers for payment.

**Maraziti, Falcon & Healey**

**PO #96345**

**\$647.50**

For Professional Services rendered to the Planning Board, *M & M at Morris Plains v. The Borough of Morris Plains*, Docket #MRS-L-296-13 PW  
**Maraziti, Falcon & Healey**                      **PO. #96344**                      **\$875.00**  
For Professional Services rendered to the Planning Board, October 2014

Mr. Nichols moved that these vouchers be approved, seconded by Mr. Underhill.

Roll Call

Yeas:        Mr. Jensen, Mrs. Leach, Mr. Lopez, Mrs. McCluskey, Mr. Nichols,  
                 Mr. Novak, Mr. Underhill, Mayor Druetzler

Abstain:    None

Absent:     Mr. Sawoski

Nays:        None

Motion carried.

## **COMMITTEE REPORTS**

### **Minor Site Plan Committee**

No report was presented.

### **Master Plan Review Committee**

No report was presented.

## **NEW BUSINESS**

Mayor Druetzler commented that he hopes the ordinance to change the R-7 Zone on Johnson Road will be available for action at the next Board meeting.

## **OLD BUSINESS**

None.

### **PB-2-14 Honeywell International Inc.** – completeness/public hearing

Block: 151 Lot: 2.02 – 115 Tabor Road

Messrs. Jensen, Lopez, Novak, and Underhill and Mrs. Leach recused themselves, and they provided their reasons for doing so. Mr. Lopez stated that Mrs. McCluskey was designated to continue this meeting.

There was a five-minute break.

Mr. Brewer introduced himself as the attorney representing the Board at this evening's meeting. He stated that Messrs. Bozza, Schulz, and Stewart from the Board of Adjustment will stand in for the Planning Board members required to recuse themselves. He requested a motion to authorize Mrs. McCluskey, Council Liaison, to serve as the Board Chairman for this application.

Mayor Druetzler moved this authorization be approved, seconded by Mr. Schulz.

Roll Call

Yeas: Mr. Nichols, Mayor Druetzler, Mr. Bozza, Mr. Schulz, Mr. Stewart  
Recused: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mr. Novak, Mr. Underhill  
Abstain: Mrs. McCluskey  
Absent: Mr. Sawoski  
Nays: None

**Motion carried.**

Mayor Druetzler advised the firm of Phillips, Preiss, Grygiel, LLC planning and real estate consultants will be representing the Borough for this application at tonight's meeting. They will serve the Board for whatever timeframe their services are required.

Elizabeth Leheny provided details about the services they will provide and assistance they have provided to the Borough in the past.

Mrs. McCluskey commented on the application before the Board. It is a preliminary and final major site plan application for Honeywell International for campus landscape improvements.

The Board Secretary confirmed that all notifications are in order.

Mrs. McCluskey advised that Mr. Leon Hall, Borough Engineer, has recommended that this application be deemed complete from an engineering standpoint.

The Borough Planners concurred with the Borough Engineer and recommend this application be deemed complete.

Mr. Nichols moved that the application be deemed complete, seconded by Mr. Stewart.  
Roll Call

Yeas: Mrs. McCluskey, Mr. Nichols, Mayor Druetzler, Mr. Bozza, Mr. Schulz, Mr. Stewart  
Recused: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mr. Novak, Mr. Underhill  
Abstain: None  
Absent: Mr. Sawoski  
Nays: None

**Motion carried.**

Attorney Christopher John Stracco introduced himself as representing the Applicant (covering for Attorney Thomas Malman). He provided a brief overview of what the application is requesting. There are several variances, there are signage issues to be addressed, and the need to obtain a variance to permit the disturbance of manmade steep slopes (approximately 3,000 SF).

He called Mr. Jason Larry from Honeywell to provide specific details of what is being requested by the application and why.

Mrs. McCluskey requested that all those who will provide testimony be sworn in, including the Borough's Professionals.

Mr. Brewer swore in all those who will provide testimony. Mr. Jason Larry, Honeywell, Christopher Cirrotti of Dewberry along with Leon Hall, Borough Engineer and Liz Leheny, Borough Planner.

Mr. Larry introduced himself to the Board. He has been associated with Honeywell for almost ten years. He is responsible for the all real estate and construction portfolios in the Americas for the company (group is Corporate Real Estate and reports to Finance). He is responsible for the work to be performed that is laid out in the application before the Board. The property needs to be enhanced. The proposed enhancements include an activity package for a walking trail, a sport court, a bocce court, and outdoor dining possibilities,

Mr. Hall asked about the on-site walking trail(s) asking if they would be available to the public in off-hours or would be strictly limited to employees only. He asked about the inside executive parking lot and the typical timeframe it will be used – essentially just normal business hours?.

Mr. Larry replied that the legal/insurance liability answer is that such a trail(s) is designed for the employees of the Headquarters. However, he believes that in the end it will be available for public use, although this fact probably will not be widely publicized. As to the inside parking lot, he believes it will be used mostly during normal business hours, but not all the eligible executives/others who will be using this lot will necessarily always adhere to "normal business hours". The lot has parking 10-12 parking spaces.

No members of the Board had any questions for Mr. Larry.

Mrs. McCluskey opened this portion of the meeting to questions for Mr. Larry from the public.

Mr. John Hearn, 10 Thompson Way, Morris Plains, asked about the walking trail(s).

Mr. Stracco replied that his question should be asked of the Applicant's engineer, but if Mr. Larry is comfortable providing information on this subject that will be fine, too.

Mr. Larry stated the walking trail(s) will be a stone dust that will be maintained once a year. It is not intended to be particularly wide nor for heavy use. It will be an impervious surface.

Mr. James Brown was sworn in to provide testimony. He is a senior landscape architect at Dewberry. He provided specific details to assist with answering the question raised by Mr. Hearn.

Mr. Hearn thanked Messrs. Brown and Larry for the information they provided.

Mr. Christopher Cirrotti was next to testify. He provided information as to his educational and professional background credentials and licensures. He is a Civil Engineer and is employed by Dewberry Engineers, a national consulting firm, where he manages the Parsippany office and is responsible for all design engineering and design work completed in this office.

The Board accepted Mr. Ciorrotti as an expert witness.

Mr. Stracco requested that Mr. Cirrotti describe the Honeywell project as proposed in the application. He also asked that he provide descriptions for exhibits relating to this project.

Mr. Cirrotti began by describing what Exhibit A-1 depicts. There are three components to the final submittal for the campus: (1) overall landscaping improvements, (2) 12-car garage area at the ground floor and enhancements for the north and south courtyards, and (3) the proposed dining terrace and targeted area enhancement for the area between the parking structure and the building at the south end (sport activity area). He commented on the proposed walking trail as well as a paved sidewalk along Tabor Road that will eventually meet up with other sidewalks on the property.

Continuing, Mr. Cirrotti provided more specific details concerning the walking trail. Next, he commented on proposed monument and other signage for the site, stating he will provide additional information as shown on another exhibit. He gave brief commentary on issues relating to the requests for a number of variances. He provided location information for the monument signage to answer a question raised by Mayor Druetzler.

Mr. Hall provided comparison commentary of what Johnson & Johnson had or has proposed with what Honeywell is proposing in this application.

Cross discussion concerning pedestrian safety while walking on the sidewalk along Tabor Road.

Mr. Cirrotti continued by marking the next exhibit as Exhibit A-2, providing detailed information as to what this exhibit depicts. He spoke about a conservation area, stormwater control, meadow grasses (have a lower runoff co-efficient than turf grasses), mowing of grasses (but keeping mostly in a natural state), and details of a detention basin. Along the frontage it shows the Pear trees that the Shade Tree Commission will make available for planting. He also provided information concerning trees that will be planted in the rear (various-sized Evergreens and a layered variety of plantings).

Cross discussion about the no-net loss State grant for the planting of additional trees in the Borough (roughly 400 trees will be planted), including that the Pear trees must be planted in the spring and that Honeywell will plant these Pear trees.

Continuing, Mr. Cirrotti provided information about proposed high-end granite pavers to be installed as well as other touches around the projecting islands at the entry and the new driveway relating to the executive garage. He also gave details about the terrace dining area that will accommodate roughly 200 diners. There will also be a water feature primarily to provide a natural sound to the immediate vicinity. He commented on what is envisioned for the courtyards; they will have bench seating and/or a meandering path and a variety of plantings. The sport court area will be fenced due to the nature of the sports activity being conducted there.

Cross discussion about whether the Applicant should consider fencing in certain for its landscaped areas to deter the local deer population.

Mr. Cirrotti stated that Exhibit A-3 is a colored rendering of Landscape and pavers plan. He next displayed Exhibit A-4. He provided information on the proposed signage that this exhibit depicts.

Mr. Hall asked about a certain monument sign (the one at the top of the exhibit).

Mr. Cirrotti said this sign will have channel letters that are backlit as well as an external illumination on the sign itself. He provided additional details concerning various signage.

Cross discussion about details relating to signage, including mention of berming to create a certain effect.

Mr. Cirrotti commented on the front windows and ventilation issues in connection with the executive parking area. He does not believe the front of the building will be changed architecturally by any of proposed projects contained in the application.

Mr. Hall asked where the winter "runoff" (snow, slush, ice, road salt) will go from cars entering the executive parking lot.

Mr. Cirrotti said it will be collected in two drains that are shown on the plan and linked to the roof drainage system and will be directed into the site's storm drainage system that ultimately will enter the detention basin.

Cross discussion about any storage of flammables, fire suppression issues, and related matters.

Mr. Cirrotti stated he has limited knowledge of the engineering specifics inside the building. There are provisions for reinforcing and protecting casing that is around columns in the parking garage. There is fire protection throughout the building as well as in the garage.

Mr. Hall advised that issues of fire protection are under the purview of the fire subcode official, and there is a letter in the file stating that he had no comments on this application. He also commented on detailed architectural plans.

Mr. Cirrotti stated that Exhibit A-5 is the interior layout plan.

Mr. Cirrotti provided information concerning the steep slope disturbance request. He displayed Exhibit A-6. He described it as a compilation of their steep slope plan and explained he had colored it to better designate the varying steep slopes. Yellow are 15% to just under 20%. The darker green shows a 20% to 25% slope. The lighter green is 25% to 30%, and the magenta is 30% and greater. He provided an explanation of why they need to do this soil disturbance of the existing steep slope area. Most of the impacted steep slope area is manmade; a very small portion is a natural steep slope (near the basin construction). He also commented on impervious coverage concerns. There will be 1.35 acres of impervious coverage as a result of what the Applicant is proposing. This leaves a total of 12.39 acres; this is roughly 1.5 acres less impervious coverage than was here before the building and parking lot were demolished.

Cross discussion about the walking trail at the rear of the property and issues of it being impervious or pervious.

Mr. Cirrotti will be submitting additional documentation tomorrow (a jurisdictional request re flood hazard). When a response is received from the New Jersey Department of Environmental Protection (NJDEP) it will be provided to the Board and Professionals. He commented on the regulated area (flood hazard area/path along Tabor Road/stone dust trail). All else is located outside this regulated area. He noted that the restriction allows for a pedestrian trail to be installed into the easement area. He offered to provide the language authorizing this.

Mr. Hall suggested the language be provided to the Board Attorney if necessary.

Mr. Hall asked about the Applicant being willing to replace broken/partially destroyed items on their property along with Stop signs that need replacement.

Mr. Cirrotti said this would be agreeable.

Mayor Druetzler asked for some additional landscaping details.

Messrs. Brown and Cirrotti provided a response.

Mr. Hall raised the matter of construction details in the plan – installation of a base for a flag pole and curbing and the walkway.

Mr. Cirrotti said the crosswalk will be pulled back a bit for safety concerns and the flag pole base information will be added.

Ms. Leheny asked about the parking spaces in the proposed garage and the net increase of only eight spaces. She also asked about the sport court and walking trail and their not being used at night.

Mr. Cirrotti explained this is a loss of four spaces on site and a gain of 12 in the parking garage results in an overall gain of eight spaces. Since no lighting is proposed for the sport court or the walking trail, neither are intended for use at night. Bollard lighting is proposed for the courtyards as well as landscape uplighting for trees in the dining terrace, but at a very minimum lighting level and not intended for nighttime use. The sport court will be enclosed by fencing – he is uncertain if it will be locked – but it, too, is not intended to be used at night or for public use.

Mr. Hall asked if the Applicant is satisfied with the way the sport court fencing will look from the roadway.

Mr. Cirrotti replied yes, especially since there will be significant plant material providing cover/buffering for the sport court.

Cross discussion about how high the plantings around the sport court will grow over time, including that it will likely exceed the height of the fence in time. Also included the reasons why a bocce court is being included – it is growing in popularity.

Mrs. McCluskey asked about the proposed placement of the Stop sign at the exit/entry from/to the underground parking lot. Why is it placed at parking lot versus at the sidewalk?

Mr. Cirrotti explained why the Applicant has placed the Stop sign at this point. There is pedestrian warning signage for the crosswalk.

Mrs. McCluskey opened this portion of the meeting to questions from the public on Mr. Cirrotti's testimony.

Mr. David Marr, 18 Valley Stream Circle, Morris Plains, asked about one of the monument signs.

Mr. Cirrotti provided an answer.

Mr. John Hearn, 10 Thompson Way, Morris Plains, asked about the No Trespassing signs currently on/near the Honeywell property.

Cross discussion about these signs; the intent is to keep trail walkers from trespassing onto residents' property.

Mr. Hall commented on the various waivers connected to the application, reviewing them one by one and providing additional information on them as necessary.

Mr. Stracco also commented on the waivers.

Cross discussion as to matters to be included in any resolution following any approval of the Board.

Mrs. McCluskey asked if there will be anything included that will address the future canopy proposed at the site.

Mayor Druetzler stated this can be included in the resolution.

Mr. Hall suggested that the application could be amended tonight to include the proposed canopy subject to the review and approval of the site plans by the Construction Code Official.

Mr. Brewer concurred that the Applicant's revision of their application/site plan to include the proposed canopy would be an acceptable solution to this matter to allow for approval of the canopy.

Mayor Druetzler commented that such extensive landscaping at this site, front and rear, pleases him.

Mayor Druetzler moved that this application be approved and that a resolution be prepared for memorialization containing all the conditions stated and discussed, including the proposed canopy, seconded by Mr. Nichols.

It was stated that the resolution would include reference to the fact that there will not be prohibition of public use on the trails.

Roll Call

Yeas: Mrs. McCluskey, Mr. Nichols, Mayor Druetzler, Mr. Bozza,  
Mr. Schulz, Mr. Stewart

Recused: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mr. Novak, Mr. Underhill

Abstain: None

Absent: Mr. Sawoski

Nays: None

**Motion carried.**

Mrs. McCluskey thanked the Board of Adjustment members for standing in for the recused Planning Board members. She also welcomed the Applicant to the Borough.

## **ADJOURNMENT**

There being no further business, Mr. Nichols moved the meeting be adjourned, seconded by Stewart. Voice vote. All in favor. **Motion carried.**

Karen M. Coffey  
Commission Secretary

Maureen Sullivan

Recording Secretary

October 2014 Planning Board mtg. was cancelled.

Minutes of the Regular Schedule Meeting of the Morris Plains Planning Board held on held on September 15, 2014 at 7:30 P.M. in the Council Chambers, 531 Speedwell Avenue. The following members were present:

Present: Mr. Andre Jensen  
Mrs. Sydney Leach, Vice Chair  
Mr. Ralph Lopez, Chair  
Ms. Suzanne McCluskey  
Mr. Leo Nichols  
Mr. Vincent Novak  
Mr. Hank Sawoski  
Mr. Donald Underhill  
Mayor Frank Druetzler

Leon Hall, Borough Engineer  
William Denzler, Borough Planner

Christopher Falcon, Esq., Board Attorney

#### **PLEDGE OF ALLEGIANCE**

The meeting was called to order by Mr. Lopez. Mr. Lopez made the statement that adequate notice of this meeting has been published and posted in accordance with Chapter 231 of the Public Law of 1975, "Open Public Meetings Act."

#### **COMMENTS FROM THE PUBLIC**

Mr. Lopez opened the meeting to the public to speak on matters other than those on the agenda. Seeing no one, he closed this public portion of the meeting.

#### **PB-1-14 Madison Affordable Housing Corporation - Block: 101 Lot: 3.02**

Mr. Lopez recused himself from this portion of the meeting since he lives within 200' of the site; he turned the meeting over to Mrs. Leach, Vice Chairperson. Mayor Druetzler and Mrs. McCluskey both recused themselves, providing their reasons.

Mrs. Leach asked if it would be best to ask questions as the Resolution is being read or to wait until the reading is completed.

Mr. Falcon recommended that Board members make notes as the Resolution is read and then discussion and/or questions can be addressed at the end.

Mr. Falcon read the Resolution relating to this application.

Mr. Falcon began the discussion phase stating that there appeared to be an issue as to whether there were 18 or 19 age-restricted units. The meeting minutes containing testimony indicates a total of 19 age-restricted units; the consensus is that 19 is the correct number. He will make this change in the Resolution.

With the exception of Mrs. Leach, no Board members had any questions regarding the Resolution.

Mrs. Leach asked about trash (Page 2). She understands the Applicant will rely on Borough pick-up on two days; however, she asked for assurance that if the complex ultimately requires more frequent pick-ups that they will arrange for this service on their own with no cost to the Borough. An additional concern she mentioned is the location of the trash enclosure which if not maintained properly will become an eyesore for the residents.

Mr. Falcon recommended adding the wording as contained in the meeting minutes to the Resolution concerning if additional trash pick-ups are needed. This would be the "first paragraph.toward the end – The Borough will handle trash removal . . ."

Cross discussion as to the concerns relating to trash pick-ups, including that Mrs. Leach stated it is her recollection that the Applicant agreed to provide more pick-ups than what the Borough will provide if such a need for extra pick-ups becomes apparent. She believes the Applicant stated they will know about the need for more pick-ups because the Borough will advise them. They would provide the extra pick-ups at their cost.

Mrs. Leach stated she wants to ensure there is a process for the Borough to monitor whether there is a need for additional pick-ups that the Applicant will be responsible for. She also believes there should be a definite statement in the Resolution that will ensure the Borough does not become responsible for any additional trash pick-ups beyond the usual two days of trash pick-up currently occurring within the Borough. She does not want the trash enclosure area at the complex to ever become a "pig sty", especially since it will be located in the front yard.

Cross discussion resumed as to other situations at the complex that the Applicant will provide versus what the Borough will provide; for example, the Applicant will handle recycling. It also reverted back at times to the discussion of the additional trash pick-ups that the Applicant would have to arrange for.

Mr. Nichols suggested that sufficiently large trash containers be at this site to accommodate the amount of trash disposed of between the two Borough trash pick-up days.

It was recommended that the wording from the meeting minutes be used –  
“In the event that trash dumpsters become overloaded, Applicant’s maintenance staff will remove the excess trash as needed.”

Mr. Falcon reminded there will be another opportunity to clarify the various Borough/Applicant responsibilities in the Agreement(s) that will be done.

Mr. Nichols gave additional commentary regarding the size of any proposed trash containers. He believes the size decided upon will directly relate to keeping this trash situation under good control.

Mr. Hall advised that the disposal company currently servicing the Borough can accommodate any size dumpster. In his opinion he prefers to rely on the Applicant’s Professional or the Applicant themselves in terms of their past experience and knowledge with such developments.

Mr. Falcon stated that the Project Engineer for the project will be able to calculate based on the number of units a reasonable estimate as to size of the trash containers that will be necessary. There will need to be dumpsters that can “do the job”.

Continued cross discussion about the issue of whether to include more specific wording in the Resolution in connection with any potential need for the Applicant to arrange for additional trash pick-ups as needed -- whenever in the future.

Mr. Falcon re-read the sentence being debated: “In the event the trash dumpsters become overloaded, Applicant’s maintenance staff will remove the excess trash as needed.” (as excerpted from the meeting minutes). There will be a vote as to whether this sentence should be included in the Resolution.

Mrs. Leach advised a Yes vote means the sentence is included and a No vote means the sentence is left out.

The results of the vote was to include the sentence (4 Yeses, 1 No). This sentence will be included in the Resolution.

Mr. Falcon will also double check the spelling of the last name of one of those giving testimony on behalf of the Applicant.

Mrs. Leach called for a motion on the approval of the Resolution itself with the changes proposed.

Mr. Jensen moved that the Resolution with the proposed changes be approved, seconded by Mr. Underhill.

Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Novak, Mr. Sawoski, Mr. Underhill  
Abstain: Mr. Nichols  
Recused: Mr. Lopez, Mrs. McCluskey, Mayor Druetzler  
Absent: None  
Nays: None

**Motion carried.**

A copy of this Resolution is attached and on file in the Board Secretary's office in the Planning Board's Resolution Book.

The Board took a five-minute break.

Mr. Lopez, Mrs. McCluskey and Mayor Druetzler returned to the meeting from being recused.

### **APPROVAL OF MINUTES**

Mr. Lopez requested a motion for the approval of the meeting minutes of the Board's Joint Meeting with the Borough Council on August 5, 2014.

Mr. Nichols moved that the minutes be approved as distributed, seconded by Mr. Underhill.

Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mrs. McCluskey, Mr. Nichols,  
Mr. Sawoski, Mr. Underhill, Mayor Druetzler  
Abstain: Mr. Novak  
Absent: None  
Nays: None

**Motion carried.**

The Board Secretary indicated a change in the Board's August 18, 2014 meeting minutes on Page 428, top of the page, second line – the power level was changed to lower level.

Mr. Lopez requested a motion for the approval of the meeting minutes of the Board's Regular Meeting on August 18, 2014.

Mr. Nichols moved that the minutes with the change be approved, seconded by Mr. Underhill.

Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Novak, Mr. Sawoski, Mr. Underhill  
Abstain: Mr. Lopez, Mrs. McCluskey, Mr. Nichols, Mayor Druetzler  
Absent: None

Nays: None

**Motion carried.**

## **COMMITTEE REPORTS**

### **Minor Site Plan Committee**

No report was presented.

### **Master Plan Review Committee**

Mr. Sawoski reported that a meeting was held to review the Master Plan. He provided pertinent details of that meeting.

## **2014 MASTER PLAN AMENDMENT REVIEW – Hearing**

Mr. Denzler presented a summary of the proposed Master Plan amendment. The amendment relates to multi-family rental housing. He provided a location of Block 171, Lot 1, along Johnson Road. This area currently is located within the L-2 Office and Research Laboratory Zone and is also near the Lennar multi-family project on Littleton Road and to a residential area on Malapardis Road. The site is 15.67 acres and is near several office buildings located along Johnson Road and Route 10.

He stated a change is being recommended to apartment/multi-family housing regulations. The maximum number of units should be set at 197 with buildings no higher than three stories. As part of this proposed development, one- and two-bedroom units should be provided, except for those under Affordable Housing which must be a mix of one-, two-, and three-bedroom units. If a total of 197 units are actually constructed, then a minimum number of those should be 30 affordable dwelling units.

Under Planning Principles that establishes an apartment/multi-family classification consistent with the residential character of the surrounding area and provides for a transitional use with minimal impact on the surrounding residential, office, and commercial areas on Route 10. This project will generate less vehicular traffic than that under current zoning and will provide easy access to the various highways in the area.

He advised that the 2000 and 2008 Master Plan goals and objectives were reviewed. In adjusting land use planning efforts, there was a recognition of the changing demographics in the Borough, the need to preserve and protect the suburban character of existing residential neighborhoods, and being able to provide for affordable housing where required. The proposed change(s) do promote the goals and objectives of previous Borough Master Plans. It is also consistent with the State Development and Redevelopment Plan. The Borough is located completely within the metropolitan planning area (one of the higher-density planning areas). The State plan recommends that future development/redevelopment occur in this area, and these recommendations are followed to the extent possible.

Mr. Denzler stated the proposed change will be consistent with many of the municipal land use planning purposes. He provided examples of how this is true. Based on the findings of the report, it is recommended that the portion Block 171, Lot 1 be reclassified as a rental apartment/multi family residential use.

Mr. Lopez opened this portion of the meeting to questions or comments from the public. Hearing no response, he closed this portion of the meeting to the public.

Mr. Falcon read the proposed Resolution addressing this proposed amendment.

Mr. Nichols moved that this Resolution be approved as read, seconded by Mrs. Leach.

Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mrs. McCluskey, Mr. Nichols,  
Mr. Novak, Mr. Sawoski, Mr. Underhill, Mayor Druetzler

Abstain: None

Absent: None

Nays: None

**Motion carried.**

A copy of this Resolution is attached and on file in the Board Secretary's office in the Planning Board's Resolution Book.

#### **CORRESPONDENCE AND BILLS**

Mr. Nichols read the vouchers for payment.

#### **Anderson & Denzler Associates, Inc.**

**P. O. #96297**

For Professional Services rendered to the Planning Board, August 2014

dison Housing Authority, PB-1-14

**\$785.92**

#### **Norton Conservation Company, Inc.**

**P.O. #94195 \$ 332.50**

For Professional Services Rendered in the matter of Honeywell International  
Soil Disturbance Application

Mr. Nichols moved that these vouchers be approved, seconded by Mr. Underhill.

Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mrs. McCluskey, Mr. Nichols,  
Mr. Novak, Mr. Sawoski, Mr. Underhill, Mayor Druetzler

Abstain: None

Absent: None

Nays: None

**Motion carried.**

#### **ORDINANCE #15-2014**

Mr. Lopez advised this ordinance will provide for partial amendment and supplementation of "Chapter 13, 2000 Borough of Morris Plains Land Development

Ordinance” with the amendment and revision of Section 13.3.1 entitled “Planning Board” to authorize the appointment of two alternate members.

Mayor Druetzler provided commentary on the reason(s) why doing so makes sense going forward in connection with one or more applications that will come before the Board in the future. He advised that Honeywell will return before the Board in November 2014.

Mrs. Leach asked “what exactly are the intricacies of this?”

Mr. Falcon provided an example of an instance when an alternate substitutes for an absent member and the matter is carried to one or more additional hearings, it is his understanding that it is the alternate who remains in the subsequent proceedings and is the one who will vote, rather than the previously absent member’s listening to the tape between the meetings and then returning to the proceedings to continue with the hearing. “The alternate remains with the application until the end when the alternate has substituted for a regular member.”

Mayor Druetzler advised the Board of Adjustment has had alternates for quite some time – and it works.

Cross discussion about this ordinance among the Board members and Mr. Falcon.

In the end, Mr. Falcon stated he believes the alternates are present at all meetings and participate fully. The issue of the alternate comes into effect when it comes time to vote. He will investigate the details of the precise role of the alternate further and report back to the Board at a future meeting.

Cross discussion primarily about the issues of what impact the listening of the meeting tapes has on a member’s ability to vote on an application versus an alternate making the vote and exactly what allows the alternate to cast the vote versus the regular member.

Mr. Falcon read the resolution pertaining to Ordinance 15-2014.

Mr. Novak moved to approve this ordinance on First Reading as changed, seconded by Mrs. Leach.

Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mrs. McCluskey, Mr. Nichols,  
Mr. Novak, Mr. Sawoski, Mr. Underhill, Mayor Druetzler

Abstain: None

Absent: None

Nays: None

**Motion carried.**

**NEW BUSINESS**

Mayor Druetzler provided several updates. The first was that last week Honeywell tested their helicopter at their new site on Tabor Road/Route 53. He said it was interesting that on take-off the helicopter rises quite rapidly. There were no calls. Next, he advised that Honeywell probably will begin work here in October 2014 with interior renovations. They expect to occupy the building in September 2015. He believes Honeywell will be before the Board at the November meeting. They have met with the Borough Professionals to discuss their landscaping plan, which is quite an extensive one.

Mr. Denzler reported that in addition to discussing the landscaping plan, there were some minor site plan improvements. A large part of their upcoming application will relate to proposals for their landscaping.

Mayor Druetzler also provided an update on the work being done at the Quick Chek site. He believes the site has a 100 percent improved appearance. The lighting and the landscaping are very well done.

Mr. Hall advised that the Quick Check lighting was installed without shields. They are aware of this, and no Certificate will be issued until the shields are in place. The site is greatly enhanced.

Mayor Druetzler stated he did not notice the shields were not yet installed.

Mr. Hall agreed that the fixtures are very good – one does not even see the light source since it is completely high in the housing and is a LED source and the glare is almost non-existent.

One or more Board members agreed that this site is much improved.

Mayor Druetzler next reported he anticipates that Harley Davidson will open by the end of October.

Mr. Lopez commented that they have done a wonderful job in transforming what was an eyesore into a beautiful structure and site. It is quite an improvement.

Cross discussion concerning the M & M litigation situation, including discussion about the issue of the litigation brought by Rockaway Township concerning availability of water and obtaining additional water from surrounding municipalities that the Township believes have excessive additional water supply. Mayor Druetzler commented on how he sees this “excess water situation” litigation.

Mayor Druetzler provided information concerning fencing being removed along Route 53 and an application for soil removal that was deemed incomplete. The issue concerns the Borough wanting to know what contaminants are in the soil and that no further progress has occurred relating to this matter. This is in connection with the proposed M & M project.

Mr. Hall provided additional details about the soil removal situation. He specifically commented on crushed concrete which is not soil and could be removed immediately. He does not know if this crushed concrete is contaminated. It is not regulated by the Borough's soil disturbance ordinance. Most of the concrete slabs have been broken up at this point. They have not said why they are not removing it.

Cross discussion about the issue of whether the crushed concrete is contaminated or not, including that Mr. Hall provided more details about issues relating to this site such as, demolition of a powerhouse, problems relating to oil tanks, a puncture of a tank that caused a fuel leak, an excavation area that is still open and about 60' deep, and that they continue to test to see if it is "hot."

Mr. Hall also commented on the stockpile of soil to the north that has been there since a site plan was approved in 2007. Due to remediation of soil, this stockpile is nearly gone. If this Applicant returns before the Board, these are some of things that will need to be resolved. He added that the Department of Environmental Protection (DEP) is overwhelmed with cases involving work projects needing Licensed Site Remediation Professionals (LSRPs). The LSRP develops the plan and it is reviewed by DEP. The DEP approves the plan and in the end the LSRP certifies that you have met the plan. DEP has up to three years to accept the LSRP's final report or to not accept it.

Mr. Falcon advised that if an LSRP submits a report that is false, then every report he/she has ever submitted on any site is subject to being re-opened and re-examined.

Cross discussion as to whether this property has material value right now to a prospective developer or realtor, whether it could be sold (it was two years ago and in a lot worse shape than it is now), possible American Road development project, and levels of remediation

#### **OLD BUSINESS**

None.

#### **EXECUTIVE SESSION**

None.

#### **ADJOURNMENT**

There being no further business, Mrs. Leach moved the meeting be adjourned, seconded by Mr. Nichols. Voice vote. All in favor. **Motion carried.**

Karen M. Coffey  
Commission Secretary

Maureen Sullivan

Recording Secretary