

**MINUTES  
TOWNSHIP OF WEST ORANGE  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
January 15, 2015**

The West Orange Zoning Board of Adjustment held a regular meeting on January 15, 2015 commencing 8:00 PM at 66 Main Street, West Orange, N.J. in Council Chambers.

Chairman Buechler called the meeting to order at approximately 8:00 P.M. It was announced that notification of this meeting was given to the Township Clerk, the West Orange Chronicle, and posted on the Township Bulletin Board on December 11, 2014 in accordance with the "Open Public Meetings Act."

Chairman Buechler asked everyone to stand for the Pledge of Allegiance.

Alice Beirne, Esq., Board Attorney, read the Opening Statement.

**PRESENT:** B. Buechler, G. Bullock, W. Merklinger, P. Neuer, B. Quentzel,  
W. Steinhart, M. Sussman, A. Weiss

**ABSENT:** D. Gabry (excused)

**ALSO PRESENT:** Paul Grygiel, Consulting Planner  
Frank Russo, Consulting Engineer  
Alice Beirne, Esq., Board Attorney  
Rose DeSena, Board Secretary  
H. Grossman, Esq., Public Advocate  
D. Dillon, Audio-Digital Transcription Service

**ANNOUNCEMENTS**

**Future Meetings:** February 19, 2015 (regular meeting)  
February 26, 2015 (special meeting)  
March 19, 2015 (regular meeting)  
April 16, 2015 (regular meeting)

Chairman Buechler stated for the record that the Board Secretary emailed a copy of a proposed draft ordinance that would incorporate sustainability measures in the application review process. He said that if any Board Members had any comments regarding this draft ordinance they should email their comments to the Board Secretary.

## **MINUTES**

**Adopt Minutes:** December 11, 2014 (special meeting)

Chairman Buechler asked the Board members if they had any additional comments to the December 11, 2014 special meeting that were submitted to them for review. Seeing none, he asked for a motion to approve said minutes.

Vice Chairman Neuer made a motion to approve the minutes of the December 11, 2014 special Zoning Board of Adjustment meeting as submitted to the Board members; Mr. Bullock seconded the motion and all were in favor.

It was noted for the record that Mr. Merklinger and Ms. Weiss did not vote on these minutes.

**Adopt Minutes:** December 18, 2014 (regular meeting)

Chairman Buechler asked the Board members if they had any additional comments to the December 18, 2014 regular meeting that were submitted to them for review. Seeing none, he asked for a motion to approve said minutes.

Mr. Sussman made a motion to approve the minutes of the December 18, 2014 regular Zoning Board of Adjustment meeting as submitted to the Board members; Vice Chairman Neuer seconded the motion and all were in favor.

It was noted for the record that Mr. Bullock and Mr. Merklinger did not vote on these minutes.

## **SWEARING IN**

Consulting Planner for the Township, Paul Grygiel, and Consulting Engineer for the Township, Frank Russo were sworn under oath.

## **RESOLUTIONS**

**1. ZB-14-11/Nyunt**

**Approved 12/18/14**

Block: 167.03; Lot: 35; Zone: R-3AH

9 Efstis Court

“C” variance for a rear yard setback for installing a deck in the rear of the home

Chairman Buechler stated that he and Vice Chairman Neuer submitted comments to Ms. Beirne for this resolution. Ms. Beirne stated that she approved those comments and they were incorporated into the resolution.

Chairman Buechler asked if any other Board Member had any comments; seeing none Chairman Buechler asked for a motion to adopt the resolution.

Vice Chairman Neuer made a motion to adopt the resolution to include the comments made by Chairman Buechler and himself; Mr. Steinhart seconded the motion to adopt.

The vote was as follows:

|             |     |                    |     |
|-------------|-----|--------------------|-----|
| Bullock:    | -   | Steinhart:         | Yes |
| Gabry:      | -   | Sussman:           | Yes |
| Merklinger: | -   | Weiss:             | Yes |
| Neuer:      | Yes | Chairman Buechler: | Yes |
| Quentzel:   | Yes |                    |     |

**2. ZB-14-12/Henry**

**Approved 12/18/14**

Block: 172.04; Lot: 2.01; Zone: R-5

899 Pleasant Valley Way

Seeking two (2) "C" variances for the rear and side yard to construct a second story addition to a single family dwelling.

Chairman Buechler stated that Vice Chairman Neuer submitted comments to Ms. Beirne for this resolution. Ms. Beirne stated that she approved those comments and they were incorporated into the resolution.

Chairman Buechler asked if any other Board Member had any comments; seeing none Chairman Buechler asked for a motion to adopt the resolution.

Mr. Sussman mad a motion to adopt the resolution to include the comments made by Vice Chairman Neuer; Mr. Quentzel seconded the motion to adopt.

The vote was as follows:

|             |     |                    |     |
|-------------|-----|--------------------|-----|
| Bullock:    | -   | Steinhart:         | -   |
| Gabry:      | Yes | Sussman:           | Yes |
| Merklinger: | -   | Weiss:             | Yes |
| Neuer:      | Yes | Chairman Buechler: | Yes |
| Quentzel:   | Yes |                    |     |

**3. ZB-14-13/Brice**

**Approved 12/18/14**

Block: 176.18; Lot: 7; Zone: R-6

16 Stanford Avenue

Three "C" variances for an addition to an existing house.

Chairman Buechler stated that he and Vice Chairman Neuer submitted comments to Ms. Beirne for this resolution. Ms. Beirne stated that she approved those comments and they were incorporated into the resolution.

Chairman Buechler asked if any other Board Member had any comments; seeing none Chairman Buechler asked for a motion to adopt the resolution.

Vice Chairman Neuer made a motion to adopt the resolution to include the comments made by Chairman Buechler and himself; Mr. Steinhart seconded the motion to adopt.

The vote was as follows:

|             |     |                    |     |
|-------------|-----|--------------------|-----|
| Bullock:    | -   | Steinhart:         | -   |
| Gabry:      | Yes | Sussman:           | Yes |
| Merklinger: | -   | Weiss:             | Yes |
| Neuer:      | Yes | Chairman Buechler: | Yes |
| Quentzel:   | Yes |                    |     |

**4. ZB-14-09/Hutton Lafayette Apartments**

**Approved 12/18/14**

Block: 78.02, 71.03; Lot: 1, 1.02 and 1.03; Zone: R-G

60 Randolph Place

Seeking a "D" and "C" variances for the expansion of a parking lot.

Chairman Buechler stated that Vice Chairman Neuer submitted comments to Ms. Beirne for this resolution and asked if any other Board Member had any comments.

Vice Chairman Neuer stated that as a condition of approval, the trees that the applicant is proposing to plant were to meet the approval of Mr. Grygiel. He said that Mr. Grygiel issued a memo to the Board stating that he approved the number, type and arrangement of the trees and that this condition was satisfied.

Vice Chairman Neuer also stated that the resolution should be modified to add the additional items in the memo from Omland Engineering dated January 12, 2015 and made a motion to adopt the resolution as revised.

Mr. Steinhart seconded the motion to adopt the resolution as revised.

The vote was as follows:

|             |     |                    |     |
|-------------|-----|--------------------|-----|
| Bullock:    | -   | Steinhart:         | -   |
| Gabry:      | Yes | Sussman:           | Yes |
| Merklinger: | -   | Weiss:             | Yes |
| Neuer:      | Yes | Chairman Buechler: | Yes |
| Quentzel:   | Yes |                    |     |

## **APPLICATION(S)**

### **1. ZB-14-10/Franco**

**Carried over from 11/20/14**

Block: 176.25; Lot: 10; Zone: R-4

24 Ferris Drive

Seeking four (4) variances for installing an above ground swimming pool

Emilia Franco approached the podium.

Chairman Buechler stated that Ms. Franco was present with her husband at the November 20, 2015 Zoning Board meeting and had asked for a further adjournment.

Chairman Buecher asked if Council for Dr. Blank was present in the room; no one responded.

Chairman Buechler asked Ms. Franco if any written agreements were made with Dr. Blank and Mr. Abdallah since the last meeting; she replied no. Ms. Franco stated that her husband had to go away on a business trip and could not be at this meeting. She said that agreements were made verbally between them and Dr. Blank and Mr. Abdallah. Ms. Franco said that Dr. Blank still wanted to talk to his attorney and that no written agreements were made yet.

Chairman Buechler asked if any members of the public were present for the Franco application; there were none.

Chairman Buechler stated that this application will be adjourned to the next regular Zoning Board meeting held on February 19, 2015. He advised Ms. Franco that if Dr. Blank does not sign the agreement by that time, the application will be denied because the Board could not approve an application built on an adjoining property owner's land without written consent and the Municipal Court can handle it. Chairman Buechler stated that this will be the last adjournment and it will go back to the Municipal Court.

Chairman Buechler advised Ms. Franco that she must provide notice to her neighbors, Mr. Abdallah and Dr. Blank, that this will be adjourned until February 19, 2015.

Chairman Buechler stated that other than providing notice to Mr. Abdallah and Dr. Blank, no other notice will be required.

### **2. ZB-14-08/Sai Hira Ram Trust, Inc.**

**Carried over from 11/20/14**

Block: 177.02; Lots: 15.01 & 16; Zone: R-4

23-27 Laurel Avenue

Seeking "D" and several "C" variances for converting two properties to use as a house of worship and related uses

## **EXHIBITS**

- A-1 – Boundary and Topographic Survey
- A-2 – Layout Sheet 2 of 9 with a revision date of 11/3/14
- A-3 – Grading, Drainage and Utility Plan, Sheet 3 of 9, with a revision date of 11/3/14
- A-4 – Landscaping and Tree Replacement Plan, Sheet 5 of 9, with a revision date of 11/5/14
- A-5 – Lighting Plan, sheet 4 of 9, with a revision date of 11/5/14
- A-6 – Sample Schedule for the House of Worship
- A-7 – Roof Sample Exhibit
- A-8 – Temple Floor Plans Sheet - A-300
- A-9 – Meditation Center Floor Plans – Sheet A-100
- A-10 – Temple Elevations Sheet - A-400
- A-11 – Temple Elevation Rendered – A-410
- A-12 – Meditation Center Elevations – Sheet A-200

Robert Williams approached the podium and said that they appeared before this Board on September 18, 2014 but they would like to start over again.

Mr. Williams stated that the applicant is seeking preliminary and final site plan approval, with several variances, for the purpose of converting a single family residence to a House of Worship on lot 15.01 and an accessory caretaker's home and small meditation center on lot 16.

Mr. Williams called his first witness.

J. Michael Petry approached the podium and was sworn under oath. Mr. Petry detailed his professional and educational background as a Professional Engineer licensed in the State of New Jersey.

Chairman Buechler stated that Mr. Petry has testified before this Board several times and is accepted as an expert in Engineering.

Mr. Petry stated that he testified at the last meeting on September 18, 2014 but because they are starting fresh, he will be testifying tonight as if he never testified.

Mr. Petry presented the Boundary and Topographic Survey.

Chairman Buechler stated that the Boundary and Topographic Survey was pre-marked as Exhibit A-1 for identification.

Mr. Petry referred to Exhibit A-1 and began detailing the property stating that the two separate lots, 15.01 and 16, are located in an R-4 Zone and consist of over two (2) acres of land. He said that each lot has a single family dwelling on it and that one is occupied and the other is abandoned.

Mr. Petry detailed the drainage systems and the sanitary easement on the lots.

Mr. Petry presented sheet two (2) of nine (9) of the Layout sheet with a revision date of 11/3/14.

Chairman Buechler stated that sheet two (2) of nine (9) of the Layout sheet with a revision date of 11/3/14 was pre-marked as Exhibit A-2 for identification.

Mr. Petry referred to Exhibit A-2 and began detailing it. He stated that they will be removing the abandoned house located on lot 15.01 and that the existing structure on lot 16 will remain as a daily prayer room.

Mr. Petry presented a hand out of a sample worship or use schedule for the House of Worship.

Chairman Buechler asked to have the sample schedule for the House of Worship marked as Exhibit A-6 for identification.

Mr. Petry referred to Exhibit A-6 and said that the daily prayer room will be open every day for prayer for approximately 0-4 people. He said that services will be held at the main Temple each Thursday and on the full and new moon each month from 11am to 12 pm followed by a traditional meal from 12 pm to 1pm. Mr. Petry said that services in the main building will be held six (6) times during the course of the month.

Chairman Buechler asked Mr. Petry who prepared the sample schedule for the House of Worship; he said it was a collaboration. Mr. Petry said that the information on Exhibit A-6 comes directly from the applicant and that he wanted to present it early on so that the Board could see how the schedule fully functions.

Mr. Williams stated that Ms. Thani provided the information on Exhibit A-6.

Chairman Buechler stated that this is not something an Engineer testifies to.

Mr. Petry continued with his testimony stating that approximately four (4) to forty (40) people will be in attendance for service.

Chairman Buechler advised Mr. Petry that his testimony regarding the number of members is not the same as his last testimony.

Mr. Williams stated that this is new testimony.

Chairman Buechler said that his notes reflect that testimony was given that there are twenty nine (29) current members and that they are projecting seventy five (75) to one hundred (100) members in the future.

Mr. Williams stated that they did not change the number of members.

Chairman Buechler said that forty (40) members were not mentioned before.

Chairman Buechler said that they are also going to need to clarify the concept of "bringing guests" with further testimony.

Mr. Petry continued with his testimony regarding the onsite parking spaces being proposed. He said that the Township Ordinance requires forty six (46) parking spaces and they are proposing forty eight (48) parking spaces.

Mr. Petry stated that the existing garages will be completely removed and that the existing driveway will be replaced with grass pavers. He said that the driveway can accommodate a fire truck.

Chairman Buechler asked Mr. Petry if the gate that they were originally proposing will not be there anymore; he replied yes.

Chairman Buechler asked Mr. Petry if there will be a no parking sign there so that cars do not park there; he said that they could put a sign there but he doesn't think that cars will park there because they are installing pavers with grass that grows through the pavers.

Ms. Weiss asked Mr. Petry what type of deliveries will be made in the back where the residence is being proposed; he said deliveries from a UPS truck. Mr. Petry said that the applicant asked them to provide access to accommodate a UPS truck and an ambulance. He said that he does not know what type of packages will be delivered.

Mr. Petry also said that the Township's Fire Official asked that they provide an 18' path.

Mr. Petry detailed the impervious coverage calculations. He said that the grass pavers are considered pervious because it has less runoff than an asphalt driveway.

Mr. Petry presented sheet three (3) of nine (9) of the Grading, Drainage and Utility Plan with a revision date of 11/3/14.

Chairman Buechler stated that sheet three (3) of nine (9) of the Grading, Drainage and Utility Plan with a revision date of 11/3/14 was pre-marked as Exhibit A-3 for identification.

Mr. Petry referred to Exhibit A-3 and detailed the drainage plan being proposed and the storm sewers on the property. He said that the parking lot will be away from the residential properties.

Chairman Buechler asked Mr. Petry if there were any amendments to the storm water management report and the storm water maintenance plan that was submitted with the application because of the revision to the plans; he replied no. Mr. Petry stated that the revisions are conservative.

Mr. Petry explained how the recharge system operates and detailed the storm water runoff rates.

Mr. Petry presented sheet five (5) of nine (9) of the Landscaping and Tree Replacement Plan with a revision date of 11/5/14.

Chairman Buechler stated that sheet five (5) of nine (9) of the Landscaping and Tree Replacement Plan with a revision date of 11/5/14 was pre-marked as Exhibit A-4 for identification.

Mr. Petry referred to Exhibit A-4 and detailed what trees will remain and which ones will be removed. He then detailed all of the trees and shrubs that will be planted on the site.

Ms. Weiss asked Mr. Petry if the berm will hide the parking lot; he replied yes. Mr. Petry said it will screen the headlights.

Mr. Petry stated that in the Township Forester's report dated 9/30/14 he recommended that they remove some trees that he considered "junk trees". He said that the removal of these trees would require an additional variance.

Chairman Buechler asked if there were any changes on the landscaping plan dated 8/31/14; he replied yes. Mr. Petry said that they revised the plans on 11/5/14 and they address the Township Forester's recommendations in his memo dated 9/30/14.

Chairman Buechler asked Mr. Williams if he is asking for a variance for the removal of the additional trees that the Township Forester recommended to be removed. Mr. Williams said that the applicant did not want to remove these trees but if the Township forester insists that they are to be removed, then they will request a variance.

Mr. Quentzel asked Mr. Petry if the trees that the Township Forester is requesting to be removed are really bad; he said that the Township Forester's report stated that the existing line of trees along the east property line are of poor quality.

Chairman Buechler asked Mr. Petry if they will be planting hemlock along Laurel Avenue; he replied no. Mr. Petry said that they will planting blue spruce.

Chairman Buechler stated that if the Board approves this application then they will ask them to comply with the Township Forester's report dated 9/30/14.

Ms. Weiss asked Mr. Petry if the guest quarters has been removed; he replied yes.

Mr. Petry presented sheet four (4) of nine (9) of the Lighting Plan with a revision date of 11/5/14.

Chairman Buechler stated that sheet four (4) of nine (9) of the Lighting Plan with a revision date of 11/5/14 was pre-marked as Exhibit A-5 for identification.

Mr. Petry referred to Exhibit A-5 and detailed the lighting being proposed. He stated that the pole mounted fixtures will remain low because they are in a residential area.

Chairman Buechler stated that the Board had suggested that the applicant incorporate lights along the walkway. Mr. Petry said that he will incorporate the lights along the walkway into the plans.

Mr. Petry stated that Omland Engineering prepared a supplemental report dated November 17, 2014 and said he will address the comments in this report.

- Item #1 regarding incorporating all of the original plans with the revised plans – the applicant will comply.
- Item #4 regarding shifting the entry pillars and the evergreen trees back further from the site line – the applicant will comply.
- Item #6 regarding extending the sanitary sewer – no decision was made at this time as to whether the applicant would be willing to incur the expense.
- Item #7 regarding the refuse – the caretaker will collect the refuse and the recycling and bring it to the refuse enclosure.
- Item #8 regarding publishing the accommodations for the recycling collection on the plans – Mr. Petry stated that it is labeled on the plans as the refuse and recycling area. He said that the garbage cans for the Temple and the caretaker's house will be picked up by the Township.
- Item #9 regarding publishing the dimension of the width of the driveway to the caretaker's house on the plans – the applicant will comply.
- Item #12 regarding access to the guest house – Mr. Petry said that they have eliminated the curbing at each side of the driveway to the guest house and that access to that area is for deliveries only. He said that they will comply with Omland recommending that they place markers to show the limit of the grass pavers in that area.

- Item #15 regarding making the area flatter along the front of the temple where there is drop off and pick up – Mr. Petry said that they made some modifications to flatten that area out a little.
- Item #18 regarding the Township’s Fire Officials recommendations for required fire zones on the site – Mr. Petry stated that the Township Fire Official recommended an 18’ wide driveway to accommodate emergency vehicles rather than the 16’ wide driveway being proposed. He said the applicant has no objection to making the driveway 18’ wide as per the recommendation.
- Item #20 regarding the security lighting – Mr. Petry stated that they are looking into LED fixtures for power reduction.
- Item #21 regarding providing the Township’s Health Department with abandonment records for the existing well on lot 15.01 as a condition of approval – applicant will agree to this condition.

Mr. Bullock asked Mr. Petry if there is a set of guidelines that they will need to follow regarding the well abandonment; he said yes. Mr. Petry said that there are State and Municipal level guidelines.

- Item #22 regarding publishing the required water service diameter on the plans – applicant will agree to this as an acceptable condition of approval.
- Item #23 regarding removing all references to the Township of Fairfield from the construction details – applicant will comply.
- Item #25 regarding the status of the Essex Counties application – Mr. Petry said that the County will not review the application until the Municipality reviews it.
- Item #26 regarding which basin system will be used as a temporary sediment basin during construction; the infiltration basin or the underground detention basin – Mr. Petry said the infiltration basin will be used.
- Item #27 regarding the design plans not accurately depicting the footprint of the underground piping network – Mr. Petry said that this was an engineering error and not a drafting error. He said that he will clean it up.
- Item #29 regarding what the acceptable slope would be for maintenance of the storm water basin; Chairman Buechler asked Mr. Russo what an appropriate slope would be. Mr. Russo said that he will work that out with Mr. Petry.
- Item #31 regarding moving back the evergreen trees along Laurel Avenue so that they do not interfere with the site line – Mr. Petry said they will comply.

This item in the Omland memo also addressed a concern with the spacing of the evergreen trees; Mr. Petry said that the tight spacing that they are proposing provides screening.

Chairman Buechler asked Mr. Petry if the Township Forester agrees with Omland Engineering regarding the spacing; he said that the Township Forester did not mention spacing.

Mr. Petry said that the applicant has agreed to comply with the remainder of the items (#33, 34, 35 and 36) in the Omland Engineering memo.

Chairman Buechler asked Mr. Russo if he agrees with Mr. Petry regarding not having to revise the storm water maintenance plan; he said yes he concurs with Mr. Petry.

Chairman Buechler asked if the Board Members or the Board Professionals had any questions for Mr. Petry.

Mr. Russo said that the only outstanding issue is regarding the sanitary sewer line. He said that he recommends that they provide the sanitary sewer line under the parking lot before they build it and before they run their electric. Mr. Russo said that if they do not do that now and the system fails, then they will have to dig up the parking lot to obtain access to the sewer line.

Chairman Buechler asked Mr. Russo whose obligation would that be; the applicant's or the Township's; he said someone has to provide the residents with a sanitary sewer.

Chairman Buechler said that this is an issue that the Board will address later.

Mr. Steinhart asked Mr. Petry what the cost would be for providing the sewer line if the applicant agrees to do that; he said he would estimate that it would cost \$17,000.

Mr. Grygiel asked Mr. Petry if the applicant is proposing to consolidate the two lots into one property; he replied yes.

Chairman Buechler stated that the applicant will have to file a deed of merger.

Mr. Bullock asked Mr. Petry if the driveway with the grass pavers will accommodate large trucks; he said yes. Mr. Petry said the Township's Fire Official asked for an 18' driveway with the original plans. He said that the new plans eliminate the curb and the total width of the driveway is now 20".

There were no further questions for Mr. Petry from the Board Members or the Board Professionals.

Thomas J. Trautner, Jr. Esq. approached the podium.

Mr. Trautner stated that he is from the law firm Wolf and Samson and represents Tal Benzvi and Travis McManigal, who reside at 5 Allsop Court, as objectors for this application.

Chairman Buechler advised Mr. Trautner that if he asks questions on behalf of his clients then his clients cannot ask questions.

Mr. Trautner asked Mr. Petry if one man carrying all of the trash across the property to the refuse enclosure is a feasible method and adequate if there is a food catering event of size; he said that the method of collection and storage was discussed with the client and is adequate for this facility.

Mr. Trautner asked Mr. Petry if the congregation is intended to grow over the years; he said that they are proposing a target number. Mr. Petry said that there are not that many members in the congregation presently.

Mr. Trautner asked Mr. Petry what the potential depth of the water is in the basin; he said that the bottom of the basin is 5.01 so it is one foot and seven and a half (7 1/2) inches. Mr. Petry said that is the overflow.

Mr. Trautner asked Mr. Petry if it was common to put a water basin so close to a property line; he said yes.

Mr. Trautner asked Mr. Petry if they would need a guardrail at the roadway; he replied no. He said the bottom of the basin is three (3) feet below the road so it does not meet the standard requirement for a guardrail.

Mr. Trautner asked Mr. Petry if a vehicle could access the basin for maintenance; he said that he does not think a vehicle would have to access the basin for maintenance. Mr. Petry said that they would use a bobcat to do that.

Mr. Trautner asked Mr. Petry if it would require an eight (8) foot berm; he replied no.

Mr. Trautner asked Mr. Petry if there was an infiltration system for the caretaker's home; he replied no.

Mr. Trautner asked Mr. Petry if he provided Omland Engineering with the test results of the infiltration systems; he replied yes.

Chairman Buechler called for a recess at 9:32 pm.

Chairman Buechler resumed the meeting at 9:39 pm.

Mr. Trautner approached the podium after the break and continued with his questioning.

Mr. Trautner asked Mr. Petry if he can have a copy of the report that he provided to Omland Engineering regarding the test results of the infiltration systems; he said that the test results are in the storm water management report.

Mr. Trautner asked Mr. Petry if the storm water calculations have been updated to reflect any changes that were made to the site; he replied no. Mr. Petry said only the impervious coverage has been reduced on the site.

Mr. Trautner asked Mr. Petry if there will be any pre-treatment in the underground water system; he replied no. Mr. Petry said there is no need for that.

Mr. Trautner asked Mr. Petry if he was a licensed landscape architect; he replied no.

Mr. Trautner referred to Exhibit A-4 of the Landscaping and Tree Replacement Plan and asked Mr. Petry how many years of growth are the trees at on the plan; he said they are shown at a ten (10) year growth.

Mr. Trautner asked Mr. Petry if there will be any damage to the wall from the trees planted along the wall; he replied no.

Mr. Trautner asked Mr. Petry if they are proposing any handicap ramps; he replied no. Mr. Petry said that there are some sidewalks that are ADA compliant.

Mr. Trautner asked Mr. Petry if there will be light infiltration to the houses from the driveway; he replied no.

Mr. Trautner asked Mr. Petry to explain how the parking spaces that are required were calculated; he said that the parking is calculated by seating according to the Township Ordinance. Mr. Petry said it is generally one (1) parking space for three (3) seats.

Mr. Trautner asked Mr. Petry if all of the areas on the site were calculated in the parking space requirements; he replied yes.

Michal Kasher approached the podium and stated that she lives at 11 Barton Drive. Ms. Kasher asked Mr. Petry what the hours of worship are and how do they keep the hours accurate; he said that the applicant will testify to that later.

Ms. Kasher asked Mr. Petry how the temple is proposing to insure that the people leave at 8:00 pm; he said that the applicant will answer that question.

Ms. Kasher asked Mr. Petry if they have music inside and lots of lights on during the two big holidays; he said the applicant will answer that.

Ms. Kasher asked Mr. Petry to explain how the drainage system they are proposing will be sufficient if there is already a problem with water; he said that they are providing a storm water retention system and a system that goes into pipes and then into the ground.

Vincent Vitiello approached the podium and stated that he lives at 6 Barton Drive. Mr. Vitiello asked Mr. Petry if it is appropriate that they are asking for a waiver from having an environmental impact study performed; he said yes because the site was previously developed. Mr. Petry said that environmental studies are done where properties that have not been developed yet, have lots of trees on the site and when the wildlife has never been disturbed.

Mr. Vitiello asked Mr. Petry why then would they seek a waiver from an environmental impact study; he said because the Township says they need to ask for one.

Mr. Vitiello asked Mr. Petry how many trees they are going to remove; he said that his plan is to remove twenty five (25) trees but the Township Forester recommends additional trees be removed.

Mr. Vitiello asked Mr. Petry if tree removal would be part of an environmental study; he replied yes.

Mr. Vitiello asked Mr. Petry what tests were performed on the site; he said just soil testing.

Mr. Vitiello asked Mr. Petry if he rendered a full report on the testing; he replied yes. Mr. Petry said the testing was performed in 2009. He said that soil does not change so there was no need to re-test.

Mr. Vitiello asked Mr. Petry what condition the soil was in; he said he does not know. Mr. Petry said that it is in the report.

Mr. Vitiello asked Mr. Petry why the grass pavers being proposed are extended beyond the structure; he said that there is gravel there now and the grass paver surface will be more pervious than what is there now.

Mr. Vitiello asked Mr. Petry if the LED lights being proposed in the lighting fixtures will be brighter; he said that LED are very even flow and they eliminate hot spots which cause glare.

Mr. Vitiello asked Mr. Petry how many overhead light fixtures they are proposing; he referred to Exhibit A-5 of the lighting plan and said there will be twelve (12) pole mounted lights, six (6) bollard lights and seven (7) or eight (8) additional bollard lights along the walkway.

Mr. Vitiello asked Mr. Petry if he was aware of any flooding or water runoff issues on the site; he replied no. Mr. Petry said that the area with issues does not flow into the applicant's site. He said that the applicant is proposing adequate storm water management and if there was ground water it will show in the soil.

Chairman Buechler asked Mr. Russo if the applicant should update the storm water management report from 2009; he replied no.

Chen Kasher approached the podium and stated that he lives occasionally at 11 Barton Drive.

Mr. Kasher asked Mr. Petry if he is being compensated for his appearance at this hearing on an hourly basis; he replied yes.

Chairman Buechler stated that this question is not relevant.

Mr. Kasher asked Mr. Petry if he has spoken to any nearby land owners; he replied no.

Mr. Kasher asked Mr. Petry if the site has any flooding problems; he replied no.

Mr. Kasher asked Mr. Petry if they performed any investigations in the area; he said no just for the applicant.

Mr. Kasher asked Mr. Petry if there is a significant increase in impervious coverage; he said that they are over by .01%.

Mr. Kasher asked Mr. Petry if the drainage systems always work; he said any system needs to be maintained or else it will not work.

Mr. Kasher asked Mr. Petry who will do the maintenance on the drainage system; he said the owner.

Mr. Kasher asked Mr. Petry how anyone will know if the maintenance is done properly on the drainage system; he said that the Township requires that they submit their maintenance logs to them once a year.

Mr. Kasher asked Mr. Petry where the water will end up if the maintenance on the drainage system is done improperly; he said it will end up in the Laurel Avenue system.

Mr. Kasher asked Mr. Petry how much lighting is currently on the property; he said there are no free standing light fixtures on the property now. Mr. Petry said the proposed lighting will not spill over on to the properties.

Mr. Kasher asked Mr. Petry if the lights can be seen from Laurel Avenue; he replied yes.

Mr. Kasher asked Mr. Petry if the lights can be seen from Barton Drive; he replied yes.

Chairman Buechler stated for the record that seeing the lights does not mean the lights will spill over.

Mr. Kasher asked Mr. Petry if the lighting will affect the birds or the animals; he replied no.

Kat Dela Cruz approached the podium and stated that she lives at 3 Barton Drive. Ms. Cruz asked Mr. Petry if he visited the site; he replied yes.

Ms. Cruz asked Mr. Petry if they are changing any of the drainage system on lot 16; he said that there will be no improvements on the rear lawn area of lot 16. Mr. Petry said that it will remain lawn.

Ms. Cruz asked Mr. Petry where people will park if there is an overflow of parking during an event; he said that people will probably find parking spaces illegally onsite.

Ms. Cruz asked Mr. Petry if the lawn area behind the caretaker's house will be used for overflow parking; he said that once the parking lot is completed, they will have access to the parking lot and parking on the lawn area will cease.

Ms. Cruz asked Mr. Petry if lots 15.01 and 16 will be open to each other; he replied yes.

Ms. Cruz asked Mr. Petry to summarize the list of changes they made since the initial plans; he said that they originally anticipated keeping the garages and the existing residence located over the garages but because of concerns from the Board Members, the applicant determined that they would take the garages down and construct a new vestibule.

Ms. Cruz asked Mr. Petry what impact the water will have on the properties; he said that the drainage system being proposed will eliminate some of the Barton Drive and Laurel Avenue issues.

Ms. Cruz asked Mr. Petry if he would have any concerns if he lived in this area; he said that he would have the same concerns that the residents have now. Mr. Petry said that it is his opinion that an active religious organization in the neighborhood will be a positive sign and not a negative sign.

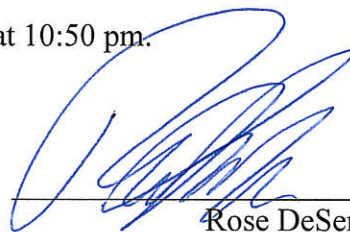
Chairman Buechler noted the time and stated that the Zoning Board meetings end promptly at 11:00 pm.

Chairman Buechler asked Mr. Williams if they wanted to provide transcripts to the Board Members who were not present at this meeting; he replied yes.

Chairman Buechler stated for the record that this application will be carried over to the next Zoning Board of Adjustment meeting held on February 19, 2015 and that no further notice will be necessary.

The meeting was adjourned by Chairman Buechler at 10:50 pm.

Adopted: February 19, 2015

  
Rose DeSena  
Zoning Board Secretary

2/20/15