

**TOWNSHIP OF MORRIS
BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
October 22, 2018**

Call to Order

The regular meeting of the Township of Morris Board of Adjustment was called to order on Monday evening, October 22, 2018, at 7:34 P.M. in the Municipal Building, 50 Woodland Avenue, Township of Morris.

Statement of Adequate Notice

Chairman Kronk issued the following:

"I hereby announce and state that adequate notice of this meeting was provided by the Secretary of this Board of Adjustment by preparing a notice dated October 19, 2018 specifying the time, date and place of this meeting, posting such notice on the bulletin board in the Municipal Building; filing said notice with the Clerk of the Township of Morris; forwarding the notice to the Morris County Daily Record and the Morris News Bee, and forwarding, by mail, the said notice to all persons on the request list, and I hereby hand a copy of such notice to the Secretary of the Board of Adjustment for inclusion in the minutes of this meeting, all of the above actions being in accordance with N.J.S.A. 10:4-6, et seq., Open Public Meetings Act."

The Pledge of Allegiance was led by Timothy Kronk, Chairman

Roll call of Board Members and Professionals

Members Present

Mr. Timothy Kronk, Chairman
Mr. Paul Woodford, Vice Chairman
Ms. Kathleen Kalaher
Ms. Joen Luy Ferrari
Mr. Paul Staudt
Mr. John Christensen
Mr. Jeremiah Loughman, Alternate #2

Members Absent

Mr. Donnell Williams

Also Present

Mr. Richard Oller, Board Attorney
Mr. Paul Phillips, Township Planner
Mr. Joe Fishinger, Traffic Consultant
Mr. James Slate, Township Engineer
Ms. Sonia Santiago, Board Secretary

Consideration for approval of minutes of August 28, 2018 and September 24, 2018 regular meetings.

On motion duly made by Ms. Kalaher, seconded by Mr. Woodford, and unanimously carried, the minutes of the of August 28, 2018 and September 24, 2018 regular meetings were approved as circulated and placed on file in the office of the Board of Adjustment.

Resolution

Consideration of the following resolutions thereby memorializing the action taken by the Board at the September 24, 2018 meeting.

BA-16-18

122 Mt. Kemble, LLC

Block 10308, Lot 13, 241 Martin Luther King Avenue, RB-7 zone, Section C.

Applicant proposes construction of a two family dwelling which requires bulk variance relief for pre-existing, non-conforming conditions including deficient lot area, lot width and accessory building side yard setback of 5.6 feet where 10 feet is required and a front yard setback for the principal structure on Walnut Street of 14.7 feet where 25 feet is required.

Ms. Ferrari moved, seconded by Mr. Staudt, roll call as indicated that resolution of approval, attached hereto and by reference made part of the official minutes of this meeting, be adopted as presented, memorializing the action taken by the Board at the September 24, 2018 meeting.

Approval

Roll Call: (Voting Members) Ms. Kalaher, Ms. Ferrari, Mr. Loughman, Mr. Staudt, Mr. Christensen,
Mr. Woodford

BA-08-18

Dawn Smith

Block 10301, Lot 3, 51 Highland Avenue, RA-7 zone. Section D & C.

Applicant proposes to convert existing two car garage into a kitchenette for catering purposes. Applicant also seeks a variance for two accessory structures on a single lot.

Mr. Woodford moved, seconded by Ms. Kalaher, roll call as indicated that resolution of approval, attached hereto and by reference made part of the official minutes of this meeting, be adopted as presented, memorializing the action taken by the Board at the September 24, 2018 meeting.

Approval

Roll Call: (Voting Members) Ms. Kalaher, Ms. Ferrari, Mr. Loughman, Mr. Staudt, Mr. Christensen,
Mr. Woodford

BA-13-18

Robert & Lynn Vogel

Block 3103, Lot 15, 35 Alexandria Road, RA-15 zone. Section C.

Applicant proposes installation of an emergency generator creating a side yard setback of 17.2 feet where 20 are required and creating a combined side yard setback of 46.6 feet where 50 feet is required.

Ms. Kalaher moved, seconded by Ms. Ferrari, roll call as indicated that resolution of approval, attached hereto and by reference made part of the official minutes of this meeting, be adopted as presented, memorializing the action taken by the Board at the September 24, 2018 meeting.

Approval

Roll Call: (Voting Members) Ms. Kalaher, Ms. Ferrari, Mr. Loughman, Mr. Staudt, Mr. Christensen,
Mr. Woodford

BA-11-18

William Houst

Block 3907, Lot 22, 36 Center Avenue, RA-11 zone Section C.

Applicant proposes a second story addition creating a side yard setback of 12 feet where 15 feet is required and a combined side yard setback of 32.5 feet where 40 feet is required.

Mr. Woodford moved, seconded by Mr. Christensen, roll call as indicated that resolution of approval, attached hereto and by reference made part of the official minutes of this meeting, be adopted as presented, memorializing the action taken by the Board at the September 24, 2018 meeting.

Approval

Roll Call: (Voting Members) Ms. Kalaher, Ms. Ferrari, Mr. Loughman, Mr. Staudt, Mr. Christensen,
Mr. Woodford

Public Hearings

BA-14-18

Sholom Hendel

Block 2901, Lot 1, 1 Sunderland Drive, RA-15 Zone, Section C.

Applicant proposes installation of a 5 foot solid fence in the front yard where 3.5 feet is required.

Proof of Publication and Affidavit of Service filed and approved by the Board Secretary and Board Attorney.

Mr. and Mrs. Hendel, entered their appearance and sworn in by the Board attorney presented the application to the Board.

The following exhibits were submitted as evidence.

A-1: Photo Board consisting of 6 Photographs of the property and neighborhood

Summary of Testimony – Sholom Hendel, Homeowner

Mr. Hendel stated that the proposal is to install a 5 foot height fence along a portion of the front yard in order to provide privacy from the traffic along Sussex Avenue. He proceeded to review Exhibit A-1 consisting of six photographs showing existing conditions and the proposed fence. He described how the first picture shows the view from Sussex Avenue where you have full view of the entire property and 2 additional pictures showing where he wants to place the proposed fence. The other 3 photos show the neighboring properties in close proximity, showing they have fencing towards Sussex Avenue which is what we are looking to do. Mr. Hendel stated that what they would like to do is enclose their back yard for privacy, and block the lights and noise from the street. It will also be safer for the kids in the backyard. He further testified that neighboring properties along Sussex Avenue have the same type fencing in order to gain privacy. It would not make any significant change to the area.

The proposed fence will be setback 10 feet away from the stone wall. The stone wall is in the County Right of Way and it is a retaining wall; the backyard is essentially flat. Mr. Woodford pointed out that the stockade fence along Sussex Avenue is part of the Wheatsheaf neighborhood when it was built in the 1970's. Mr. Hendel stated that the proposed fence is PVC as it will last longer than wood, and will match the siding of the house.

The meeting was opened to the public for questions and comments of the witness; the following person appeared to be heard.

Robert Martin

45 Knollwood Drive

Public portion closed at 7:55 pm

Mr. Woodford moved, seconded by Mr. Loughman that approval be granted to the application of Sholom Hendel thereby permitting on Block 2901, Lot 1 the installation of a 5 foot solid fence and that the Board Attorney be authorized to prepare a formal resolution memorializing the action taken by the Board, same to be presented for consideration at the November 26, 2018 meeting.

Roll Call: (Voting Members)

Mr. Kronk	YES
Ms. Kalaher	YES
Mr. Woodford	YES
Ms. Ferrari	YES
Mr. Loughman	YES
Mr. Staudt	YES
Mr. Christensen	YES

7 Ayes 0 Nays 0 Abstain

Mr. Staudt recused himself from the following application.

The applicant agreed to provide a transcript based off of the tape whether the application is approved or denied, see attached transcript.

BA-06-18

Columbia Road Partners, LLC

Block 9003, Lot 10, 65 Columbia Road, OSGU zone, Section D.

Applicant proposes to amend the approval to install turf inside the air supported structure to utilize for team sports training in lieu of additional tennis courts.

Proof of Publication and Affidavit of Service filed and approved by the Board Secretary and Board Attorney.

Ms. Nicole Magdziak, attorney for the applicant entered her appearance and presented the application to the Board members.

The following professionals being sworn in by the Board Attorney appeared to be heard.

Kevin Costello, Director of Facility
Corey Chase, Traffic Expert
Joseph Fishinger, Twp. Traffic Expert

No exhibits were submitted as evidence during testimony.

Summary of Testimony –Kevin Costello, Director of Operations

Mr. Costello stated he is the Director, handling all capital improvements and acquisitions for Center Court Athletic Clubs. We purchased the property known as Twin Oaks and rebranded the tennis portion of it as Center Court Tennis Center. The hockey rink predated our ownership. They had a long term lease with the previous owners and are now currently a tenant of ours. We took over the programming when we bought the property. There is an existing air supported dome on site, with one single outdoor red clay tennis court and two indoor tennis courts. When we bought it, one was a gym with some workout equipment and the other was used as a court. We had administrative approval from the Township to put some turf in there for additional training. We shrunk the size of the lockers in the lounge. The outside dome has 5 asphalt tennis courts. The existing air supported dome is not

permanent; it is seasonal, from October to April. The expansion of the dome was approved previously by the Board of Adjustment in 2017. The current dome fits five courts and the previously approved expanded dome that could fit two additional courts has not yet been put up.

Mr. Costello continued to describe the proposed conversion from tennis courts to turf within the existing and expanded dome structure. He stated they have 9 locations around New Jersey. Some are tennis specific, and the recent ones we have been building are field sports oriented. This one is a high performance tennis location. Players can come in and do part time or full time. The players can do their schoolwork in the study room in the main building and can have several hours of tennis instruction every day. Some participants commute in from the City, or parts of New Jersey. Other kids stay in housing off site when they are full time. This conversion from tennis to turf would put this more in line with our other turf facilities. It will be a recreation sports facility, no full-time students, no classroom instruction, mainly afterschool, weekday evenings, for clinics, teams, and practices etc. We do not have a lot of spectator seating, or run tournaments; it is a training facility. The school that currently exists was part of the prior approval and will no longer remain if we convert the tennis school to turf. The tennis school will probably be moved to another facility, possibly to the flagship location on the border of Chatham and Florham Park. Those students would continue working with us just not at this location. We would still have one remaining outdoor clay tennis court. Tennis will no longer be the focus of this site.

Regarding training on the turf fields, it depends on what we will be using it for. In the facility's current configuration, there can be training fields, with nets hanging on cables to separate it; they can be split into 5 different training fields. If you have games, you would use the entire field which is not even big enough, it is only 150 feet wide, and the largest game you can do is a 9v9 game, it is not big enough for a full game. In the summer, if camps were done here, they would be small specialty camps, mainly for the kids who are on the specialty teams. Going from tennis to indoor sports, the summer usage will be less. A small turf field is more for wintertime; it is not a high commodity in the summer. We are projecting a maximum of 56 players and coaches for weekday evenings, which are the busiest times. We do not set up for a lot of games, or spectators. With observations at other locations and based on the sport and number of participants, we have a ratio for how many people actually stick around to watch their kids. We are proposing the hours of operation to be Monday through Friday 7 a.m.-9 p.m., with weekday evenings being the busiest. Saturdays and Sundays the hours will be 7 a.m.-6 p.m. On weekends, morning to midafternoon will be the busiest. We expect to have a similar number of employees as we currently have, which is 10 employees but they are not all full time so they are not always there. In combination with hockey there will be most likely 2 additional people on site, a manager and an assistant manager and occasionally they will have a couple more.

Mr. Costello stated in his opinion, it was clear to us and to the Board at the last application that the pressure point for this facility is when there are hockey games going on, and whether they were low intensity games allowed there with not as many spectators. Last year, there were a lot of spectators showing up for even the games they didn't book on site. There was little control from our tenants of how many people were on site or how they were using the site. We instituted a parking plan. The hockey tenant had an off street parking location secured for a long time, they had not been using it. We have started using the Westin lot, where the hockey tenant would send out an email blast before the game and a shuttle goes between the lot and our facility. For all games, we now have at least one parking attendant/counter, and for big games at least two attendants with parking counters. When we get to 85-90% full, we direct people to park at the Westin. There was a condition in the resolution that was not being followed where no buses are allowed on site. The parking attendant also controls buses from parking on site, allowing short buses to drop people and go. Large buses do a K-turn at the lot closest to the entrance, and it has helped decrease the congestion on site.

We have also been working with the hockey tenant from a programming perspective regarding number of games. The Boys Varsity and Boys JV have the most spectators. Last hockey season there were 16 games between Varsity and Junior Varsity. We have had them move more games off site and now there is a maximum of 8 games total, 4 JV games, 2 Varsity games are scrimmages, one Varsity game is versus a team from Pennsylvania that does not bring as many fans because of the distance. The 4th Varsity game is if only they qualify for it. There are still 12 girls' Varsity games, but there is not as much of a problem there. We still put an attendant to be sure. There has been a big difference in management and programming with the parking.

Mr. Costello stated we are proposing to have lower lacrosse or soccer programming during hockey games; in our lease with the hockey team it is split up on how many spots they can use versus how many we can use. The parking attendant can help control where people park. Mr. Costello further stated that he has spoken to the neighbors about the proposed parking plan. There were a number of conditions in our last approval that were requested by the neighbors. Even though we have not built the dome that was approved, he has already instituted most of the conditions to appease the neighbors. The large board on board fence, the windscreens changed to a neutral green, painting the back of the building that faces them has been done. Landscaping is still to be done but a contract has been signed on it. There is still work that need to be done on the traffic calming side. There seems to be a complaint about the adult men's league, not so much about the volume but they are there late, and leave a mess, and turning into a tailgate atmosphere. We can address these things if we work together with the Township.

Ms. Magdziak reviewed the memo submitted to the Board in response to the TCC meeting dated June 30, 2018 which itemized the responses to conditions of approval of the May 22, 2017 Resolution. Conditions 1- 8 are ongoing conditions with which the applicant will comply. Condition 9: the applicant provided revised site plans prepared by H2M Associates Inc., which incorporated the required plan provisions that would be submitted to and approved by the Township Engineer. Condition 10: the applicant complied as two "No Buses" signs were installed at the entrance to the Township gravel lot adjacent to the Property. The applicant testified he has parking attendants that manage buses and use a removable sign during games to indicate buses are not permitted to park in the lot or gravel lot. Condition 11: The landscape plan has been revised to include evergreen plantings. These plantings have not been installed but the applicant has a contract with a landscaper and this will be completed. Condition 12: the applicant submitted revised site plans showing the storm sewer line in Columbia Road. No improvements are proposed within the Columbia Road Right of Way and the proposed improvements do not impact the sanitary sewer line or other utilities existing on Columbia Road. Condition 13: regarding all food handling operations is ongoing and the applicant will comply. Condition 14: the applicant complied as the basketball hoop and light fixture from the rear of the existing building have both been removed. Condition 15: Mr. Costello stated they wanted to wait until after the construction was done to resurface the road but it was already done by the Township. The concrete pad under the dumpster has been completed. Condition 16: the applicant has complied as the fence has been repaired and replaced. Condition 17 is an ongoing condition; the applicant will comply as the new proposed air supported dome will be gray with no skylights. Condition 18 is ongoing; the applicant will comply with no outdoor music before 10 a.m. Condition 19 is where the indoor area of the dome structure is only used for tennis; the applicant is seeking to amend this to turf with this pending application. Condition 20: the board-on-board fence site plans have been revised and the fence has been installed. Condition 21 has been satisfied as the applicant painted the rear of building in June 2017. Condition 22 has been satisfied where the applicant replaced the blue windscreen with a green windscreen. Condition 23 is ongoing (where all new and or modified uses approved shall comply with performance standards including applicable noise standards). Condition 24: in the event the tennis academy ceases operations at the property, the school use will be moved to another location if the pending application for use of the dome structure for team sports is approved. Condition 25: the

applicant has satisfied this condition where the 8 foot net behind the applicant's building is removed. Condition 26: the revised plans from H2M Associates incorporated into the plans, the emergency spillways to route storms larger than the 100 year storm to the culvert under Columbia Road and to prevent flooding of the existing parking lot. Condition 27: the 12 parking spaces in the rear of the building shall be designated as "Employee and Van Parking" is an ongoing condition with which the applicant will comply.

A discussion was carried among the Board members and the applicant regarding the dome and what was previously approved. Mr. Costello requested, if the Board would allow, to put turf in using the existing footprint, without expanding it. He stated that we would still have to replace the dome as it is at the end of its life and we would comply with the condition of it being gray, no skylights etc. If it is in the existing footprint, we would put turf directly on the asphalt courts. If we expanded the footprint, the expanded portion would be on a gravel sub-base. We hope to have flexibility based upon demand. Mr. Costello stated there is a chance that demand is not large enough for a bigger dome. The construction would not all be done at one time. The existing dome could stay for a couple more years. Mr. Costello stated he would like to amend the application to include both sizes. They would have only one season in the current dome and then decide whether to use the existing footprint or expand to put up the new gray dome, not including the current fall 2018. This would be fall 2019 when the turf would be put in, and then the next season possibly put up an existing size new dome or the previously approved expanded new dome. It will be two more years of having a white dome.

Mr. Oller stated based on MLUL as a final site plan, there are two years of protection with three potential one year extensions. MLUL allows for multiple approvals on a single piece of property. The applicant stated the decision would be made prior to fall of 2019 and that the applicant agrees to put up the new grey dome by the fall of 2019, whether it is in the current footprint or expanded. All other conditions will still apply. Change of usage would mean the applicant would have to come in front of the Board again. There will still be one remaining outdoor tennis court; residual members would play on this one court. The site plan would have to be modified to show the expansion is over the retention pond, and that the tennis court remains. Mr. Oller stated the applicant will have to provide the Board with plans that reflect what he is doing so they can be signed off on, and that can be part of resolution compliance.

Mr. Woodford asked the applicant regarding hours for hockey league usage and turf sessions. Mr. Costello stated there is nothing in the lease that limits them to hours of operation; they do have league hours that run fairly late. He also stated the only time there is parking issues are when there are men's Varsity games. Mr. Slate stated there is a condition on the previous resolution that discusses the hours of operation from 6am – 12:30am.

Mr. Slate informed the Board that there was a miscommunication with the Department of Public Works and they paved the driveway; he asked the applicant if he was willing to reimburse the Township since this was a condition of approval. The applicant agreed to reimburse the Township for the repaving of the driveway.

The meeting was opened to the public for questions of the witnesses; the following persons appeared to be heard.

Andrew Gingrich	47 Columbia Rd.
Elizabeth De Figlio	43 Columbia Rd.
Stephan Bachmann	55 Mackenzie Rd.
Patricia Sanftner	45 Columbia Rd.

Public portion closed at 9:07pm

Mr. Slate introduced Joseph Fishinger, Director, Traffic Engineering, NV5, who was sworn in as the Township Traffic Engineer for this application.

Summary of Testimony – Corey Chase, Sr. Project Manager

Mr. Chase gave a brief recap of the Parking Accumulation Study dated July 10, 2018, prepared for the proposed turf field conversion. The site was previously and currently utilized as a tennis facility in its existing configuration with the maximum occupancy of 25 players and participants. The expansion approved in 2017 allowed the applicant to increase the maximum to 42 players and participants. The current application of turf field conversion increases the maximum to 56 players and coaches on site at any one time. Mr. Corey stated that he has worked with Mr. Costello's group on several other applications throughout the State, and of those applications we did counts at their existing facility in Gillette, NJ, to get an idea of the parking occupancy based on number of participants at that facility. Being that it is a team sport we tend to see more carpooling. Typical occupancy for players and coaches for team sports is 0.75 players per vehicle. So if you multiplied that by the maximum occupancy at any one time, the 56 coaches and players multiplied by .75 gives you 42 vehicles on site. Tennis is more of an individually oriented sport so it has a ratio of 1:1 participants versus parked vehicles on site. As part of this application, we revised the previous study and most importantly included the parking management system that was put in place last year to try to eradicate the issues that were being observed on site as a result of hockey games. Mr. Chase stated that there would be sufficient parking on site to accommodate both hockey games and turf field events should they occur at the same time but that Mr. Costello has committed that they are not going to have any turf field events during any games. At a minimum there is one attendant per game, and two attendants per high profile game. This is to prevent illegal parking. He also noted that they have negotiated this year to move more of the games offsite. The turf field events are handled through online booking, and a buffer is built in between sessions so there is no overlapping.

Mr. Chase continued to state that Mr. Fishinger issued a review letter dated August 16, 2018 and I prepared a response dated September 7, 2018. Mr. Fishinger requested weekday evening parking data to determine if the property has sufficient parking. The maximum demand at that time was 82 vehicles in 2016. As noted in this prior report, an increase in parking demand of 23 vehicles could be expected as a result of the increase from 25 players and coaches under the former tennis program to 56 players and coaches with consideration of the turf conversion. $(56-25=31, 31*.75=23)$ This would result in an increase in parking demand from 82 vehicles to 105 vehicles $(82+23=105)$ or 87% occupancy. The applicant has full control over scheduling and it is important to make sure there is no overlap or parking issues. In Mr. Chase's professional opinion, 15-30 minutes buffer between sessions is enough time to allow traffic to flow as it is a training facility; there is not a lot of sitting around and waiting as most players are dropped off and picked up. When small sided games (9v9) are being held, there would be less cars as it won't be as high as 56 occupants at that time.

A discussion was carried between Mr. Fishinger, the applicant and the applicant's professionals regarding utilizing the training facilities during hockey games and parking where Mr. Fishinger asked the applicant to clarify whether there will be turf events during hockey games. Mr. Costello stated the intent is not to have programming during the Junior Varsity and Varsity hockey games. There are no parking issues with the women's games and he would like to not limit training during those games. No new parking data has been collected since the new parking attendants have been working as it is a conservative study. Mr. Fishinger suggested the Board request an additional traffic study to be done on Thursday evenings and Saturdays during games to include the adjacent streets. This could be a condition of approval, showing what is currently going on, to be reviewed by the Township Engineer. Mr. Chase stated that in the review, the comparison between the existing tennis programs of 25 players to maximum proposed 56 for turf courts you see very little increase. Mr. Chase also stated the Institute of

Transportation Engineers, and NJDOT note the national standard of 100 or more as being significant, and this is only a 31 vehicles increase.

Mr. Fishinger reviewed his traffic study comments. He stated parking was the major concern from the 2017 application, and that everything the applicant said with regard to managing the parking I agree with. In his opinion, it would be important to do a series of studies while the hockey games are in session, to make sure enough parking is available for the proposed use. He has concern there is more vehicle movement with dropping off and picking up. Mr. Fishinger agreed with Mr. Chase that based on the parking information provided, they should have enough parking for the proposed site. His concern is not having current information on the level of service coming in and out of the driveway.

A discussion was carried between the Board members, professionals and the applicant's professionals regarding parking during non-varsity events. The counts done in 2016 were done on a Thursday night, while the hockey and tennis were both active. The parking lot was less than 70% occupied. Mr. Chase stated we did a traffic study on a Thursday when tennis and hockey were in session and there is enough demand and availability to go through with this conversion. Mr. Oller asked the applicant to provide information, specifically what programming was going on in October 2016 when the traffic study was done at the next hearing. The applicant agrees to a condition that the parking management would be maintained as part of the approval.

The meeting was opened to the public for questions of the witnesses; the following persons appeared to be heard.

Andrew Gingrich 47 Columbia Rd.

Public portion closed at 9:44pm

Due to the late hour and other matters on the agenda, Ms. Kalaher moved, seconded by Mr. Woodford and unanimously carried; the application is carried to the November 26, 2018 without further notice.

**Recess taken at 9:50 pm.
Meeting reconvened at 10:01 pm.
Mr. Staudt was reseated.**

BA-15-18
Block 1801, Lot 6, 3 Second Street, RA-15 zone, Section C.

Revived Residences, LLC

Applicant proposes to construct a new house on the existing foundation creating a front yard of 9.2 feet where 50 feet is required and creating a side yard setback of 10.1 feet where 20 feet is required and creating a combined side yard setback of 25 feet where 50 feet is required.

Proof of Publication and Affidavit of Service filed and approved by the Board Secretary and Board Attorney.

Roy Kurnos, attorney for the applicant entered his appearance and presented the application to the Board members.

The following professionals being sworn in by the Board Attorney appeared to be heard.

Kira Syvertsen, Owner, Revived Residences, LLC
Juan Gallego, Licensed Builder

No exhibits were submitted as evidence during testimony.

Summary of Testimony – Kira Syvertsen, Owner

Ms. Syvertsen stated that she purchased the property on February 22, 2018 as is without a home inspection. The applicant planned to renovate the structure to bring it up to code and add a second floor addition of 893 square feet, matching the first floor square footage. The prior existing dwelling had a pre-existing non-conforming front yard setback of 9.2 feet, and a non-conforming side yard setback of 14.9 feet, and non-conforming combined side yard setback of 25 feet, none of which the Applicant intended to alter. Ms. Syvertsen then hired a builder who during construction informed her that the existing framing was rotted and infested with termites requiring the razing of the first floor structure. When the applicant went for an inspection, she was advised that because of the framing being removed, a non-conforming building had substantially been destroyed which resulted in the loss of the zoning protection of a non-conforming structure and therefore, needed a variance. The architect did not advise Ms. Syvertsen that a variance would be needed if the dwelling were razed.

The meeting was opened to the public for questions and comments of the witness; no one appeared to be heard.

Summary of Testimony – Mr. Juan Gallego, Licensed Builder

Mr. Gallego stated the new dwelling and addition is not enlarging the existing footprint; it is using the same foundation of the prior dwelling. Mr. Gallego further stated that when he opened the walls, most of the supporting framework was damaged, rotted, or with termite damage and in his opinion could not support a second floor. He further stated that there were no changes from the original building permit.

The meeting was opened to the public for questions and comments of the witnesses; no one appeared to be heard.

Ms. Kalaher moved, seconded by Mr. Woodford that approval be granted to the application of Revived Residences, LLC thereby permitting on Block 1801, Lot 6 to construct a new house on the existing foundation and that the Board Attorney be authorized to prepare a formal resolution memorializing the action taken by the Board, same to be presented for consideration at the November 26, 2018 meeting.

Roll Call: (Voting Members)

Mr. Kronk	YES
Ms. Kalaher	YES
Mr. Woodford	YES
Ms. Ferrari	YES
Mr. Loughman	YES
Mr. Staudt	YES
Mr. Christensen	YES

7 Ayes 0 Nays 0 Abstain

Other Matters

2019 Calendar Review – the calendar was reviewed by the Board no changes were made.

Resolution for Joseph Fishinger, Traffic Engineer Consultant for 1 Whippany Road, LLC

Resolution for Joseph Fishinger, Traffic Engineer Consultant for Timbers, Inc. t/a The Madison Hotel

Mr. Woodford made a motion to accept both resolutions, seconded by Ms. Ferrari and roll call as indicated; the resolutions were adopted as presented.

Roll Call: (Voting Members)

Ms. Kalaher	YES
Ms. Ferrari	YES
Mr. Loughman	YES
Mr. Staudt	YES
Mr. Christensen	YES
Mr. Woodford	YES
Mr. Kronk	YES

7 Ayes 0 Nays 0 Abstain

With no further business for consideration by the Township of Morris Board of Adjustment, on motion duly made, seconded and unanimously carried, the meeting was adjourned at 10:23 P.M.

Respectfully submitted,



Sonia Santiago, Secretary
Township of Morris Board of Adjustment
Approved: December 10, 2018

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MORRIS TOWNSHIP, NEW JERSEY

ZONING BOARD OF ADJUSTMENT MEETING

MONDAY, OCTOBER 22, 2018

EXCERPT OF HEARING

BEFORE:

TIMOTHY KRONK, CHAIRMAN

JOEN FERRARI

PAUL WOODFORD

KATHLEEN KALAHER

PAUL STAUDT

JEREMIAH LOUGHMAN

JOHN CHRISTENSEN

Job No.: 3074798

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1 PROCEEDINGS

2 (**NOTE: Indiscernibles noted throughout this

3 transcript due to poor audio recording, parties not

4 utilizing microphones and parties mumbling**)

5 (Excerpt of proceedings begin:)

6 CHAIRMAN KRONK: Okay. The next application BA-

7 06-18, Columbia Road Partners, LLC. Ms. Santiago, would you

8 please read that summary into the record?

9 MS. SANTIAGO: Yes, Mr. Chairman.

10 This is (indiscernible) BA-06-18, Columbia Road

11 Partners, LLC. Applicant proposes to amend the approval to

12 install turf inside the air supported structure to utilize

13 (indiscernible) sports training in lieu of (indiscernible).

14 CHAIRMAN KRONK: Mr. Oller, do we have

15 jurisdiction to hear this application?

16 MR. OLLER: Yes, Mr. Chairman. The applicant did

17 serve all property owners within 200 feet. The notice is in

18 proper form and published timely. So you do have

19 jurisdiction.

20 MR. STAUDT: Excuse me, Mr. Chairman.

21 CHAIRMAN KRONK: Yes.

22 MR. STAUDT: I need to recuse myself from this

23 application. I live within 200 feet of the applicant's

24 property and did receive notice.

25 CHAIRMAN KRONK: Okay. Thank you.

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1 And since we don't have another alternate, that

2 means we're down to six.

3 (Pause)

4 MR. OLLER: Do you want a minute to explain to him

5 about it?

6 MS. MAGDZIAK: Yes. Just --

7 (Pause)

8 MS. MAGDZIAK: Mr. Chairman, we would like to

9 proceed.

10 CHAIRMAN KRONK: Okay. Please proceed.

11 MR. OLLER: So, Ms. Magdziak, as we discussed

12 earlier today there's no court reporter here.

13 MS. MAGDZIAK: Correct. Uh-huh.

14 MR. OLLER: So whether -- because they had a court

15 reporter scheduled and --

16 MS. MAGDZIAK: And she out sick.

17 MR. OLLER: -- she's sick. And --

18 MS. MAGDZIAK: And we couldn't find another one

19 MR. OLLER: -- they attempted to get another court

20 reporter and had no luck.

21 MS. MAGDZIAK: Uh-huh.

22 MR. OLLER: So on a couple of occasions we've

23 permitted that with the condition that you would still

24 provide a transcript off of the tape.

25 MS. MAGDZIAK: Yes.

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1 MR. OLLER: Okay. And that would apply whether

2 the application is approved or denied.

3 MS. MAGDZIAK: Understood. Uh-huh.

4 MR. OLLER: Okay.

5 MS. SANTIAGO: Please speak directly into the

6 microphone --

7 MS. MAGDZIAK: Uh-huh.

8 MS. SANTIAGO: -- so it can pick you up nice and

9 clear.

10 MS. MAGDZIAK: So for the record my name is Nicole

11 Magdziak of the Law Firm of Day Pitney spelled

12 M-A-G-D-Z-I-A-K. I'm here this evening on behalf of the

13 applicant, Columbia Road Partners, LLC, in connection with

14 an amended site plan and deed variance application related

15 to the property located at 65 Columbia Road, which is Block

16 9003, Lot 10.

17 The property is located in the OSGU open space and

18 government use zone. We're here this evening seeking an

19 amended site plan approval related to the 2017 approval of

20 an air supported dome structure at the property which was to

21 expand the existing tenant's use at the property.

22 We're not proposing any extra changes to the plan

23 that was previously approved. The engineering plans that

24 were submitted by Rusty -- or Richard Shomer (ph), our

25 engineer, were simply the same plans previously approved

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1 with the conditions of that resolution and the board

2 professional review letter comments addressed. So those

3 were the only changes made to those plans that were

4 submitted.

5 Pursuant to Condition 19 of the 2017 resolution

6 the application is required to return to the board in the

7 event that they wanted to provide turf in that dome

8 structure for team sport training. So we're here this

9 evening seeking that approval. The applicant is proposing

10 to convert the indoor tennis courts that would be in that

11 air supported dome structure to turf or team training for

12 lacrosse and soccer and similar sports.

13 I have three witnesses here with me this evening.

14 First is Kevin Costello who is a representative of the

15 applicant. He's here this evening to discuss the operations

16 of the site, the proposed use, how the site is currently

17 operating and how this will impact that operation.

18 We have Corey Chase with us who is our traffic

19 engineer and who will describe the -- his traffic report and

20 the parking plan which was implemented last year and which

21 continues to be implemented today; and Eric DeLine (ph) who

22 is our planner and will provide our planning justifications.

23 So I would like to start with our first witness,

24 Mr. Costello.

25 Can you please --

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1 MR. OLLER: Mr. Constello, would you stand,
 2 please, and raise your right hand?
 3 KEVIN COSTELLO, WITNESS, SWORN
 4 MR. OLLER: And just for the record would you
 5 spell your last name, please?
 6 THE WITNESS: Yes. C-O-S-T-E-L-L-O.
 7 MR. OLLER: Thank you.
 8 DIRECT EXAMINATION
 9 BY MS. MAGDZIAK:
 10 Q Will you please describe for the board your
 11 relationship with the private air conditioning
 12 (indiscernible) company?
 13 A Sure. I'm the director. I handle all our
 14 (indiscernible) improvements and acquisitions for
 15 (indiscernible) Athletic Clubs.
 16 Q And can you please describe the existing site
 17 conditions? I guess first if you can go through the
 18 existing tennis facility and then also the hockey rink which
 19 was previously approved by the board.
 20 A Sure. So we purchased the property, it was known
 21 as Twin Oaks. We've kind of moved onto the tennis portion
 22 of it as (indiscernible) Tennis Center in Morris Township.
 23 The hockey rink predated our ownership. They had a long
 24 term lease with the previous owners, which continues, so
 25 that operation, you know, they're a tenant of ours. We took

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1 over kind of all the programming when we bought the
 2 property.
 3 Existing air supportive dome. Outside there's
 4 also a (indiscernible) red clay court on site, and then
 5 there was two indoor tennis courts. When we bought it one
 6 was a gym. It had like workout equipment. The other one
 7 was used as a court. We got administrative approval from
 8 the township to put some turf in there for additional
 9 training. There is some workout equipment. We kind of
 10 shrunk the size of the lockers and the lounge. And then I
 11 guess you had the outside dome has currently five tennis
 12 courts, all asphalt courts.
 13 Q And is that existing air supported dome structure
 14 a permanent structure or do you take it --
 15 A No. That's seasonal. In other words the dome is
 16 up I think like October to April.
 17 Q And the expansion of that dome is what was
 18 approved in 2007, correct?
 19 A Correct. The expanded dome -- the current dome
 20 fits five courts. The expanded dome can fit seven courts or
 21 just a larger, you know, turf field.
 22 Q And at this time that expanded dome has not been
 23 constructed yet or put up yet?
 24 A That's correct.
 25 Q Can you please describe for the board the proposed

Page 8

1 conversion of the tennis courts to turf within the existing
 2 dome structure and the expanded dome structure?
 3 A Sure. So, you know, as far as -- we've got nine
 4 locations around New Jersey. And some are tennis specific,
 5 a lot are -- the more recent ones we've been building are
 6 more field sports oriented. We -- this is kind of an
 7 outlier from an operation standpoint. This is a full-time
 8 high performance tennis location for us. So there's players
 9 that come in. You can go part-time, but there's also a
 10 number of players that come in and do full-time with us.
 11 So they do their school work in kind of a study
 12 room that we have in the main building and then they have
 13 several hours of tennis instruction every day. Some of them
 14 communicate in to this from the city or from other parts of
 15 New Jersey. Other kids stay and some -- we provide some
 16 housing offsite where they stay with us full-time.
 17 The conversion would be kind of to keep this --
 18 would -- puts this more in line with what the rest of our
 19 turf facilities would be. It's more of just your pretty
 20 straightforward recreation fac -- recreational facility. No
 21 full-time students, no classroom instruction, just where --
 22 you know, mainly after school, you know, weekday evenings
 23 and weekends. It's clinics, teams, you know, practices,
 24 that kind of thing where it would generally focus all of our
 25 programs, whether it be tennis or -- or (indiscernible)

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1 sports is youth oriented and training focused. We don't do
 2 like a lot of spectator seating. We don't do like bleachers
 3 or anything like that. We don't run tournaments. It's
 4 really a training facility. We do have travel teams. They
 5 go and play their games generally outdoors and offsite.
 6 Q And you spoke of the school that currently exists.
 7 That was part of the prior approval for the tennis players.
 8 Is that school going to remain?
 9 A No. If we -- if we converted the outdoor courts
 10 to turf, the tennis school would probably be moved to
 11 another facility. We have a, kind of our flagship location
 12 is on the border of Chatham and Florham Park. So our
 13 students would continue working with us, just not at this
 14 location.
 15 Q And would any tennis courts be remaining where
 16 you're proposing to put turf or are you converting all of
 17 the tennis courts?
 18 A We have the one outdoor clay court which would be
 19 the only one that would remain like -- I mean, it's not --
 20 (indiscernible) doesn't -- you know, is no longer the focus
 21 of this site because you can't do a lot of programming or
 22 you definitely can't do camps or clinics or anything like
 23 that on a single court.
 24 Q So let's further explore the training that you're
 25 going to be doing on the turf field so we can explain to the

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1 board operationally how that's going to work.
 2 A Sure.
 3 Q So you mentioned that there was going to be teams.
 4 How many teams at one time can use this facility?
 5 A I mean, it's kind of -- it depends on what we're
 6 going to be using it for. So if -- in its current
 7 configuration you could kind of do training fields with
 8 nets, you know, on a cable to separate it out. So you could
 9 rent this out into five different, you know, training
 10 fields. But that's for practices and everything.
 11 If you had, you know, games you would have just --
 12 you would use the entire field, but it's not even big
 13 enough. It's only -- because of the nature of tennis it's
 14 only 150 feet wide, so it's 150 yards, you know, wide. So,
 15 you know, the most you could do would be a 9 v 9 game. It
 16 not big enough for full sided. So, again, mainly a training
 17 and clinic facility.
 18 Q And how would it be used in the summer? Are you
 19 going to offer summer camps?
 20 A We don't have any kind of, you know, in our
 21 Chatham and Forham Park locations we do kind of a, just a
 22 general sports camp so kids can come and, you know, they
 23 come by the week and they sign a -- you know, they do a
 24 bunch of different sports. If we did camps here it would be
 25 more specialty camps, again, for specific skills training,

Page 11

1 kind of a small sided camp, not just a general purpose camp.
 2 It's mainly for our -- you know, kids that are in the center
 3 court, on our center court football club, like our travel
 4 team has specialty camps there.
 5 So, you know, from a (indiscernible) perspective
 6 going from tennis to the indoor sports the summer use is
 7 way, way, way, way less. Summer, you know, field sports,
 8 it's pretty easy to find field space anywhere. You can go
 9 and even rent spaces from the local high school or the
 10 middle school or something like that.
 11 So a small turf field like this is really not a
 12 high commodity in the summer. It's more wintertime when
 13 it's harder to get field time that we would be more busy.
 14 Q So you would consider the winter to be your busy
 15 time, correct?
 16 A Correct.
 17 Q And how many players do you expect to be at the
 18 facility at any given time or at its maximum?
 19 A Sure. So we're -- it's actually for us the
 20 weekday evenings are the busiest. So with players, coaches,
 21 and spectators we're thinking -- or no, I'm sorry. I think
 22 we're thinking players and coaches we're at 56 max is our
 23 projected for a weekday evening. Like I said we're not --
 24 since we don't do games or a lot of games and it's mostly
 25 training we don't set up for a lot of spectators.

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1 But we'll have some parking testimony about we've
 2 kind of done a lot of observations at other locations and
 3 based on the sport and number of participants we have a
 4 ratio we use for, you know, how many people actually stick
 5 around and watch their kids even if it's just a practice.
 6 Q And can you please describe the specific hours of
 7 operation?
 8 A Sure. So we put those in Monday through Friday 7
 9 a.m. to 9 p.m. with the kind of -- you know, that weekday
 10 evenings being the busiest. Saturdays and Sundays 7 a.m. to
 11 6 p.m. And that's pretty steady all day. But, you know,
 12 the -- you know, morning to mid-afternoon is kind of the
 13 busy time for weekends.
 14 Q And how many employees do you expect to have?
 15 A So employees is kind of similar to what we have
 16 now. We have around ten and they're not all full-time so
 17 they're not always there. But it will be ten probably for
 18 this facility as well.
 19 Q And in combination with the hockey facility how
 20 many employees will be on the site?
 21 A I don't know. I wasn't sure what the -- and, you
 22 know, hockey guys almost always have two people on site.
 23 There's kind of a general manager and an assistant manager.
 24 I don't know how many total employees they have, but I --
 25 you know, I assume that will stay consistent. It's two and

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1 then I think occasionally they have a couple more.
 2 Q So speaking of the hockey use as we know that was
 3 a concern at the last meeting, can you describe the
 4 conversations that you had with the manager and the general
 5 manager of the hockey in relation to what games will be
 6 played this year compared to years past?
 7 A Sure. I think it was abundantly clear to us and
 8 to the board at the last application that kind of this
 9 pressure point for this facility is when there's hockey
 10 events going on. You know, we've kind of -- I went back and
 11 read the old resolutions. They had agreed to have -- the
 12 language is a little gray. It says, you know, something
 13 about only low intensity hockey games are allowed there.
 14 And so they were kind of choosing which games they thought
 15 would have a lot of spectators and which wouldn't, and then
 16 having some of those offsite and having some of the games
 17 here.
 18 You know, last year we realized that's -- that
 19 wasn't working that well, but there was still a lot of
 20 spectators showing up for even the games they didn't book
 21 onsite. And it was very little control from the -- our
 22 tenants of how many people were on site, how they were using
 23 the site.
 24 So we instituted a parking plan. The hockey
 25 tenant had had an off street parking location secured for a

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1 long time. They had just not been using it. So we've
 2 started using that. So now they have the western lot where
 3 they send out before games in like an e-mail blast telling
 4 people to go to this lot and they would have a shuttle come
 5 in.

6 We also had been posting for all games at least
 7 one parking attendant in there and then for the big games
 8 two parking attendants with parking counters. And so when
 9 we get to 85, 85 -- 90 percent sold, we start just turning
 10 people away telling them to go to the western.

11 We -- there was a condition in the resolution that
 12 wasn't being followed about buses and they -- buses weren't
 13 allowed on site. I think that had been broken a lot. And
 14 so this is just -- the parking attendant has helped with
 15 that a lot, too. So now if there's the little short busses,
 16 they're allowed to just drop people and go. Big buses
 17 aren't allowed to enter our site. They do a kind of a K
 18 turn because they enter just the edge of our site; do a K
 19 turn at the lot closest to the entrance, drop off and -- and
 20 leave instead of coming and turning around. It's really
 21 helped decrease the congestion on site.

22 So that's from kind of a management perspective.
 23 And the other half of that is programming. So we've working
 24 with them pretty closely. The last hockey season there was
 25 between the -- (indiscernible) total games they had. But

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1 the ones that you really have to worry about, spectators for
 2 boys varsity and boys JV, last year there was 16 games
 3 between those varsity and JV. We've moved -- we've had them
 4 move even more of their games offsite now. And so now
 5 there's a maximum of games between varsity and JV, four
 6 varsity and four JV. Two of those games for the boys'
 7 varsity are scrimmages. One of the other ones is a team
 8 from Pennsylvania that doesn't have a -- doesn't bring as
 9 many fans because of the distance. And then the fourth game
 10 is only -- I think they have to qualify for it. So it's
 11 only if necessary. Last year they didn't.

12 So -- so there's a chance it's only three varsity
 13 boys games, two of those being scrimmages, and then four JV
 14 games. They're split still 12 girls' varsity games, but we
 15 don't seem to have nearly as much problem there. We still
 16 put an attendant just to be sure. We're kind of -- both
 17 sides are, the management and the programmer, I think
 18 there's been a very big difference in kind of a volume of
 19 cars and kind of the, you know, using spots that aren't
 20 really parking spots or using the municipal lot
 21 (indiscernible). We don't allow any of that anymore.

22 Q And how will the turf fields be used during hockey
 23 games?

24 A So we are proposing to have lower costs or soccer
 25 programming during hockey games. In our lease with the

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1 hockey team it's kind of split up on how many spots they can
 2 use versus how many we can use. I think it -- you know,
 3 we're really only talking about four varsity games a year.
 4 It's not going to take a big hit on our programs to not have
 5 our, you know, normal programming at those times, just to be
 6 sure that there's no issues.

7 Q And are there designated parking spaces that are
 8 just for the turf field use?

9 A There is. And, I mean, our -- well, that's the
 10 nice thing about having a parking attendant is we can direct
 11 that kind of thing. We've been talking about, you know,
 12 during (indiscernible) 20 spots so this -- if we get this
 13 approved it could be just for that use.

14 Q And have you spoken to the neighbors about the
 15 project and for those parking plans?

16 A Sure. So, you know, there was a number of
 17 conditions in the last approval that were requested by the
 18 neighbors. So we've -- even though we haven't built that
 19 dome that was approved, we've kind of instituted most of
 20 those conditions. And that was just to kind of appease
 21 everyone. They were really reasonable in class -- you know,
 22 a large (indiscernible) sense. They wanted the rim screens
 23 to be changed from this bright blue color to like a more
 24 neutral green, painting the back of the building that faces
 25 them. We've done all those things.

Page 17

1 There's some landscaping that still has to be
 2 done. We signed a contract on that and haven't done that
 3 yet. I think most of the neighbors notice a big difference
 4 in the volume especially for those games. It's
 5 (indiscernible). I think there's still work to be done on
 6 the traffic (indiscernible) side. It seems to be a
 7 complaint that -- we were just talking to some of the
 8 neighbors. It seems to be a complaint about the adult men's
 9 leagues, not so much the volume. It's just they're there
 10 late. They're kind of leaving a mess. You know, it can
 11 turn into kind of a tailgate atmosphere, unfortunately, and
 12 leaving the lot too fast. You know, at that time there's
 13 not really a lot of people around, but they're kind of
 14 speeding out of the lot.

15 I think we can address those things if we work
 16 together with the town. A lot of that is, like the driving
 17 too fast or people -- we've heard about people parking in
 18 another neighborhood and walking through some neighbor's
 19 properties. I feel like we can address those things. We
 20 might need to work with the township because some of that
 21 would be on (indiscernible) property. But landscaping,
 22 fencing, you know, those -- we can address some of those
 23 issues.

24 Q And you've also go through the 2007 resolution in
 25 terms of some of the conditions. There was a memo that was

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1 submitted to the board in response to the TCP (sic) meeting
 2 which itemized responses to those conditions of approval.
 3 I'm not sure if the board would like us to go through them
 4 to note the ones that have already been addressed and which
 5 ones are remaining to be addressed.

6 CHAIRMAN KRONK: I think it's a good idea to do --
 7 MS. MAGDZIAK: Okay.

8 CHAIRMAN KRONK: -- that.

9 MS. MAGDZIAK: So the first -- Conditions 1, 2, 3,
 10 4, 5, 6 and 7 and 8 are ongoing conditions the applicant
 11 will comply with.

12 Condition 9 required revised plans, e-plant site
 13 plans that were prepared by H2M Associates, Inc, were
 14 updated to incorporate those revisions.

15 Condition 10, applicant shall install a sign
 16 indicating no busses are permitted at the entrance to
 17 applicant's property or as otherwise approved by the
 18 township engineer.

19 Two no busses signs were installed at the entrance
 20 to the township gravel lot adjacent to the property and the
 21 applicant, as was testified to by Mr. Costello, has parking
 22 attendants on site to manage the busses now. They also use
 23 a removable sign during games to indicate that busses are
 24 not permitted to park in that lot or the gravel lot.

25 Condition 11 is the landscape plan within the 75

Page 19

1 foot buffer area to be modified to the evergreen plantings.
 2 The landscape plan was revised. The plantings have not yet
 3 been installed, although that was the comment Mr. Costello
 4 just made about having a contract with the landscaper to do
 5 that, those plantings. So that will be completed.

6 The applicants have located (indiscernible) on the
 7 revised plans, the sewer line and (indiscernible). The
 8 revised plans show the storm sewer line and Columbia Road.
 9 No improvements are proposed within the right of way. The
 10 improvements will not impact the sanitary sewer line or
 11 other utilities (indiscernible) and Columbia Road.

12 Condition 13 is an ongoing condition that the
 13 applicant intends to comply with.

14 Condition 14 is removing the basketball hoop and
 15 light fixture from the rear of the existing building. The
 16 basketball hoop and light fixture have both been removed.

17 Condition 15 was to pave in between the driveway
 18 and dumpster area, and at the access to the dumpster area.

19 The entrance -- and to mill and pave the entrance roadway.
 20 Can you speak to the entrance roadway?

21 THE WITNESS: Yeah. That is -- we were planning
 22 - I think we had even mentioned it in testimony at the last
 23 application that we wanted to wait until after construction
 24 was done to fill that road. But that was done. I don't
 25 know if it was the township or the county or somebody, but

Page 20

1 the road was repaired. We have done spot repairs for
 2 potholes, but the whole thing was resurfaced. And we did
 3 the dumpster -- the dumpster pad was done, the concrete
 4 dumpster pan.

5 MS. MAGDZIAK: Condition 16, all fences shall be
 6 repaired to the township engineer's satisfaction. At the
 7 time we submitted our later dated August 7th, 2018 the fence
 8 was not yet completed. At this time the fence has been
 9 repaired and replaced.

10 Condition 17, the color of the air supporting dome
 11 structure shall be gray and there shall be no skylights
 12 within it. That's an ongoing condition. At this time it is
 13 gray and there are no skylights.

14 THE WITNESS: And the existing one is white, but
 15 the proposed one is gray. Yeah.

16 MS. MAGDZIAK: And that's a condition that we will
 17 agree to again in the event that this is approved that it be
 18 painted gray.

19 There -- Condition 18, there shall be no outdoor
 20 music before 10 a.m. is an ongoing condition the applicant
 21 will define.

22 Condition 19, the area within the air supported
 23 dome structure shall only be used for tennis. This is a
 24 condition that this pending application is seeking to amend
 25 so that the air supported structure can be covering turf

Page 21

1 fields instead of tennis.

2 Condition 20, the applicant shall replace the
 3 existing fence at the southerly property (indiscernible)
 4 with a board on board fence from the trash enclosure to the
 5 east past the most southerly point of the hockey rink
 6 building to provide a buffer from vehicle likes to the
 7 residential neighbors. The site plans were revised to show
 8 this fence so that it would be incorporated, and the fence
 9 has been installed. At the time this letter was submitted
 10 it was not yet installed. It has since been installed.

11 Condition 21, the applicant shall paint the rear
 12 of the building. That condition has been satisfied. It was
 13 painted in June of 2017.

14 Condition 22, the applicant shall change the
 15 windscreen along the tennis court area from blue to green.
 16 That condition has been satisfied.

17 Condition 23 is an ongoing condition.

18 Condition 24, in the event the tennis academy
 19 shall cease operations at the property, then the school use
 20 which the applicant has represented is accessory to the
 21 tennis use shall also cease. Mr. Costello provided
 22 testimony that that school will be moved to another location
 23 in the event this application is approved.

24 Condition 25, the approximately eight foot net
 25 behind the applicant's building shall be removed.

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1 Kevin, can you confirm whether or not that has
 2 since been removed?
 3 THE WITNESS: Yes, it has.
 4 MS. MAGDZIAK: Condition 26, the applicant's
 5 drainage plan shall be acceptable to the township engineer.
 6 And emergency spillways shall be added to the
 7 plans to route storms larger than the hundred year storm to
 8 the (indiscernible) under Columbia Road and to prevent
 9 flooding of the existing parking lot. The revised plans
 10 prepared by H2M Associates incorporated that.
 11 Condition 27, 12 parking spaces in the rear of the
 12 building shall be designated as employee and van parking.
 13 That's an ongoing condition that the applicant will comply
 14 with.
 15 Those are all the conditions in the 2017 approval.
 16 That's all we have for direct testimony of this
 17 witness other than questions.
 18 CHAIRMAN KRONK: Board members, any questions of
 19 this witness?
 20 Mr. Christensen.
 21 MR. CHRISTENSEN: When you convert the tennis
 22 courts to turf grass do you destroy the tennis courts or do
 23 you just put the turf over top?
 24 THE WITNESS: So we (indiscernible) board. We
 25 kind of budget into this new dome what's going to happen

Page 23

1 with it. There's a chance that we would want to convert the
 2 existing footprint and size of the dome to turf without
 3 expanding it if the board would allow. If that was the --
 4 we would still have to replace the dome soon anyways. It's
 5 at the end of its use for life. So we could still comply
 6 with the gray dome and no skylights and all those
 7 conditions.
 8 But there's a chance we would want to do that
 9 without expanding the footprint. The widths got a little
 10 narrow when we extended it, which wouldn't be as good for
 11 turf sports as it would have been for tennis.
 12 So if it's in the existing footprint for -- we
 13 would put turf right over it the existing asphalt courts.
 14 There's enough kind of crumb (indiscernible) and sand in
 15 that for impact resistance. When we expanded it, the
 16 expansion portion of that would just be on like a gravel sub
 17 base which would be turfed (sic) over that. So it would be
 18 kind of a combination, a little of both.
 19 MR. CHRISTENSEN: That's it.
 20 CHAIRMAN KRONK: Okay. So where are we? Are you
 21 -- are you posing the original size dome or are you
 22 proposing the reduced size dome?
 23 THE WITNESS: I mean, I -- I hate to -- so all our
 24 testimony as far as prepping testimony and all that is for
 25 our larger dome. And our hope is that we would have some

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1 flexibility based on demand, that we could do either/or.
 2 Again, it would be a new dome. It would still comply with
 3 everything. We assume that if it -- it's acceptable to the
 4 board for the larger size that a smaller size would less --
 5 obviously have a less intensive use, less users, less
 6 parking would also be access -- acceptable.
 7 BY MS. MAGDZIAK:
 8 Q And the smaller size that you're talking about is
 9 the existing foot print --
 10 A Yeah. The exact same footprint. It is the same
 11 grade b and everything, just be a placed dome on the exact
 12 same location.
 13 MS. MAGDZIAK: Okay.
 14 CHAIRMAN KRONK: So -- so your application is --
 15 I'm not following what you're asking us. Are you asking for
 16 a larger dome that was previously approved or are you
 17 looking to use the existing size dome?
 18 MS. MAGDZIAK: So what they're trying to do is I
 19 guess a better way to describe it is to phase the conversion
 20 to turf so that they can convert the existing dome, tennis
 21 courts to turf. And then when they're expanding the dome to
 22 the size that was previously approved, finish the conversion
 23 of those tennis courts.
 24 So they may not do it all at -- like the
 25 construction of it may not be done all at one time.

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1 THE WITNESS: So there's a -- yeah. There's a --
 2 UNIDENTIFIED SPEAKER: How do you phase a dome?
 3 UNIDENTIFIED SPEAKER: Yeah.
 4 UNIDENTIFIED SPEAKER: Yeah.
 5 THE WITNESS: So I wouldn't be able to get a dome
 6 up for next -- probably construction-wise being the whole
 7 thing from filling the pond, doing all that drainage. I
 8 don't think I would be able to hit the next fall's indoor
 9 soccer and lacrosse season with a brand new dome. But I
 10 could just turf over the existing tennis court. We could
 11 take the nets down, just put turf down, and now I have a
 12 turf dome in the existing footprint.
 13 In the future, based on demand, if we have, you
 14 know, you need another bigger dome, you've already gotten
 15 that larger dome approved would like the flexibility, be
 16 able to then, you know, when the dome is down extend the
 17 grade b to the previously approved footprint and turf the
 18 rest of it.
 19 So it's not really phasing the dome. You know,
 20 you could --
 21 UNIDENTIFIED SPEAKER: So you're trying to leave
 22 the existing dome?
 23 THE WITNESS: It's got a couple more years in it.
 24 It could stay for a couple more years. Yes. If --
 25 UNIDENTIFIED SPEAKER: Well, that's another

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1 condition of the original approval that you want modified.
 2 THE WITNESS: What condition was an existing
 3 approval?
 4 UNIDENTIFIED SPEAKER: Gray dome condition, this
 5 plays into it. Yeah. And if that was, you know, if that's
 6 important to the board, you know, then it --
 7 UNIDENTIFIED SPEAKER: Well, it was a condition of
 8 approval so obviously it was very important to the board.
 9 THE WITNESS: Sure.
 10 UNIDENTIFIED SPEAKER: Sure what?
 11 THE WITNESS: There's a chance that the demand is
 12 not large enough for a bigger dome. So if you can do -- you
 13 can do a me dome on the existing footprint as well. Does
 14 that make sense?
 15 MS. MAGDZIAK: The gray dome?
 16 THE WITNESS: The gray dome. If you can get it --
 17 yeah. Any new dome can be in gray. So I was hoping to have
 18 the flexibility --
 19 UNIDENTIFIED SPEAKER: You guys always like to
 20 keep all kinds of options open. WE had the same problem the
 21 first half of --
 22 THE WITNESS: (Indiscernible). Yeah. I agree
 23 that we try to follow the market as much as possible, you
 24 know. That's why (indiscernible) tennis, lacrosse and
 25 soccer because that seems to be where this market is headed.

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1 You know, if that's totally unacceptable to the
 2 board and doesn't (indiscernible) you're comfortable with
 3 that.
 4 UNIDENTIFIED SPEAKER: Could you apply to it in
 5 that condition?
 6 THE WITNESS: No. I think if we did that it would
 7 probably be for only one season, you know what I mean, of --
 8 in the current dome and then we would have to make the
 9 decision at that point, you know, whether it's to do the new
 10 building, do gray. (Indiscernible) building gray in the
 11 existing size.
 12 UNIDENTIFIED SPEAKER: Okay.
 13 UNIDENTIFIED SPEAKER: Does the application to use
 14 the previously approved air support structure, so the larger
 15 dome?
 16 THE WITNESS: Right.
 17 UNIDENTIFIED SPEAKER: So what you're saying is
 18 you want to amend your application to include both sides so
 19 you can grow it --
 20 THE WITNESS: It's possible. (Indiscernible), you
 21 know, we can't keep the existing dome indefinitely
 22 (indiscernible) --
 23 UNIDENTIFIED SPEAKER: Sure.
 24 THE WITNESS: -- because then we're not -- you
 25 know, we wouldn't be complying with the gray. So I think

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1 that's a decision we would have to make (indiscernible).
 2 I'm just wondering if it would be fine to do turf in the
 3 existing location after that, you know, season is up, then
 4 that dome comes down and the dome goes up either in this
 5 size or the bigger size in the gray. So it would be at max,
 6 you know, one season of the existing colored dome with turf.
 7 UNIDENTIFIED SPEAKER: And that would be this
 8 current season because you're about to put the dome up,
 9 right?
 10 THE WITNESS: No. I mean, I'm not going to be
 11 able to get turf in for this season. No. It would be this
 12 coming fall.
 13 UNIDENTIFIED SPEAKER: Fall of --
 14 MS. MAGDZIAK: You mean of '19?
 15 THE WITNESS: Yes.
 16 (Pause)
 17 MS. MAGDZIAK: Is there any feedback from the
 18 board on that or any -- understanding the comment that we
 19 are already here for a change in one condition which was a
 20 condition based on a mention of team sports at the last
 21 hearing which was for tennis, and understanding that this is
 22 another change. We are fully prepared to just move forward
 23 with the turf in the entire expanded dome as the application
 24 was originally submitted for.
 25 UNIDENTIFIED SPEAKER: I don't have a problem with

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1 the -- keeping the size of the original dome. I have a
 2 problem with not complying with the color of the -- you can
 3 make the dome smaller. That I don't care about.
 4 THE WITNESS: (Indiscernible).
 5 MS. MAGDZIAK: As long as they comply with the
 6 color?
 7 THE WITNESS: Yeah.
 8 UNIDENTIFIED SPEAKER: Going back to the white
 9 after we already approved the gray.
 10 MS. MAGDZIAK: The gray. Understand.
 11 UNIDENTIFIED SPEAKER: Anybody else have a
 12 different opinion?
 13 UNIDENTIFIED SPEAKER: (Indiscernible). I know
 14 it's a big expense to put up and buy a new dome, put a new
 15 dome up. But then (indiscernible) for one more year.
 16 UNIDENTIFIED SPEAKER: (Indiscernible). I mean,
 17 that dome started out as white. It's (indiscernible) to a
 18 gray.
 19 (Laughter)
 20 MS. MAGDZIAK: The new one will actually be gray.
 21 UNIDENTIFIED SPEAKER: So it's approaching
 22 (indiscernible).
 23 UNIDENTIFIED SPEAKER: So if it's one more year of
 24 white I guess we can put up with a white/gray
 25 (indiscernible) or whatever. (Indiscernible).

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1 UNIDENTIFIED SPEAKER: (Indiscernible) two layers.
 2 (Indiscernible) this winter and then it would be the next
 3 winter.
 4 UNIDENTIFIED SPEAKER: Okay. Yeah. I prefer the
 5 next --
 6 UNIDENTIFIED SPEAKER: Two more years and then
 7 (indiscernible).
 8 (Everyone speaking at once)
 9 CHAIRMAN KRONK: Yes, Mr. Loughman.
 10 MR. LOUGHMAN: I don't think it's a stretch to
 11 allow the existing level to remain for two years. It's like
 12 John says, it's practically gray anyway. And there is quite
 13 a bit of landscaping around it, so you tend to not really
 14 notice it that much. It was -- it would probably just have
 15 to amend the application.
 16 THE WITNESS: Yeah. Let me apologize for --
 17 UNIDENTIFIED SPEAKER: (Indiscernible) fond of
 18 applicants coming back and taking away our conditions of
 19 approval. Obviously we considered that when we granted
 20 their variance.
 21 UNIDENTIFIED SPEAKER: I don't think the variance
 22 was that long ago, was it, though?
 23 UNIDENTIFIED SPEAKER: Last year.
 24 UNIDENTIFIED SPEAKER: Last year. So from a
 25 business perspective I think it probably takes him a while

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1 to get the whole thing planned out. So I'm not surprised
 2 that we're sitting here a year later and they haven't
 3 completed what was approved.
 4 CHAIRMAN KRONK: They're back here quicker than I
 5 thought.
 6 (Laughter)
 7 THE WITNESS: Well, we're trying to
 8 (indiscernible) if we decide the expansion is viable and we
 9 just want to stay in the current footprint.
 10 UNIDENTIFIED SPEAKER: Like I said, I don't have
 11 any issue with you reverting back to the original size.
 12 That doesn't bother me.
 13 THE WITNESS: Right.
 14 UNIDENTIFIED SPEAKER: I mean, tech --
 15 technically, there would be 18 months from the point of
 16 resolution.
 17 UNIDENTIFIED SPEAKER: Yeah, but this is a site
 18 plan. It's not just a variance. Mr. Slate is referring to
 19 the municipal ordinance that says if you adjust the variance
 20 you have 18 months or it expires.
 21 UNIDENTIFIED SPEAKER: (Indiscernible).
 22 UNIDENTIFIED SPEAKER: Extend it. But this is the
 23 site plan. So as a site plan, and it's the final site plan
 24 so they have two years protection with three potential one-
 25 year extensions.

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1 UNIDENTIFIED SPEAKER: Wouldn't it fall under
 2 that?
 3 UNIDENTIFIED SPEAKER: Yes. Yeah. It would.
 4 That's what I'm saying. The 18 months wouldn't --
 5 UNIDENTIFIED SPEAKER: Yeah. Well, it's -- it's
 6 even longer than I thought; that if they chose not to apply,
 7 you know, or took them two years to go through the process
 8 of getting the building permits that they need that existing
 9 dome --
 10 UNIDENTIFIED SPEAKER: Yeah. You know --
 11 UNIDENTIFIED SPEAKER: Well, we also couldn't
 12 (indiscernible) our resolution that they're halfway through
 13 complying with, too.
 14 UNIDENTIFIED SPEAKER: Right, which will be
 15 changing potentially.
 16 And, you know, the municipal land use law does
 17 allow for multiple approvals on a single piece of property.
 18 And you can get to kind of pick which one you want to do.
 19 THE WITNESS: So I'm not going to have to time for
 20 anything this year, like I said, but if it's (indiscernible)
 21 issues we can make that decision sooner. So by next year
 22 we'll have a gray dome, whether it be (indiscernible). If
 23 the board approves both sizes then we can have a gray dome
 24 by the following -- you know, next year either in the
 25 current size or the larger size, depending --

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1 UNIDENTIFIED SPEAKER: So --
 2 THE WITNESS: -- on demand.
 3 UNIDENTIFIED SPEAKER: -- by the fall of 2019.
 4 MS. MAGDZIAK: 2019.
 5 THE WITNESS: Yeah.
 6 UNIDENTIFIED SPEAKER: Whether it's the larger one
 7 or the smaller one --
 8 THE WITNESS: We'll just have to make that
 9 decision --
 10 UNIDENTIFIED SPEAKER: Correct.
 11 THE WITNESS: -- quicker than we wanted to, but we
 12 can -- we can work with that.
 13 CHAIRMAN KRONK: Do board members have any opinion
 14 on if they build the smaller size, do we give them that
 15 option? (Indiscernible) part open.
 16 UNIDENTIFIED SPEAKER: I don't mind if it's
 17 smaller.
 18 UNIDENTIFIED SPEAKER: Well, not smaller than the
 19 existing.
 20 UNIDENTIFIED SPEAKER: Well, the existing.
 21 UNIDENTIFIED SPEAKER: Yeah. The non-standard.
 22 UNIDENTIFIED SPEAKER: It's (indiscernible) I'm
 23 not a big fan of, open resolutions. I like them to be --
 24 UNIDENTIFIED SPEAKER: Well, I'm not either. I --
 25 (Laughter)

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1 UNIDENTIFIED SPEAKER: But the (indiscernible) one
2 way.
3 UNIDENTIFIED SPEAKER: I was going to say. Yeah.
4 We're going to smaller, if we go back to the existing then I
5 have a little more tolerance for that.
6 CHAIRMAN KRONK: You know, and obviously all other
7 conditions still apply. That's -- nothing changes in that.
8 I mean, one other question I have relates to the tennis use.
9 I mean, you guys want to have the ability to go back to the
10 tennis use if that market comes back, right?
11 THE WITNESS: Uh-huh.
12 CHAIRMAN KRONK: Is that --
13 THE WITNESS: That's not part of the application.
14 No.
15 CHAIRMAN KRONK: -- (indiscernible)?
16 THE WITNESS: I think we would have to come back
17 for that if we decided to turn back, but I don't see that
18 happening.
19 UNIDENTIFIED SPEAKER: I think that's -- I think
20 we have to come back for that.
21 CHAIRMAN KRONK: Okay. I'll do whatever the
22 application is -- I thought they wanted it both ways.
23 UNIDENTIFIED SPEAKER: No. What they're saying is
24 that if they -- if they put the turf fields in and you have
25 team sports now, then the tennis use and the tennis school

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1 will go elsewhere. And that's the same whether it's the
2 larger --
3 THE WITNESS: Regardless of size. Yes.
4 CHAIRMAN KRONK: Yeah. No. I --
5 UNIDENTIFIED SPEAKER: If they tried to bring
6 tennis back here then they would definitely have to go back
7 (indiscernible).
8 UNIDENTIFIED SPEAKER: Right.
9 UNIDENTIFIED SPEAKER: Right.
10 UNIDENTIFIED SPEAKER: And if it's the smaller
11 dome the -- there's two outdoor tennis courts now with the
12 smaller dome, right?
13 THE WITNESS: There's just one outdoor tennis
14 court.
15 UNIDENTIFIED SPEAKER: One outdoor. And will --
16 what will happen to --
17 THE WITNESS: That stays either way. It's on the
18 other side of the driveway. It's a small red clay court
19 that would stay either way.
20 UNIDENTIFIED SPEAKER: So the tennis use goes away
21 except for the tennis court?
22 THE WITNESS: (Indiscernible). Yeah. I mean, I
23 don't have enough courts to kind of run a program around it
24 or anything. You know, we have some residual members from
25 before we bought it that sometimes play there. I don't know

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1 if they even use it so much for that. It's a --
2 UNIDENTIFIED SPEAKER: I just want to be clear
3 what --
4 THE WITNESS: Sure.
5 UNIDENTIFIED SPEAKER: -- what the -- because the
6 site plan would have to be modified if that's what we're --
7 THE WITNESS: Well, site plan would be the same as
8 existing.
9 UNIDENTIFIED SPEAKER: Understood. But we now
10 have -- we would now have a drawing --
11 THE WITNESS: Right.
12 UNIDENTIFIED SPEAKER: -- that shows the larger
13 dome with that outdoor tennis court, you know, essentially
14 removing indoors, right, essentially? It's not there
15 anymore because the dome --
16 THE WITNESS: No. No. No.
17 UNIDENTIFIED SPEAKER: -- (indiscernible).
18 THE WITNESS: The expansion is over the retention
19 pond, not -- it doesn't expand over the outdoor tennis
20 court.
21 UNIDENTIFIED SPEAKER: The outdoor court stays
22 even with a larger dome?
23 THE WITNESS: Either dome the outdoor tennis court
24 stays.
25 UNIDENTIFIED SPEAKER: It's not -- it's not where

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1 the dome is going. Okay.
2 THE WITNESS: Yeah. It's on the other side of the
3 driveway. So it's either the retention pond goes away or it
4 stays.
5 UNIDENTIFIED SPEAKER: So if it's the smaller plan
6 then this drawing has to be changed (indiscernible)?
7 UNIDENTIFIED SPEAKER: Right.
8 UNIDENTIFIED SPEAKER: So ultimately you have to
9 provide us with plans that reflect what you're doing so they
10 can be signed off on and you can move forward.
11 THE WITNESS: Yeah. I --
12 UNIDENTIFIED SPEAKER: (Indiscernible) pull
13 permits.
14 UNIDENTIFIED SPEAKER: Yes.
15 THE WITNESS: Yeah. It's kind of -- I guess it
16 would be just what's there now plus the items that address
17 the, you know, resolution, the landscaping and the fencing.
18 Sure.
19 MS. MAGDZIAK: And I think that could be part of
20 resolution compliance because at the time we get to the end
21 of complying with the resolution and having Mr. Slate look
22 at the plans, we're going to have to know what they're
23 building, which I think is that decision to be made prior to
24 the fall of 2019.
25 UNIDENTIFIED SPEAKER: Right.

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1 CHAIRMAN KRONK: Any other questions?

2 UNIDENTIFIED SPEAKER: Yes. During the huge

3 snowstorm of February of 2018 was the dome intentionally

4 deflated to allow for that or (indiscernible)?

5 THE WITNESS: Kind of both. So we --

6 (indiscernible) not -- I'm sorry. I'm trying to

7 (indiscernible). You know, we -- you try to put them in a

8 high pressure -- their storm mode, which is high pressure,

9 high heat. That dome has a lot of air loss just from, you

10 know, some seams that aren't as tight as they used to be.

11 Once it gets to a point where we know we're not

12 going to be able to keep up and get the snow off of it, then

13 we bring it down. We try to do a controlled, you know, so

14 going into the storm we hope that it will stay up the whole

15 time. But at some point if the snow is very sticky, very

16 heavy and wet it starts to, you know, you get worried about

17 the dome ripping a whole or something. So at that time you

18 go in, you take down the nets so it doesn't tear the liner

19 when you bring it down and then you -- it's a controlled,

20 you know, deflation.

21 (Pause)

22 CHAIRMAN KRONK: Okay. At this time I would like

23 to open it up --

24 MR. WOODFORD: (Indiscernible).

25 CHAIRMAN KRONK: Oh, I'm sorry, Mr. Woodford.

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1 Please proceed.

2 MR. WOODFORD: That's all right.

3 Does the (indiscernible) also shut down at 9 p.m.

4 or is that on a different schedule?

5 THE WITNESS: They -- there's nothing in the lease

6 that limits them to hours of operation. I know they do have

7 some late nights. Their men's league starts --

8 UNIDENTIFIED SPEAKER: (Indiscernible).

9 THE WITNESS: -- so late and -- and goes, you

10 know, a couple of hours. But -- so, no. They don't have

11 the same hours as we do.

12 MR. WOODFORD: And how late are -- do any travel

13 teams use the hockey rink, do you know?

14 THE WITNESS: I don't know.

15 MR. WOODFORD: Or they're all just like local

16 (indiscernible) teams?

17 THE WITNESS: I know (indiscernible), you know,

18 the high school teams play there. I don't know about the --

19 and I know they have men's leagues which I doubt are travel

20 leagues. You know, they're --

21 MR. WOODFORD: No. The -- I'm -- travel teams are

22 like the Colts and --

23 THE WITNESS: The Colts. Yeah. I guess they do

24 play there.

25 MR. WOODFORD: Okay. (Indiscernible) travel teams

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1 (indiscernible).

2 THE WITNESS: Sure.

3 MR. WOODFORD: Not just drop offs.

4 THE WITNESS: Right. From our experience it --

5 you know, it's a -- there's a lot of parking on the site.

6 The only time we seem to really have issues is those varsity

7 men's games is when we really have, you know, a lot of

8 spectators, you know, a lot of parents, that kind of thing.

9 Every other time, I mean, there's -- there's ample parking

10 on site.

11 So we have not noticed, you know, a need for kind

12 of parking attenuation for the travel games.

13 MR. WOODFORD: And what is the number of

14 participants who would be able to be utilizing the turf

15 fields at any one time?

16 THE WITNESS: So 56 at our peak. That's a week

17 day peak. And that's -- you know, you get more kids not

18 when it's a full field. You get more when it's divided up

19 into, you know, five. And, again, that's for the larger

20 dome, the proposed large dome, not the existing size.

21 MR. WOODFORD: And how much time is it -- how long

22 does a session last and how long would the down time between

23 sessions because that's when the most traffic is generating

24 the most parking?

25 THE WITNESS: Sure. So we leave a gap between

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1 sessions, you know, whether it be 15 minutes or a half an

2 hour depending on, you know, how big the sessions are. So

3 generally we rent the fields by the hour and then there's

4 always a gap in there.

5 So we use a -- you know, we don't have any kind of

6 open tryouts, open turf sessions. You know, we don't do any

7 of that. So we control how many kids are on. We have

8 limits of how many kids per field are allowed and everything

9 is booked through our online booking system. So, you know,

10 pretty -- we can keep that -- those numbers, you know, are

11 very controllable by our operations guys.

12 MR. WOODFORD: Okay. Thank you.

13 CHAIRMAN KRONK: You done?

14 MR. WOODFORD: At this time I --

15 UNIDENTIFIED SPEAKER: Sorry. Just as a point of

16 clarification, there is a condition and resolution that

17 discusses the hours of operation on the S-rink from 6 a.m.

18 till 12:30 a.m.

19 And there -- I wanted to do just some more follow

20 up on the (indiscernible) paving the driveway. There was

21 some miscommunication with the Department of Public Works.

22 And they did -- (indiscernible) paved that and we just -- if

23 the board does approve this we just wanted to see if you

24 would reimburse the Department of Public Works for that work

25 as a condition of approval.

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1 THE WITNESS: I think your guys are more expensive
 2 than ours, though.
 3 UNIDENTIFIED SPEAKER: No. No. We're much
 4 cheaper.
 5 THE WITNESS: Yeah. We had agreed to repave the
 6 parking lots so -- the lot, so I'm sure we can work that out
 7 with the township.
 8 UNIDENTIFIED SPEAKER: Thanks.
 9 CHAIRMAN KRONK: Now I would like to open it up to
 10 the members of the public. Anybody who has questions only
 11 of this witness please come forward at this time.
 12 (Pause)
 13 MR. GINGRICH: Andrew Gingrich, 27 Columbia Road.
 14 UNIDENTIFIED SPEAKER: Sir, just -- would you
 15 spell your last name, please?
 16 MR. GINGRICH: Sure. It's G-I-N-G-R-I-C-H.
 17 UNIDENTIFIED SPEAKER: Thank you.
 18 MR. GINGRICH: I just have some questions. I
 19 already talked to the -- Matt about a few things. The main
 20 issue that I have is more with the ice hockey and, again,
 21 there's little control that they have of the hours with
 22 their games starting at 12:30 and ending at 2 a.m. It is
 23 difficult to have small children when there's people in the
 24 parking lot screaming and yelling till 2 a.m. But that's a
 25 moot point.

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1 My questions now have more to do with what we can
 2 do to maybe slow traffic down through there because people
 3 do move at a pretty high rate of speed. I was wondering
 4 also if we could get a gate on the township parking lot
 5 there that closes at dark because that hockey on Thursday
 6 nights does overflow every Thursday night into that parking
 7 lot when they're in hockey season.
 8 There's -- you can put speed bumps on the road to
 9 slow down traffic a bit because they do think it's a little
 10 racetrack there from the top to the stop sign after the
 11 games, the hockey games late at night. I was woken up at 1
 12 a.m. on Sunday morning by two cars coming out of the
 13 facility. And that's with my window shut and my heater on.
 14 We get a diesel truck that comes through there
 15 almost every, what, a few nights a week, you think, guys
 16 that -- that comes in around 1:30, 2:00 in the morning.
 17 It's one of those Dodge Rams with the exhaust that's just as
 18 loud as it can be. There's nothing you guys can do about
 19 that. I'm not -- I'm just saying this is what affects the
 20 neighborhood.
 21 We've talked with Matt and at least between the
 22 two neighbors that are next to me we're trying to find ways
 23 to maybe facilitate a way to reduce the noise by maybe
 24 planting some like evergreen trees that will soak up the
 25 noise between the parking lot and our houses, especially

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1 late at night because when you're trying in the summer to
 2 have your windows open and get fresh air you don't want to
 3 hear five or six guys screaming and yelling at 2 a.m.
 4 chasing each other around after the hockey games.
 5 I also wanted to know is there a possibility of
 6 putting the no bus signs or the no truck signs at the top of
 7 the street instead when they already get in. It's -- it's
 8 -- I don't want to say it's comical, but it's interesting to
 9 watch a large Greyhound type bus trying to turn around in
 10 that little space. I think it would save everybody a
 11 headache if the signs were put at the top of the street
 12 instead of down right by where the field is.
 13 And, again, I think the speed bumps would help
 14 facilitate safety when there's children who are playing
 15 baseball and softball in the fields right there in front of,
 16 across from the gravel parking lot.
 17 My other question is, if you look at the times and
 18 the dates when they actually did traffic numbers, like I
 19 looked up what the temperatures were. It was 34 degrees for
 20 a high on the day they did the traffic and it was also on a
 21 Saturday which is not the busiest time. The busiest time is
 22 Thursday evenings.
 23 I also found that it went back to 2016 and in
 24 February of 2017 (indiscernible) traffic study done and it
 25 wasn't done after -- hang on -- it wasn't done after. It

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1 was done from 4:30 p.m. to 8:20 p.m. on October 20th, 2016
 2 and it was done -- sorry -- and their bigger study was done
 3 just on a Saturday, February 4th, 2017 from 9 a.m. to 3:30
 4 p.m. And most things, I would guess happen later in the
 5 afternoon.
 6 CHAIRMAN KRONK: We're going to have testimony
 7 from the --
 8 MR. GINGRICH: No. That's --
 9 CHAIRMAN KRONK: -- that person, so you can save
 10 your questions for --
 11 MR. GINGRICH: Okay. That's fine.
 12 CHAIRMAN KRONK: -- him. This is supposed to be
 13 questions of the person that just testified.
 14 MR. GINGRICH: Okay. No, that's fine.
 15 They have stopped doing tennis there so we have
 16 noticed a huge reduction in people going through during
 17 normal hours, a/k/a the middle of the day. More curious,
 18 I've heard some of the testimony. What -- what hours will
 19 you operate the turf area and what age groups?
 20 THE WITNESS: Let me just make sure. So Monday
 21 through Friday 7 a.m. to 9 p.m. and Saturdays and Sundays 7
 22 a.m. to 6 p.m.
 23 MR. GINGRICH: And is -- is it stopping at 9 p.m.
 24 or is the last one beginning at 9 p.m.?
 25 THE WITNESS: No. I think that would be the end

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1 of our programming is 9 p.m.
 2 MR. GINGRICH: Okay. If it's soccer -- I don't
 3 know about lacrosse. I never played lacrosse. I played
 4 soccer. You can't guarantee how long stuff is going to go
 5 with injuries and other things. So I -- I know you said you
 6 put a 15 minute or a 30 minute gap between sessions, but you
 7 can't guarantee in a soccer game or the -- that it would end
 8 15 minutes ahead of time. You can't guarantee that people
 9 aren't going to mill around and hang out afterwards to talk.
 10 I'm not -- and, again, I'm just --
 11 CHAIRMAN KRONK: Well, but to the point, though, I
 12 thought your testimony was there were no games. It was
 13 going to be a training facility.
 14 THE WITNESS: No. It's primarily a training
 15 facility. If we have games they are Saturdays during the
 16 day and they're small-sided games like 99. All the
 17 nighttime stuff is the stuff that would go until 9 p.m.
 18 That's all training so you can absolutely, you know, make
 19 that a hard stop.
 20 MR. GINGRICH: Okay. So there will be games.
 21 What if two events happen at the same time, the
 22 hockey and then -- or practices or whatever you have, both
 23 groups, because I can tell you it does overflow the -- I
 24 know you have people that are going to try to control that
 25 (indiscernible). But I just -- I -- I see the hour

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1 (indiscernible) people coming in and out. In fact, all the
 2 way around the entrance when they're trying to get out,
 3 especially rush hour in the evenings, the parents coming in
 4 and out to drop kids off. I'm just bringing up things that
 5 I -- I've observed. I'm -- I'm not --
 6 CHAIRMAN KRONK: Okay. There will be traffic
 7 testimony, though, and --
 8 MR. GINGRICH: I understand that. I was just --
 9 CHAIRMAN KRONK: -- (indiscernible) questions for
 10 the traffic engineer.
 11 MR. GINGRICH: Sure.
 12 And I was just trying to get an idea of what the
 13 maximum amount of people you think will be on the facility
 14 at any one time if you do have hockey and maybe lacrosse
 15 practice or soccer practice.
 16 THE WITNESS: Again, I think that will be
 17 addressed with parking because he has, you know, participant
 18 counts and then he backs -- he uses that to back into
 19 parking counts.
 20 MS. MAGDZIAK: And I think also the testimony that
 21 was provided was that the sports training, the lacrosse and
 22 soccer, will not have practices during the hockey games for
 23 the JV and varsity.
 24 MR. GINGRICH: So that means Thursday you won't
 25 have any practices there because they -- they literally go

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1 from like 5:00 until late in the evenings with hockey games.
 2 And they do it on other days as well. So I'm -- I was just
 3 -- I just want to make sure that you guys are aware that
 4 Thursdays and Fridays are probably out completely.
 5 THE WITNESS: I would assume --
 6 MR. GINGRICH: At least during hockey season. I'm
 7 sorry.
 8 THE WITNESS: Yeah. I would assume that's the,
 9 either the JV -- I guess it's probably the JV games or
 10 possibly girls games.
 11 (Pause)
 12 THE WITNESS: So if that's the case, then, no, we
 13 wouldn't have programming, you know, on those days. Again,
 14 it's a -- it's not a super long season. It's not a number
 15 of events, even with -- even with all the boys' JV, boys'
 16 varsity and girls' varsity you're talking about a total of
 17 20 days for the while year. It's not -- you know, it's not
 18 going to really be a big burden on us to -- to not schedule
 19 programming at those times.
 20 MR. GINGRICH: Okay. And you said that this
 21 primarily during the wintertime that the soccer and lacrosse
 22 practices are --
 23 THE WITNESS: That's our busy time. We're open
 24 all year round. I just meant that summer programming is
 25 much less with this proposed use than it is with our high

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1 performance tennis academy. But, yeah, we are a full-time
 2 program. You know, spring and fall are fairly busy, winter
 3 is very busy, summer is pretty slow. But we're a full
 4 season facility.
 5 MR. GINGRICH: And -- sorry. I just lost my
 6 concentration.
 7 So with coaches and everything you think you're
 8 going to keep that number at --
 9 THE WITNESS: 56 is participants and coaches, and
 10 then with our parking counts we -- we, you know, add in --
 11 we use a ratio to figure out how many people actually stay,
 12 you know, based on other facilities that we own. Corey who
 13 will do some testimony for us, you know, counts participants
 14 and then also counts, you know, the number of cars and then
 15 he comes up with a ratio of, you know, you've got some kids
 16 carpooling so they're coming in less than one car, you know,
 17 per budget spent. But then you've got, you know, some
 18 parents who stick around and watch the whole practice.
 19 So he'll testify more about the methodology, but,
 20 yes, that's all -- spectators are taken into account even
 21 though we're not, you know, primarily a spectator facility.
 22 MR. GINGRICH: And then the last question is would
 23 there be any way that we could just have it locked in that
 24 this is the end of the expansion so that we're not going to
 25 expand ever again because I've been to so many meetings

<p style="text-align: right;">Page 50</p> <p>1 between (indiscernible) and you guys, and I'm not blaming 2 you. I'm just saying I -- I moved in less than two years 3 ago and I feel like I'm -- like I -- I see you guys 4 constantly here and have to come up front and ask questions. 5 I -- I just would hope that we could maybe just box 6 something in and just stick to it. 7 I've talked to them, And one of the things that 8 we've talked about for noise reduction was the possibility 9 maybe of putting in some evergreen trees across on the 10 Eastside Township property directly across from -- across 11 (indiscernible). Maybe putting some pine trees that absorb 12 the sound from the parking lot might help myself and my 13 neighbors who have to hear that noise late into the evening. 14 We've also discussed with (indiscernible) possibly 15 expanding the fence because I do get a lot of people that 16 walk across my backyard and walk across my two neighbor's 17 backyards to cut off to McKenzie Road at night. And with 18 all -- with the robberies going on in the area and 19 everything, just to reduce the amount of people wandering 20 around in the dark. I've had to come out at 2 a.m. and 21 chase children from across the street from my house that 22 were just hanging out there. I don't know why they would be 23 hanging out because there's no houses other than the houses 24 behind me. I can only imagine that they have come out of 25 hockey.</p>	<p style="text-align: right;">Page 52</p> <p>1 CHAIRMAN KRONK: Again, this is just questions for 2 him -- 3 MS. DEFIGLIO: This is what -- 4 CHAIRMAN KRONK: -- on his testimony. 5 MS. DEFIGLIO: Yes. I'm -- 6 CHAIRMAN KRONK: Okay. 7 MS. DEFIGLIO: We were talking about the dome, 8 correct? I can address -- 9 CHAIRMAN KRONK: Whatever he testified about you 10 can ask about. 11 MS. DEFIGLIO: Which he did about the dome. 12 CHAIRMAN KRONK: Yeah. 13 MS. DEFIGLIO: Okay. So this property started as 14 tennis. So now we want -- we put up the dome and now we 15 want to change that it's not tennis and we want to make this 16 a team sport area. And is -- what is going to come down the 17 road that we no longer are going to want that dome, but now 18 we want to put up a building. And, you know -- 19 UNIDENTIFIED SPEAKER: Yeah, but that's not this 20 application. 21 MS. DEFIGLIO: -- I'm just -- 22 UNIDENTIFIED SPEAKER: We'll be back here then. 23 MS. DEFIGLIO: But this -- this -- so this 24 application with this dome, it's how big is it going to be. 25 I still did not get a clarify -- it -- it's like it can be</p>
<p style="text-align: right;">Page 51</p> <p>1 So, again, that's -- that's not -- I don't know 2 where they came from. I have -- 3 CHAIRMAN KRONK: Mr. Gingrich, this is really just 4 questions for -- 5 MR. GINGRICH: Sure. Sure. 6 CHAIRMAN KRONK: -- him right now and not an 7 opportunity where you can come up and make those statements. 8 MR. GINGRICH: Okay. That's fine. I'm -- I'm 9 done. 10 CHAIRMAN KRONK: Thank you. 11 MR. GINGRICH: Thank you. 12 THE WITNESS: Yeah. And we're, you know, happy to 13 work with the members on landscaping and maybe the township 14 as well for some of this. You know, I know Jason did -- his 15 property was township property. But landscaping really 16 doesn't do a lot for sound attenuation. It can stop the 17 headlights and that kind of thing, but it does very little 18 for noise. 19 MS. DEFIGLIO: I'm Elizabeth Defiglio. I am at 43 20 Columbia Road. 21 UNIDENTIFIED SPEAKER: Would you spell your last 22 name, please? 23 MS. DEFIGLIO: D-E-F-I-G-L-I-O. 24 UNIDENTIFIED SPEAKER: Thank you. 25 MS. DEFIGLIO: My --</p>	<p style="text-align: right;">Page 53</p> <p>1 smaller or larger. 2 MS. DEFIGLIO: No, it can't be larger. 3 UNIDENTIFIED SPEAKER: What's the -- 4 MS. DEFIGLIO: So what -- 5 UNIDENTIFIED SPEAKER: It can't be larger than 6 what was previously approved. 7 MS. DEFIGLIO: What has been. Right. 8 UNIDENTIFIED SPEAKER: The previously approved 9 dome was -- do you have the dimensions? 10 THE WITNESS: I was just pulling it out right now. 11 UNIDENTIFIED SPEAKER: Do you know the dimensions 12 for the existing dome? 13 UNIDENTIFIED SPEAKER: They could not change that 14 to a building without coming back -- 15 MS. DEFIGLIO: Yes. 16 UNIDENTIFIED SPEAKER: -- in front of the board. 17 MS. DEFIGLIO: Yes. Yes. I understand that. But 18 this is what my -- they -- it keeps changing as you all 19 know. 20 (Laughter) 21 UNIDENTIFIED SPEAKER: And somebody else could buy 22 their property and they'll come in -- 23 MS. DEFIGLIO: Yes. 24 UNIDENTIFIED SPEAKER: -- and do something totally 25 different.</p>

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1 MS. DEFIGLIO: Yes. Yeah.
 2 THE WITNESS: I think it's about --
 3 MS. MAGDZIAK: So the 2017 resolution, Fact 8 on
 4 page 6, the proposed air supported structure/dome will
 5 measure approximately 372 feet in width while the existing
 6 structure measures 278 feet wide. The depth of
 7 approximately 118 feet and the front yard -- that's -- so
 8 the depth of approximately 118 feet, front yard setback of
 9 52.6 feet of the structure remains the same.
 10 THE WITNESS: So it stays that 118 feet wide
 11 regardless of the size.
 12 MS. MAGDZIAK: 278 feet wide and 118 feet long.
 13 MS. DEFIGLIO: So it --
 14 UNIDENTIFIED SPEAKER: So what they're looking for
 15 -- again, what they're looking for is either the --
 16 MS. DEFIGLIO: Right.
 17 UNIDENTIFIED SPEAKER: -- one that was approved in
 18 2017 --
 19 MS. DEFIGLIO: Correct.
 20 UNIDENTIFIED SPEAKER: -- or the smaller size
 21 that's existing. They can't go any bigger than what was
 22 already approved.
 23 MS. DEFIGLIO: So in -- but there is a possibility
 24 that in two years from now when it's time to replace what's
 25 there they may want something different. We just don't

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1 know. We have to wait and see.
 2 UNIDENTIFIED SPEAKER: They don't know what they
 3 want (indiscernible).
 4 UNIDENTIFIED SPEAKER: I'm (indiscernible) trying
 5 to do what they want right now.
 6 (Laughter)
 7 UNIDENTIFIED SPEAKER: They still got two options.
 8 MS. DEFIGLIO: I know. I absolutely agree.
 9 They're just like we think we want to do this, but we're not
 10 quite sure.
 11 UNIDENTIFIED SPEAKER: Yeah.
 12 MS. DEFIGLIO: You know, but -- but it is
 13 impacting the area. We do get increased traffic. When the
 14 people are --
 15 UNIDENTIFIED SPEAKER: There will be traffic
 16 testimony.
 17 MS. DEFIGLIO: Right. But he's addressed the
 18 offsite parking.
 19 UNIDENTIFIED SPEAKER: Uh-huh.
 20 MS. DEFIGLIO: Can I make a statement to that?
 21 UNIDENTIFIED SPEAKER: Do you have a -- no. It's
 22 really not time for statements. It's a time for questions.
 23 MS. DEFIGLIO: Well, the question was about that.
 24 So what are they doing to stop the people from
 25 parking on McKenzie?

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1 THE WITNESS: I'm not aware of anybody who is just
 2 parking on McKenzie. Again, you know, we have the parking
 3 on site and then we have parking at the Weston which the
 4 hockey guys operate a shuttle from there. So I'm not aware
 5 of anyone parking on McKenzie.
 6 MS. DEFIGLIO: They will park at the end of the
 7 street because it's easier for them to park at the end of
 8 McKenzie than to go over to the Weston. You do have people
 9 doing that.
 10 THE WITNESS: Maybe that's --
 11 MS. DEFIGLIO: And I know that it's hard because,
 12 you know, you can't be the, you know, traffic cops out there
 13 and dictate to what people do. I fully understand that.
 14 But these are problems we have within our neighborhood.
 15 THE WITNESS: Sure.
 16 UNIDENTIFIED SPEAKER: There's going to be a time
 17 when you can come up and give testimony when I'm going to
 18 swear you in to do that.
 19 MS. DEFIGLIO: Okay.
 20 UNIDENTIFIED SPEAKER: But right now it's only
 21 questions.
 22 MS. DEFIGLIO: All right. Okay. All right.
 23 Thank you.
 24 UNIDENTIFIED SPEAKER: Okay.
 25 UNIDENTIFIED SPEAKER: Thank you.

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1 MR. BACHMAN: Steve Bachman, 55 McKenzie Road.
 2 Just a question about the bus, how that's going to
 3 be handled. That's going to be handled, I think you
 4 mentioned the busses would come in to your facility and the
 5 area to the right?
 6 THE WITNESS: Yeah. So how we've been doing it is
 7 actually having the busses kind of -- so I don't know if
 8 everyone has the same diagram. But from the parking report
 9 there's the different parking lots are lettered. Parking
 10 Lot A is a municipal lot where busses, I guess, in the past
 11 have been coming all the way into this site, dropping kids
 12 and then coming in either (indiscernible) Municipal Lot --
 13 MS. MAGDZIAK: And, Kevin, the A lot, is that what
 14 some people refer to as the gravel lot?
 15 THE WITNESS: Yeah. Well, one of our lots is
 16 gravel as well, but, yeah, I think they -- they're talking
 17 about that lot.
 18 So we are no longer allowing busses at all. I
 19 think that was a prior resolution (indiscernible) did, but
 20 we've been enforcing that with our attendants. So busses
 21 don't stay on site at all. What we've been having to do is
 22 actually back in to Lot B, let the kids off there, and then
 23 immediately leave the site so they can go park at the
 24 Weston. So just, you know, in the winter some of the bus
 25 drivers I think were leaving the bus idle so the heat would

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1 be on and that was disruptive to the neighbors.
 2 So -- as the kind of short busses or the -- or
 3 the, you know, 15 passenger vans, they're allowed to come
 4 into the site, do their drop-off only at the entrance to the
 5 hockey rink and then they leave as well.
 6 MR. BACHMAN: Okay. And then that -- that
 7 practice is what's been done over the last year and that
 8 will continue in the future?
 9 THE WITNESS: Correct.
 10 MR. BACHMAN: Okay, because I have seen probably I
 11 would say -- there's a few that pass through, but probably
 12 about 75 percent reduction in busses. Some of them do
 13 occasionally idle in the park, but it's been greatly
 14 improved over the past years. That's been one of my biggest
 15 complaints here.
 16 And then my second point, just to make a
 17 correction to what you said, actually evergreen trees are
 18 very effective at screening out sound. They're not as
 19 effective as a 20 foot sound wall --
 20 THE WITNESS: Sure.
 21 MR. BACHMAN: -- but I know you mentioned that you
 22 did landscaping on, I think what was probably the eastern
 23 side. This application affects the western side more so I
 24 assume you're -- you're willing and I've been in some
 25 discussion with you guys to do the necessary landscaping on

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1 the western side to shield those houses on McKenzie Road and
 2 Columbia Road from the traffic coming (indiscernible)?
 3 THE WITNESS: Sure. We -- you know, we had
 4 approved landscaping from the last application. We've also
 5 been working with you and some other neighbors on doing some
 6 additional plantings, whether it be on their property, you
 7 know, just with kind of headlights and noises as much as it
 8 helps. But, yes, we have agreed with several people to put
 9 those in to kind of attenuate some of the traffic issues.
 10 MS. MAGDZIAK: And I think to confirm on that
 11 point, the plantings will be on your property, correct,
 12 because you can't plant on the township --
 13 THE WITNESS: Yeah. So the township property I
 14 don't have permission yet. You know, if the town wanted to
 15 allow that and there was room for it we would be open to
 16 that. But some of the plantings that were agreed to in the
 17 last application were actually on neighboring properties as
 18 well as our own property just because it worked better with
 19 the grades to get the trees up there.
 20 But, you know, I -- we'll work with the neighbors,
 21 you know, however we can. You know, if it means planting
 22 trees on their property and they agree to that, then we
 23 would definitely be amenable to it.
 24 MR. BACHMAN: Okay, because the original
 25 resolution, the 2000 resolution actually called for

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1 landscaping which would have been on the township's property
 2 so that's where I would want to see that continue which is
 3 basically just an eight-foot strip of land behind the wooden
 4 fence that's adjacent to the roadway coming in.
 5 THE WITNESS: I think it's in there somewhere.
 6 Yeah. We -- we would be amenable to that. Sure.
 7 MR. BACHMAN: Okay. And then the last point, I
 8 mean, I share my neighbors' concerns about the traffic and
 9 the speed and the noise. However, I would look for
 10 something to calm the traffic other than speed bumps because
 11 I think speed bumps actually create more noise and they ride
 12 -- you know, as cars are going over it they raise up the
 13 light level. And I've had that problem and I'm very happy
 14 that a speed bump was taken out because it actually used to
 15 -- as cars would go over it, it would shine the light right
 16 into my daughter's bedroom when they would come out at one
 17 or two in the morning.
 18 So I would look for other types of traffic calming
 19 mechanisms other than speed bumps.
 20 (Pause)
 21 MS. SANFTNER: Hello. I'm Pat Sanftner. I'm at
 22 45 Columbia Road.
 23 UNIDENTIFIED SPEAKER: Can you spell your last
 24 name, please?
 25 MS. SANFTNER: Sure. Something I never do.

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1 S-A-N-F-T-N-E-R.
 2 UNIDENTIFIED SPEAKER: Thank you.
 3 MS. SANFTNER: My basic question was actually
 4 addressed by you and not really answered which was how many
 5 sessions are there in an evening? So we have 56 people
 6 coming in per session. How many sessions?
 7 THE WITNESS: So 56 would be the maximum of all
 8 the --
 9 MS. SANFTNER: Of all of the sessions added
 10 together.
 11 THE WITNESS: Right. If you add the larger -- the
 12 larger dome size, it was divided up into the smallest amount
 13 of practice fields and they were all at their maximum
 14 capacity, that -- that's what we based our parking on to
 15 know that if it works for the worst case scenario --
 16 MS. SANFTNER: Again, how many sessions?
 17 THE WITNESS: So three sessions maximum for a
 18 weekday evening.
 19 MS. SANFTNER: Thank you.
 20 (Pause)
 21 CHAIRMAN KRONK: Anybody else from the public?
 22 (Indiscernible) hearing none, we will close the
 23 public portion.
 24 Next witness.
 25 MS. MAGDZIAK: Our next witness is Corey Chase who

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1 is our traffic engineer and will also be speaking to the
2 parking and how it will be handled on site and off site.
3 UNIDENTIFIED SPEAKER: And just so the board's
4 aware, I'm going to take a backseat to Joe Fishinger who is
5 our traffic expert, you know, so if he has questions of
6 Corey he can direct -- ask directly.
7 UNIDENTIFIED SPEAKER: Mr. Chase, would you raise
8 your right hand?
9 COREY CHASE, WITNESS, SWORN
10 UNIDENTIFIED SPEAKER: Joe, would you stand up for
11 me, please, and raise your right hand?
12 JOE FISHINGER, WITNESS, SWORN
13 UNIDENTIFIED SPEAKER: And for the record would
14 you state your full name, please?
15 MR. FISHINGER: Sure. It's Joseph Fishinger,
16 F-I-S-H-I-N-G-E-R, with NV5 Inc., 7 Campus Drive in
17 Parsippany.
18 UNIDENTIFIED SPEAKER: Thank you.
19 DIRECT EXAMINATION
20 BY MS. MAGDZIAK:
21 Q Corey, can you please provide the board with your
22 full name, company and address?
23 A Sure. Corey Chase, last name is C-H-A-S-E. I'm
24 the senior project manager with (indiscernible) Traffic and
25 Zone use, 35 Technology Drive in Lauren, New Jersey.

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1 Q And can you please just briefly describe your
2 education, experience and qualifications?
3 MS. MAGDZIAK: We would like to have Mr. Chase as
4 an expert in traffic engineering.
5 THE WITNESS: Certainly. I have a bachelor's of
6 science degree in civil engineering from the University of
7 Massachusetts, licensed professional engineer in the State
8 of New Jersey and seven other states. I've been practicing
9 traffic engineering for almost 17 years and I've been
10 qualified as an expert in the field of traffic engineering
11 for over 80 municipalities.
12 CHAIRMAN KRONK: Have you ever testified in Morris
13 Township before?
14 THE WITNESS: I have not testified in Morris
15 Township before, but many times in Morristown.
16 CHAIRMAN KRONK: Mr. Slate, do you have any
17 questions regarding the traffic --
18 MR. SLATE: No.
19 CHAIRMAN KRONK: -- for his qualifications?
20 MR. SLATE: No questions.
21 UNIDENTIFIED SPEAKER: Fishinger.
22 CHAIRMAN KRONK: Well, I was going to go to him
23 next.
24 UNIDENTIFIED SPEAKER: Oh, okay.
25 (Laughter)

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1 MR. FISHINGER: No questions. I've -- I've seen
2 Corey in front of boards multiple times.
3 CHAIRMAN KRONK: And do you beat him every time?
4 (Laughter)
5 CHAIRMAN KRONK: Board members, any questions of
6 the engineer's qualifications?
7 Thank you. The board will accept your
8 qualifications.
9 THE WITNESS: Thank you.
10 BY MS. MAGDZIAK:
11 Q So, Corey, did you prepare the report that was
12 filed with this application?
13 A I did.
14 Q And can you please describe the report starting
15 with the parking and (indiscernible) study that you did?
16 A Certainly. We prepared a parking (indiscernible)
17 study for the proposed turf field conversion. It's dated
18 July 10, 2018. It was previously submitted to the board.
19 And just a little recap of what Mr. Costello outlined in
20 detail, the site was previously utilized or is currently
21 utilized as a (indiscernible) facility (indiscernible) in
22 its existing configuration and had a maximum occupancy of 25
23 players and participants.
24 The expansion that was approved in 2017 allowed us
25 to increase that player and coach ratio to 42 players and

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1 participants. So I know Mr. Costello mentioned the current
2 location, the turf field conversion would take that 42 that
3 was previously approved and increase it to 56 maximum
4 players and coaches on site at any one time.
5 We have worked with Mr. Costello's group on
6 several other applications throughout the state and most
7 recently in (indiscernible) Township and (indiscernible)
8 Township, New Jersey. (Indiscernible) of those applications
9 we did (indiscernible) existing facility in (indiscernible),
10 New Jersey to get an idea of the (indiscernible) occupancy
11 based on the number of participants at that facility. Being
12 that it is a team sport we do tend to see, you know,
13 carpooling because it's -- it's just the nature of soccer
14 and lacrosse to (indiscernible) as mentioned it is a team
15 sport.
16 (Indiscernible) is -- is the typical occupancy per
17 -- per car and coaches is 0.75. So approximately
18 (indiscernible) the vehicle for every (indiscernible) and
19 coach that would be onsite. So if you multiplied that by
20 the maximum occupancy at any one time is 56 players and
21 coaches. That would be 42 vehicles onsite (indiscernible)
22 conversion.
23 If you look at the tennis facility, there's a one
24 to one ratio. (Indiscernible) coaches on site there are 27
25 vehicles parked for the tennis facility. So given that

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1 obviously tennis is a -- an individual oriented sport,
2 you're going to have more of a one to one ratio as far as
3 participants versus parked vehicles on the site.
4 As was noted we did do parking counts on site. As
5 part of the prior application we did (indiscernible)
6 information and we submitted it as part of this application.
7 And I think that the most important thing was really that
8 Mr. Costello described in detail is the parking management
9 plan that was put in place last year to really try to
10 eradicate the issues that were being observed on site as a
11 result of hockey knowing that, you know, they couldn't
12 necessarily control the games and everything. They could
13 coordinate with their tenant (indiscernible) plan and have
14 (indiscernible) keep everyone, especially the neighbors
15 (indiscernible).
16 So I think that the commitment to make -- to not
17 have any turf field events during the time of hockey games
18 also takes it a step further because the important -- we're
19 prepared superimposed potential data and potential
20 additional (indiscernible) of the turf fields onto
21 (indiscernible) observing hockey is going on. So either
22 this is a really conservative amount (indiscernible), but
23 there would be sufficient parking on site to accommodate
24 both should they occur at the same time. But Mr. Costello
25 has committed that they're not going to have any turf field

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1 events during any games so that kind of removes that from
2 the equation.
3 But as the parking (indiscernible) has described
4 (indiscernible) on site a minimum of one attendant for every
5 game and a minimum of two attendants for (indiscernible). A
6 high profile game, it really helps to guide people onsite,
7 prevent illegal parking, prevent them from using the
8 township gravel lot. They also coordinate with the hockey
9 operators at the beginning of every hockey season to
10 identify any games which may be high profile which they need
11 to make sure they schedule (indiscernible) for. And as he
12 also noted they did have negotiations this year to move even
13 more of those games off site than originally intended.
14 So operationally we think this is moving in a
15 positive direction and I don't see any of the applicants
16 (indiscernible) keep that going in the future, keep this
17 parking arrangement proactive. And really that's going to
18 be the best way to negate the hockey operations.
19 Then the (indiscernible) turf events, as we
20 mentioned everything is handled through online booking.
21 They have a maximum ratio that they know they can't exceed.
22 And the field is divided up into the smallest parts who has
23 identified that the maximum players and coaches you can have
24 is 56. A lot of times there's going to be (indiscernible)
25 field space will be utilized so that the demand is actually

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1 less than -- it's less than 56.
2 (Indiscernible) building a buffer in between
3 sections to avoid overlap, and as I mentioned we don't see
4 that one to one ratio of parked vehicles per occupant
5 because it is more of a team (indiscernible) soccer and
6 lacrosse which tends to facilitate more carpooling.
7 I would be happy to go over the report in detail.
8 If the board had any questions on those previously
9 submitted, if Mr. Fishinger had any questions. I know Mr.
10 Fishinger did issue a review (indiscernible) August 16, 2018
11 and I did prepare a response to Mr. Fishinger's August 16,
12 2018 letter which was dated September 7, 2018. I would
13 (indiscernible) testimony oriented that both Mr. Costello
14 and myself have sort of walked the board through and would
15 be happy to answer any additional questions.
16 I know that Mr. Fishinger did request some weekday
17 parking data that we did provide which was as
18 (indiscernible) identified from October of 2016. And,
19 again, you know, at that time the maximum (indiscernible)
20 site was 82 vehicles. If you conservatively assume that the
21 -- that the parking generated by the turf field conversion
22 would draw another two or three vehicles (indiscernible)
23 differential at that time there were 25 tennis participants
24 on site. So it would be 25 vehicles. If you take the
25 differential of 56 to 25 (indiscernible) 31 participants

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1 which equates to 24 vehicles. You superimpose that onto the
2 82 for a maximum occupancy of 105 vehicles, which equates to
3 87 percent occupancy of the existing parking
4 (indiscernible).
5 Given that they have some control over the
6 scheduling and the number of events going on, you know, they
7 obviously didn't want to create a situation which their
8 tenants still had parking on site. So they (indiscernible)
9 scheduling everything to make sure that it will function
10 adequately to allow enough of a gap in between sessions so
11 that there's an overlap and there's no parking problems on
12 the site.
13 Q And, Mr. Chase, based on your report and the data
14 that you've collected, in your professional opinion is 15 to
15 30 minutes sufficient in between sessions to provide for
16 enough parking (indiscernible) room for circulation on the
17 site so it's not too congested?
18 A It is because the -- as you noted it's a -- it's a
19 training facility. It's more geared towards less
20 competitive training. You know, typically if this was a
21 soccer (indiscernible) where we just had tournaments and
22 games all the time people tend to hang out a lot after
23 games, tournaments and things like that waiting for the next
24 game.
25 So given that it's training oriented and there's a

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1 lot more pick up and drop off associated with it. So
2 (indiscernible) pick up and drop off nature of these
3 operations, you don't see a lot of sit around and waiting.
4 You know, the parents will drop their kids off, they'll
5 leave, they'll come back when the session ends,
6 (indiscernible) pick them and (indiscernible).
7 Q And in the event the small sided games are being
8 held Mr. Costello testified that there are approximately
9 nine players on each team which would use up more than one
10 training space that it could be divided into. Are you
11 expecting less cars at that time than you would get if you
12 had a full 56 --
13 A Yeah. That is correct. The 56 is the most
14 intense usage of the property. Dividing it up into the
15 smallest increments on site (indiscernible) even though it's
16 not a game per se, the training and having 56 people inside,
17 that represents the max occupancy of the facility.
18 Q Thank you.
19 A And I'm happy to answer any questions the board
20 has or if Joe would like to move into any more detail or
21 anything.
22 CHAIRMAN KRONK: Let's hear his testimony and then
23 we'll have questions after that.
24 THE WITNESS: Sounds good.
25 CROSS-EXAMINATION

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1 BY MR. FISHINGER:
2 Q Corey, a couple of questions first. Can you
3 clarify your testimony? I think is the testimony that
4 there's going to be no events in the dome during any hockey
5 game or only during -- or no -- no events in the dome during
6 varsity men -- boys' varsity and JV varsity? I heard two
7 different -- I heard a different -- a couple of different
8 things. Can you just clarify when -- what --
9 A So --
10 Q -- that's going to be?
11 A -- (indiscernible) by mistake. But it's my
12 understanding that there are (indiscernible) at the hockey
13 facility. We're not intending to not have any events during
14 those games. It's -- it's the high school oriented games.
15 It's the JV, varsity, women's JV, varsity as well.
16 Q I'm still not -- still not real clear. So --
17 MS. MAGDZIAK: So there are approximately 20 games
18 that will be played between women's and men's JV and
19 varsity, and during those games, during those 20 dates and
20 times that they're having games there will not be overlap in
21 training at the turf facility. The men's league is
22 generally played later in the evening and often times is
23 played after the turf training will end. The turf training
24 ends at 9 p.m.
25 (Pause)

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1 MR. COSTELLO: Yeah. Kevin Costello, applicant
2 again. I don't think we've ever had problems with the
3 women's varsity. I think our intent would be not to have
4 programming for boys' varsity or boys' JV, but, you know, if
5 the board felt that was really important. It's just there's
6 really not a parking issue for women's varsity at all. It
7 really tends to be those boys' varsity is the biggest one
8 and, again, we're down to four games of those types. But
9 women play all their games here, which is 12. I would like
10 to not limit our programming to that if the board was
11 amenable to it.
12 MR. FISHINGER: I'm not trying to sway you one way
13 or the other. I'm just trying to make -- make it clear what
14 the application is because I heard different -- different
15 testimonies.
16 BY MR. FISHINGER:
17 Q The next question, Corey, as far as did you
18 collect any new parking data since the shuttle service has
19 been put into place?
20 A We have not unfortunately collected any new data
21 since the parking management plan has been implemented.
22 Again, (indiscernible) data that was presented conservative
23 because (indiscernible) off site. They are shuttling more
24 people. As Mr. Costello identified, they did put in a
25 (indiscernible). There is offsite parking and that's what

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1 they should be utilizing.
2 Q Okay. If the board were to set a -- implement a
3 condition for an additional traffic study with that -- to be
4 done with that in case would you be -- can you speak for
5 your client? Would they be amenable to doing an additional
6 traffic study as a condition of approval with the -- that
7 shows what's going on right now, something that could be
8 reviewed by the township's engineer?
9 A There are (indiscernible) hockey game to being
10 (indiscernible).
11 Q Based on the information we heard from some of the
12 residents it sounds like I think Thursday nights is the day
13 to look at, look at a parking -- you know, a Thurs --
14 probably a Thursday and a Saturday while there's games going
15 on and see what's -- what's happening not only on the site,
16 but on a couple of the adjacent streets so we know if anyone
17 is parking on the streets near the site.
18 And then one other questions, you were talking
19 about the 15 to 30 minute turnaround time. Is that plan to
20 be staggered amongst the various sections of the field or do
21 the entire field turn over all at once?
22 MR. COSTELLO: Yeah. So just talking to our
23 operations people, so generally they're not all happening at
24 the exact same time. They're staggered based on the users.
25 And we would normally put a half hour in between -- in

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1 between sessions. So it would be very rare for seven to
 2 turn over all at once and have everybody leaving at that
 3 time.
 4 BY MR. FISHINGER:
 5 Q Okay. And, Corey, the only other question I had
 6 was you focused on testimony on the parking. Did you do any
 7 analysis with regard to level of service or access to the
 8 driveways? And do you have any testimony to that effect?
 9 A We did not do level of service related to
 10 (indiscernible) for the driveway. In my review of the
 11 comparison between the existing and the proposed conditions
 12 as it relates to traffic, we're talking about a very small
 13 increase in vehicular traffic as a result of this. Even if
 14 you look at the worst case, if you take the existing tennis
 15 facility at 25 and you go the maximum occupancy of 56,
 16 you're talking about a very small difference in increase in
 17 traffic.
 18 And just for the board's benefit, the institute of
 19 transportation engineers which is the national standard and
 20 NJDOT, they identify an increase of one hundred or more as
 21 being significant. So you could increase up to a hundred
 22 and still be -- not be considered a significant increase in
 23 traffic. And obviously we're only talking about the
 24 differential from 25 to 56, so only 31 vehicles so that's
 25 approximately a third of what the (indiscernible) identifies

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1 as being significant.
 2 Q And then how does that apply when you start
 3 looking at now with the shuttle? I would imagine that you
 4 have some players who will shuttle -- pull into the site,
 5 drop off their equipment, and then drive back out to park
 6 offsite and then repeat the process to pick up their
 7 equipment.
 8 Does that increase the number of trips in and out
 9 of the site by using the offsite parking?
 10 A That's really associated with the hockey facility
 11 so the turf condition -- the conversion to the turf field
 12 isn't necessarily going to impact that. But I think that
 13 through the channels of advising everyone associated with
 14 the hockey that they're to use the offsite lot
 15 (indiscernible) drop off and then utilize the offsite lot.
 16 But we're trying (indiscernible) the majority of them to
 17 just park offsite directly.
 18 Q Okay.
 19 MR. FISHINGER: Those are all the questions that I
 20 have, Mr. Chairman. I don't know if you want my comments
 21 now or if you want to take questions from the board first.
 22 CHAIRMAN KRONK: No. We can go ahead with your
 23 comments and then we'll hear from the board further.
 24 MR. FISHINGER: I mean, as you -- as you may
 25 remember from the 2017 application that one of my colleagues

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1 was here for, parking was a major concern. It sounds like
 2 it still is. Everything they said with regard to managing
 3 the parking I agree with. I think it's a good idea.
 4 That being said, when all of these reports were
 5 issued we were having -- reviewing this in August and
 6 September when we couldn't go out there and count any of it.
 7 And I realize that the applicant can submit their
 8 application any time of the year they want. They don't have
 9 to wait for hockey season. But I think it would be
 10 important for them to have -- to do a series of studies when
 11 the hockey games are in session, while they've got this
 12 parking management plan in place, just to make sure that
 13 it's handling as they say it is, handling -- it's -- and you
 14 -- enough parking is avail -- made available for the
 15 proposed use.
 16 And I can -- the way this would have to be done is
 17 some sort of condition of approval reviewed after the fact.
 18 CHAIRMAN KRONK: But the new sports facility turf
 19 complex won't (indiscernible). So you're just looking at it
 20 to verify the hockey component?
 21 MR. FISHINGER: Well, they're representing that a
 22 certain number of parking spaces will be available for the
 23 dome, whether that's a tennis facility or team sports. What
 24 -- the conditions that they're saying that parking will be
 25 available for don't exist anymore. Now they're parking

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1 their cars offsite. They're moving -- managing people
 2 around.
 3 My concern is that in order to make sure that
 4 parking is there we have different conditions than what we
 5 did a year and a half ago. And along with that because
 6 we're -- we're moving more cars in and out of the site. The
 7 number of cars with this parking management plan, the cars
 8 that are driving in and out, I believe, is increased because
 9 some cars will pull in, either drop somebody off and pull
 10 back off or pull in, realize that they can't park and then
 11 pull out.
 12 So I'm concerned that there may be more just
 13 vehicle movements in and out of the site than there were
 14 when they did the previous application.
 15 CHAIRMAN KRONK: Yeah. I'm not sure how you
 16 condition an application. What happens if it comes back and
 17 it doesn't meet it? What do we do? We've already finished
 18 the application.
 19 UNIDENTIFIED SPEAKER: That's hockey season.
 20 UNIDENTIFIED SPEAKER: Not yet.
 21 UNIDENTIFIED SPEAKER: It's a hard condition for
 22 that reason.
 23 CHAIRMAN KRONK: If they don't meet it their
 24 approval is void?
 25 UNIDENTIFIED SPEAKER: Right. I mean, how many

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1 times do you see applications where, you know, an applicant
2 may come back in a couple of years and one of the first
3 questions is, well, how accurate are your projections, and
4 go from there.
5 UNIDENTIFIED SPEAKER: Right.
6 UNIDENTIFIED SPEAKER: So maybe we could look at
7 what they projected a year ago and compare it to what this
8 most recent study says. But I think to -- to say to them,
9 present us with a traffic study, you know, three months from
10 now during hockey season after we've already given them an
11 approval (indiscernible) the facility, you know, is
12 (indiscernible), how -- what are we going to do with that
13 information. So now you have that information
14 (indiscernible) application for it. You would have to
15 condition them to come back and make some alternate plan
16 arrangement. I guess that's what it would be
17 (indiscernible).
18 But, yeah, we would have to condition them to come
19 back to make some alternate plan arrangements.
20 MR. FISHINGER: The only other thing I can offer
21 is based on the parking information they've provided, which
22 is the same information they provided in 2017 Corey's
23 numbers are correct; that they should have enough parking
24 for the proposed site. My concern is more the level of
25 service, the ability to come in and out of the driveway

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1 which that we don't have any information on.
2 CHAIRMAN KRONK: Okay. But then, also, how -- if
3 you're worried about those -- the varsity hockey events, how
4 does that correlate to his projections when he's -- he's
5 analyzing there being turf events going on, but now they're
6 going to say that's not even going to happen. They're not
7 going to coincide. They're not going to have the turf
8 events when the varsity and JV boys' games are occurring.
9 So haven't they already mitigated it by saying that?
10 MR. FISHINGER: Well, I -- you're right.
11 CHAIRMAN KRONK: No. I'm (indiscernible)
12 question.
13 MR. FISHINGER: Yeah. You're right for the most
14 part. They've definitely mitigated it at least in some way.
15 What I don't know is, we don't know is how many, you know, a
16 non-varsity event how many cars that is.
17 UNIDENTIFIED SPEAKER: I would suspect that
18 Thursday night because men's league hockey, you know,
19 (indiscernible).
20 UNIDENTIFIED SPEAKER: (Indiscernible).
21 THE WITNESS: That would just --
22 UNIDENTIFIED SPEAKER: (Indiscernible) varsity
23 hockey game (indiscernible).
24 THE WITNESS: I would -- just for the board's
25 benefit, the counts we did from 2016 were on a Thursday

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1 night and, you know, we did counts from 4:30 p.m. to 8:30
2 p.m. and the maxed time we saw was right around 6:40 p.m.
3 and it was (indiscernible) vehicles. So that was on
4 Thursday nights. So there was still --
5 CHAIRMAN KRONK: You did it when events were going
6 on, right?
7 THE WITNESS: I don't know specifically what
8 events, but I know the hockey facility was active and tennis
9 was active at that time as well.
10 UNIDENTIFIED SPEAKER: Well, (indiscernible)
11 hockey game, right? It was October 20.
12 THE WITNESS: Yeah. It wasn't a varsity game, but
13 the -- as far as a typical operation for the hockey facility
14 non-high school related game, it was a typical operation.
15 The tennis facility (indiscernible) occupants was in
16 operation at that time as well. And it was on -- it was
17 less than seven percent occupied. So, you know, if that's
18 the bar for -- for what (indiscernible) facility, then, you
19 know, I think that clearly there's enough (indiscernible) --
20 or the ability to park onsite to accommodate the turf field
21 conversion.
22 CHAIRMAN KRONK: So, Mr. Fishinger, would that be
23 something that would be comparable if we're going to analyze
24 the -- a Thursday night instead of focusing on a high school
25 game since the original analysis in 2016 was done during a

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1 Thursday night session?
2 MR. FISHINGER: I think it would. There would be
3 a comp. To the best that we can say they're comparable,
4 yes. I think they -- they would both be a Thursday night.
5 Yes.
6 UNIDENTIFIED SPEAKER: So, Nicole, we're not going
7 to finish tonight, but so -- I'm sure. So --
8 (Laughter)
9 UNIDENTIFIED SPEAKER: (Indiscernible).
10 UNIDENTIFIED SPEAKER: -- do you think that when
11 you come back you could provide us with that information on
12 what was on the calendar, what was on the schedule for that
13 (indiscernible) night when that study was done on that
14 Thursday, October 20th, 2016?
15 MS. MAGDZIAK: Yes.
16 UNIDENTIFIED SPEAKER: And I think just knowing
17 that information might be a little bit helpful.
18 THE WITNESS: Yeah. I -- like I said, you know,
19 specifically I don't know, but I know that the hockey
20 facility was open and active and it was -- we confirmed that
21 it was a typical night so if that involved, you know,
22 practices, league games, things like that. It was active at
23 that time and the tennis facility was active as well.
24 UNIDENTIFIED SPEAKER: Do you keep a schedule and
25 --

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1 THE WITNESS: Yes, sir. I will double check.
 2 UNIDENTIFIED SPEAKER: Thank you.
 3 THE WITNESS: Certainly.
 4 MR. FISHINGER: Mr. Chairman, one more question
 5 that I thought of.
 6 BY MR. FISHINGER:
 7 Q The parking management plan I -- is it in response
 8 to any conditions of any approval or would you be willing to
 9 make -- continuing the parking management plan a condition
 10 of this approval? I mean, is there anything stopping you
 11 from -- are you doing it now because it's a -- you're being
 12 good neighbors, or are you doing it because you're required
 13 to?
 14 A Nicole will correct me if I'm wrong, but I don't
 15 believe that there's a condition requiring that we do this.
 16 We're doing it to be good neighbors and through
 17 consultations with the operator and the facility and to make
 18 sure that, you know, the facility functions adequately and
 19 is (indiscernible) to New Jersey property owners.
 20 MS. MAGDZIAK: So I also think that representation
 21 was made at the last meeting which would have been
 22 incorporated into the resolution by reference to the
 23 testimony that was made that they were going to be -- one,
 24 that they understood there was a problem with the hockey use
 25 and how parking was being managed at that time; and, two,

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1 that they were going to be actively doing something to
 2 improve that condition.
 3 So though it's not an itemized condition that says
 4 must have parking management plan, there is definitely
 5 language in the resolution that we need to be acting
 6 consistent with the testimony that was provided.
 7 So I think it's a combination of understanding
 8 what the issue is and working with the neighbors to provide
 9 this parking management plan and just, you know, honoring
 10 what was testified to at the hearing.
 11 MR. FISHINGER: So would you be willing to agree
 12 to a condition that a parking management plan be maintained
 13 --
 14 MS. MAGDZIAK: Yes.
 15 MR. FISHINGER: -- as part of this approval?
 16 MS. MAGDZIAK: Uh-huh. The applicants fully
 17 intend and a condition is certainly appropriate to continue
 18 this management plan on site.
 19 UNIDENTIFIED SPEAKER: And, actually, I just
 20 thought of one thing to address your questions about
 21 equipment drop off and leaving and coming back. The
 22 players, they -- they have their own lockers there. They
 23 don't have to take their equipment in and out for the high
 24 school's use. So they would be leaving it there so that
 25 issue may not escalate on game days.

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1 MR. FISHINGER: Okay. You may know better than I
 2 do.
 3 (Laughter)
 4 UNIDENTIFIED SPEAKER: I've been there a couple of
 5 times.
 6 (Pause)
 7 CHAIRMAN KRONK: Okay. Mr. Slate, anything?
 8 MR. SLATE: No, no questions.
 9 CHAIRMAN KRONK: No? Board member questions?
 10 (Indiscernible).
 11 (Laughter)
 12 THE WITNESS: It always is.
 13 UNIDENTIFIED SPEAKER: Yeah, I do have a question.
 14 CHAIRMAN KRONK: Yes.
 15 UNIDENTIFIED SPEAKER: This goes back to the
 16 October -- the Saturday, February 4th, 2017 (indiscernible)
 17 when you had projected the turf conversion, I'm looking at
 18 10 a.m. which was the max hours. Projections of turf
 19 conversion is 23 and if you use your .75 ratio and you have
 20 56 people there, that would be about 42.
 21 THE WITNESS: 42. Yeah.
 22 UNIDENTIFIED SPEAKER: So then you should have a
 23 number of -- 19 or higher (indiscernible).
 24 THE WITNESS: That's a good question. And if you
 25 -- actually, if you look on the first page of our

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1 (indiscernible) that we reference weekend usage is
 2 (indiscernible). So it's 30 players and coaches during a
 3 Saturday period so that that 23 comes from the .75 times 30
 4 gets you to the 23. And we conservatively just applied that
 5 to the entire study period knowing that -- that wouldn't in
 6 fact be the case. But to just establish a worst case
 7 scenario we applied that additional 23 parked vehicles to
 8 every increment of that study to -- to see what the worst
 9 case scenario would be.
 10 UNIDENTIFIED SPEAKER: So why -- why -- why
 11 (indiscernible) 23 instead of the 42?
 12 THE WITNESS: Because the Saturday usage for the
 13 facility is actually less than the peak -- the -- their peak
 14 is after school.
 15 UNIDENTIFIED SPEAKER: Okay.
 16 THE WITNESS: So that's 56 players and coaches.
 17 What their typical peak on a Saturday is is only 30 players
 18 and coaches. So that the actual weekend usage is lower than
 19 after school.
 20 UNIDENTIFIED SPEAKER: Okay.
 21 CHAIRMAN KRONK: Okay. At this time I will open
 22 up these two witnesses to members of the public for
 23 questions of the traffic testimony only. Anybody with
 24 questions, please come forward.
 25 UNIDENTIFIED SPEAKER: Hi (indiscernible).

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1 UNIDENTIFIED SPEAKER: No.
 2 UNIDENTIFIED SPEAKER: Okay. 47 Columbia Road.
 3 Yes. I guess the main question is (indiscernible)
 4 Mr. Slate when I talked to him on Friday were what would
 5 really help is if there was another exit for the facility
 6 because it would cut the amount of cars coming out by half.
 7 Now he -- he told me that that wasn't a
 8 possibility. So -- but I was just -- is there another way
 9 to possibly exit cars because if the main amount of use is
 10 going to be on weeknights, Columbia road between I would say
 11 like 3:30 till as late as seven and 8:00 at night causes
 12 such a traffic jam back there it becomes a safety issue. I
 13 hear the cars beep at each other every time.
 14 And, again, is there a better way to design it so
 15 that people could come out of the facility without having so
 16 many issues because all it takes is one person trying to
 17 make a left and you can get stuck there for a while and it
 18 backs everything up.
 19 So that might cause problems for people coming in
 20 as well, trying to work around all the traffic that gets
 21 backed up. It's rare that it gets backed up to the parking
 22 lot, but it's -- it's happened a few times specifically with
 23 hockey. But as it -- as -- most of the time hockey is late
 24 at night so it's not such a problem.
 25 You know, I -- I always felt looking at the site

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1 over the last two years the parking lot comes almost up to
 2 the road. It would be interesting to see if there was a way
 3 to just run like a jug handle out onto Columbia going
 4 eastbound to bring traffic out. It would also help at night
 5 if it was one way in, one way out. I know that's probably
 6 not a possibility, but it's just a thought that I'm throwing
 7 out there.
 8 And, again, the parking, is there any way that
 9 there can just be a gate put on that township parking lot?
 10 I know you guys probably don't control that. That's
 11 probably controlled beyond you with the township --
 12 UNIDENTIFIED SPEAKER: (Indiscernible) microphone
 13 on that one.
 14 MR. SLATE: So the -- Jim Slate, township
 15 engineer. The previous applicant contributed money for the
 16 construction of that parking lot. So, you know, it wouldn't
 17 be fair for us to gate that off and --
 18 UNIDENTIFIED SPEAKER: Okay.
 19 MR. SLATE: -- and close it.
 20 UNIDENTIFIED SPEAKER: All right. Fair enough.
 21 And, again, I'll take back the speed bumps. I didn't know
 22 that they caused them so many issues. I just -- there -- if
 23 -- I don't know if there's a way. I know that putting the
 24 speed limit signs up that the police have doesn't really
 25 help.

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1 But I -- I just -- a concern, maybe we could put
 2 just a lined off crosswalk for -- for children to go over to
 3 the field. I'm more concerned for the children that go over
 4 there and play softball and baseball during the summer time,
 5 and there's a lot of traffic coming in and out of there and
 6 if they could just put maybe a crosswalk that just, you
 7 know, warns people that there's pedestrians and they get the
 8 right of way if it's not speed bumps. Just something to
 9 remind people that there are children running in and out of
 10 cars, and that parking lot does get filled to the brim all
 11 summer long and then through most of the fall in the evening
 12 on certain days. As I said, just -- just concerns there.
 13 And, again, is there a way to move that sign for
 14 no trucks or busses to -- to the front of that road that way
 15 they don't get in. As I said, you should see them trying to
 16 turn around in the small amount of room that they have to
 17 get out. And I'm talking -- you know what I'm talking
 18 about, when they go into that parking lot and try to turn
 19 around and it's gravel and I've seen them get stuck in there
 20 a few times and -- and have to try to -- you know, they fall
 21 into the gravel.
 22 CHAIRMAN KRONK: Again, just questions for the
 23 traffic --
 24 UNIDENTIFIED SPEAKER: Sure.
 25 CHAIRMAN KRONK: -- engineer right now.

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1 UNIDENTIFIED SPEAKER: And another suggestion is
 2 if -- if you were going to do traffic numbers --
 3 CHAIRMAN KRONK: Is that a question?
 4 UNIDENTIFIED SPEAKER: It's --
 5 UNIDENTIFIED SPEAKER: It's a question. Would it
 6 help to get numbers by just putting a traffic camera on
 7 there to get an idea? If it does hours I think that might
 8 help if there was a way to -- to do a Sunday through
 9 Saturday, you know, during peak times to -- and then you
 10 figure out when the peak times are during that week for
 11 setting up when they have turf practices if that goes
 12 through.
 13 THE WITNESS: We know (indiscernible) existing
 14 facilities when they actually do peak, so we -- we did have
 15 the benefit of studying their facility in Gillette to get
 16 those peaks so we are aware of that. The only caution I
 17 would have in installing traffic cameras out here is -- is
 18 you're going to hear the thunk, thunk, thunk, thunk, every
 19 time cars drive over them. So, you know -- and,
 20 unfortunately, it doesn't give you the actual turns. What's
 21 more critical to us is whether people go left or right when
 22 they come out of there and that's only going to tell you if
 23 they're going in or out.
 24 So unfortunately I don't -- it's a -- it's a great
 25 suggestion. I just don't know how much benefit it would

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1 have.

2 UNIDENTIFIED SPEAKER: We use (indiscernible) --

3 UNIDENTIFIED SPEAKER: Well, I think it also --

4 don't you want to know how many people are parking there as

5 well and that's not going to give you the number that's

6 coming in and parking.

7 THE WITNESS: That's correct. It's not.

8 UNIDENTIFIED SPEAKER: All right. That's all I

9 have.

10 CHAIRMAN KRONK: Okay. Thank you.

11 Anybody else with questions only for the traffic

12 engineer?

13 Seeing none, hearing none, I close the public

14 portion.

15 Okay. We're probably at a -- a good stopping

16 point for your application since we do have another

17 application to be heard this evening.

18 MS. MAGDZIAK: Okay. We just have (indiscernible)

19 planner who we'll intend for that next time and we'll work

20 on getting that information on what activities were going on

21 during the October 2016 traffic (indiscernible).

22 CHAIRMAN KRONK: Okay. Sounds good.

23 (Pause)

24 CHAIRMAN KRONK: Okay. We have November 26th

25 available. Is that good for you?

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1 MS. MAGDZIAK: Yes.

2 CHAIRMAN KRONK: Okay. Board members, can we have

3 a motion to carry the subject application to the November

4 26th hearing date?

5 UNIDENTIFIED SPEAKER: So moved.

6 UNIDENTIFIED SPEAKER: (Indiscernible).

7 UNIDENTIFIED SPEAKER: I'll second it.

8 CHAIRMAN KRONK: All in favor.

9 BOARD MEMBERS: Aye.

10 CHAIRMAN KRONK: All opposed?

11 (No response)

12 CHAIRMAN KRONK: Motion carried. Application

13 carried to November 26th.

14 MS. MAGDZIAK: Thank you.

15 UNIDENTIFIED SPEAKER: So for members of the

16 public there will be no further notice from the applicant.

17 This application will continue on November 26th at 7:30

18 here.

19 UNIDENTIFIED SPEAKER: Thank you.

20 CHAIRMAN KRONK: Okay. Board members, we need a

21 five-minute break?

22 UNIDENTIFIED SPEAKER: Yeah.

23 UNIDENTIFIED SPEAKER: Yes.

24 CHAIRMAN KRONK: Okay.

25 (Whereupon, the excerpt of this proceeding concluded)

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1 CERTIFICATION

2

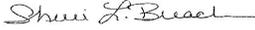
3 I, Sherri L. Breach, certify that the foregoing

4 transcript is a true and accurate record of the proceedings.

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9 _____

9 Sherri L. Breach

10 AAERT Certified Electronic Reporter & Transcriber

11 CERT*D-397

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13 DATE: November 23, 2018

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