

**MINUTES  
PLANNING BOARD OF THE BOROUGH OF MADISON  
REGULAR MEETING MARCH 19, 2019**

A regular meeting of the Planning Board of the Borough of Madison was held on the 19th day of March 2019 at 7:30 P.M., in the Court Room, Hartley Dodge Memorial, 50 Kings Road, Madison, NJ.

The meeting was called to order by Planning Board Chairman, Steve Tombalakian.

Prior to the start of the meeting, Mayor Conley swore in Mr. John Forte, Class II Member, for a one-year term through December 31, 2019.

Mr. Tombalakian requested the reading of the Public Meeting Notice.

Ms. Boardman read the following statement in accordance with the Open Public Meetings Act.

“Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: At the reorganization meeting of the Board held on January 15, 2019, the Board by Resolution adopted a schedule of meetings.

On January 16, 2019, a copy of the schedule of meetings will be posted at the bulletin board at the entrance to the Hartley Dodge Memorial, sent to the Madison Eagle and the Daily Record, and filed with the Borough Clerk all in accordance with the “Open Public Meetings Act”.

The following roll call was recorded:

Present: George Limbach, Tom Lewis, Steve Tombalakian, Astri Baillie, Ann Huber, Mayor Conley and Rachel Ehrlich, Peter Flemming, and John Forte

Excused: None

Absent: None

Also Present: Vince Loughlin, Planning Board Attorney  
Frank Russo, Assistant Borough Engineer  
Susan Blickstein, Board Planner  
Frances Boardman, Board Secretary

**Approval of Minutes:**

Copies of the minutes of the March 5, 2019 regular meeting and executive meeting were distributed to all Board members for their review prior to this meeting. A minor correction was noted on the regular minutes of March 5, 2019 by Ms. Baillie and would be given to Ms. Boardman off line. A motion to approve the regular minutes as presented with the minor correction as noted and the executive minutes was made by Mr. Lewis, seconded by Mr. Huber. A voice vote of “Aye” was heard by all eligible voting members and recorded.

**Comments by the Public:**

Mr. Tombalakian opened the floor to the public for anyone that wished to be heard on any matter not on this evening’s agenda. Seeing none that portion of the meeting was closed.

**RESOLUTIONS FOR MEMORIALIZATION –**

**CASE NO. P 18-007** Resolution granting the Minor Subdivision with Variances to Amalgamated & Consolidated, LLC on property located at 49 Park Avenue commonly known on the Borough of Madison Tax Map as Block: 1101, Lot: 7 for adoption.

This resolution adoption will be carried to the Planning Board agenda of April 2, 2019.

**NEW BUSINESS** –

**CASE NO. P 18-003 A**  
**Preliminary and Final Site Plan with Variances**  
**Fairleigh Dickinson University**  
**285 Madison Avenue**  
**Block: 101, Lot: 6**

A transcript of this evening's proceedings was prepared by Laura Carucci of Certified Court Reporters, Saddle Brook, New Jersey.

Mr. Vince Loughlin, Esq. provided a brief synopsis of the history of the application before the Board this evening and the reasoning behind the revised application before them.

Mr. Tuvel, Esq. gave a brief summary of the revised application that would be presented by Fairleigh Dickinson University this evening. He specifically pointed out the addition of 29 parking spaces, a Parking Management Plan, a Circulation Plan, the 81.5-foot side yard setback from the Shadylawn Drive neighbors and the addition of Norway Spruce trees. He also commented on the reduction of variances and their magnitude from the previous application.

Mr. Tuvel stated that he had five witnesses that were prepared to testify this evening which included the Engineer, Traffic Engineer, Professional Planner, Landscape Architect and Mr. Frick, from Fairleigh Dickinson University.

Mr. Steven Sproles, 33 South Broad Street, Lititz, PA. was previously sworn in at the former hearings and remains under oath.

Mr. Sproles gave a brief description of the changes that have been made on the application submission. The following exhibits were marked into evidence and discussed at length.

Exhibit A-24: Revised Plans

Exhibit A-25: Conceptual View of Signage along Madison Avenue Sothern Most Corner

Exhibit A-26: Revised Score Board

Exhibit A-27: Retaining Wall Elevation

Mr. Sproles also discussed at length the addition of 29 parking spaces and the parking lot lights and walkways. He stated that all lighting will comply with the Borough Lighting Ordinance. The scoreboard was reduced by 27% from the previous application. The scoreboard will have a LED screen and only be lit during events. A retaining wall was created near the parking area. It will be 18 feet at its highest point and not visible from the road way or public view only on campus. Mr. Limbach asked about the planting of Norway Spruce trees and Dr. Blickstein asked if additional deciduous trees could be planted. Mr. Sproles stated that he would look into supplementing additional plantings of deciduous trees. Mr. Flemming inquired about the visibility of the proposed scoreboard to the Shadylawn residents. Mr. Sproles stated that the scoreboard will be located in the same location as it is now. Mr. Lewis asked about the proposed signage on Madison Avenue. Mr. Sproles stated that the proposed signage will not illuminate or project light.

Mr. Tombalakian asked the Board if they had any further questions for Mr. Sproles, seeing none he opened the floor to the public for questions.

Mrs. Virginia Hicks, 61 Shadylawn Drive, inquired about the lights in the parking lot. Mr. Sproles replied that all lights in the parking lot will comply with the Borough of Madison Lighting Ordinance. Mrs. Hicks asked if FDU had considered facing the scoreboard away from the residents of Shadylawn. Mr. Sproles stated that it was considered. Mrs. Hicks inquired if there would be an evergreen buffer along the fence on Madison Avenue. Mr. Sproles replied "no".

Mr. Curtis Merryweather, 71 Shadylawn Drive, asked what would be between the residents on Shadylawn and the swale. Mr. Sproles stated that it would be lawn.

Planning Board  
March 19, 2019

Mr. Kevin Takafaji, 55 Shadylawn stated that 400 feet of the barbed wire above the fence was removed, would any more barbed wire be removed. Mr. Sproles stated that he could not answer that.

Mrs. Alison Johansen, 63 Shadylawn Drive inquired about an evergreen buffer along Madison Avenue. Mr. Sproles stated that was a decision for the owner. Mrs. Johansen also asked if the parking lot could be relocated. Mr. Sproles stated that if the parking lot was relocated it would be too far away to function correctly for the field.

Mr. Peter Woolley, 30 Ferndale Road, stated that the wooded area was created by Mr. Olmstead and that the area was not intended for a parking lot and that this would be a disruptive plan.

Mrs. Maryann Vigotov, 73 Shadylawn Drive asked what she would be looking at from her rear yard. Mr. Sproles replied that the area would be cleaned up and a low mow grass would be placed in that area.

Mrs. Virginia Hicks, 61 Shadylawn, inquired if the fence along South Oak Court was going to be repaired. Mr. Sproles replied "no".

Mr. Tombalakian asked if there were any further questions for Mr. Sproles seeing none that portion of the hearing was closed.

Mr. Michael Smith, 33 South Broad Street, Lititz, PA. was previously sworn in at the previous hearings and remains under oath.

During Mr. Smith's testimony he referred the Exhibit A-24. Mr. Smith discussed the changes to the storm-water management for the site. Mr. Smith testified that improvements in the storm water management would outweigh an impact of disturbances to steep slopes. He drew attention to the Erosion Control Blanket that would be placed for the retaining wall.

Mr. Russo's memorandum dated March 7, 2019 was discussed and Mr. Smith had no issues with the memorandum as provided and agrees to all comments and requirements. Ms. Huber alluded to the rain garden comment in Mr. Russo's memorandum. Mr. Smith stated that although a good idea the parking lot island is not large enough for a rain garden.

Ms. Ehrlich asked what the look of the retaining wall would be. Mr. Smith referencing Exhibit A-27 stated that the retaining wall would be similar to the stone wall already in place on campus.

Mr. Tombalakian asked the Board if they had any further questions for Mr. Smith, seeing none he opened the floor to the public for questions.

Mrs. Alison Johansen, 63 Shadylawn Drive, asked if the applicant was "chasing the grade for the parking lot in regards to the steep slopes". Mr. Smith replied, yes somewhat.

Mrs. Virginia Hicks, 61 Shadylawn Drive, again asked why the applicant could not be considered moving the track further towards the parking lot area. Mr. Tuvel stated that this question has been asked has been asked and answered previously.

Mr. Tombalakian asked if there were any further questions for Mr. Smith seeing none that portion of the hearing was closed.

A short recess was taken at 8:41pm. The meeting resumed with all members present at 8:49pm.

Mr. Charles Olievo, Traffic Engineer from Stonefield Engineering 92 Park Avenue, Rutherford, NJ was sworn in. Mr. Olievo gave his qualifications to the Board and was accepted as an expert witness.

Mr. Olievo addressed the onsite parking and the circulation plan which included pavement markings and pedestrian signage to enhance pedestrian safety along Gatehouse Road. Parking spaces will increase by 29 spaces with each stall being 9' x 18'. A five-foot-wide pedestrian area is proposed to be striped along the western edge of Gatehouse Road.

A parking study was done and discussed at length. Athletic event parking was debated and it was determined that parking capacity on the Florham Park campus is adequate to accommodate this revised plan.

Planning Board  
March 19, 2019

Ms. Ehrlich inquired how the roadway was being reconfigured for the pedestrian. Mr. Olievo stated that this was being done with striping and channelization.

In the memorandum from Mr. Frank Russo, dated March 7, 2019 he asked for the attendance figures from prior years' events in order to evaluate the proposed parking improvements. Mr. Olievo stated that on average 130 to 150 people are in attendance at the events that will utilize this field most of them being students or teachers that are already on campus and parked in Florham Park.

The Parking Management Plan was summarized and data will be provided to the Borough.

Mr. Tombalakian asked the Board if they had any further questions for Mr. Olievo, seeing none he opened the floor to the public for questions.

Mr. John Hicks, 61 Shadylawn Drive, asked how the pedestrians would acknowledge walking along the south side of the tunnel on Gatehouse Road. Mr. Olievo stated that it would be striped.

Mr. Virginia Hicks, 61 Shadylawn Drive, asked Mr. Olievo to explain the roadway flow again. Mr. Olievo stated that it is a yield flow roadway. Mrs. Hicks also questioned why a traffic study was completed in February when there were no scheduled events. Mr. Olievo had no reply.

Mr. Curtis Merryweather, 71 Shadylawn Drive, questioned the traffic operations and the traffic patterns during these events and asked if a traffic officer would be needed. Mr. Olievo stated that no traffic officer would be necessary.

Mr. John Forte stated that he was sure that if a large sporting event were taking place there would be a public safety plan initiated.

Mrs. MaryAnn Vigotov, 73 Shadylawn Drive is concerned with there being only 29 parking spaces and is there really enough parking. Mr. Olievo stated that there is adequate parking for this application.

Mr. Tombalakian asked if there were any further questions for Mr. Olievo seeing none that portion of the hearing was closed.

Mr. Paul Phillips, 33-41 Newark Street, Hoboken, New Jersey was sworn in. He gave his credentials to the Board and was accepted as an expert witness.

Mr. Phillips provided an overview of the zoning for this property. He impressed upon the Board the goals that this current plan has addressed. The variances and proofs necessary for this application were addressed individually. Mr. Phillips addressed the fact that the Ball Stopper and Disc Cage would be temporary/seasonal structures. He stated that the relief being sought in this application were not a detriment to the Zone Plan and that the benefits outweigh the detriments in this case.

Parking was discussed at length however Mr. Phillips reminded the Board that the applicant was not seeking a parking variance.

Mr. Tombalakian asked the Board if they had any further questions for Mr. Phillips, seeing none he opened the floor to the public for questions.

Mrs. Mary Ann Vigotov, 73 Shadylawn Drive, asked if the temporary structures would be a part of the approval. Mr. Phillips stated that the Board could make this a condition in the resolution.

Mr. John Hicks, 61 Shadylawn Drive, inquired if the Borough of Madison should follow the Borough of Florham Park Parking Ordinance standard for this application. Mr. Phillips stated "No".

Planning Board  
March 19, 2019

Mrs. Virginia Hicks, 61 Shadylawn Drive, asked Mr. Phillips if he had looked at the Borough of Madison's Master Plan and if he felt this application fit into its intent and purpose. Mr. Phillips replied that he had and yes it did. Mrs. Hicks asked if the poles associated with the Ball Stopper and Disc Cage were going to also be coming down. Mr. Phillips replied "yes". Mrs. Hicks asked if the scoreboard would be visible from Shadylawn Drive. Mr. Phillips stated that the scoreboard would not be on when the field was not in use.

Mr. Paul Vasquez, 75 Shadylawn Drive, asked if the field is rented during the year when the Ball Stopper and Disc Cage are to be down how will that be dealt with. Mr. Tuvel stated that he would speak with his client. After speaking with his client it was determined that a temporary zoning permit would be necessary from the Borough Zoning Office.

Mr. John Forte asked if the scoreboard had sound. Mr. Phillips simply replied yes.

Mr. Tombalakian asked if there were any further questions for Mr. Phillips seeing none that portion of the hearing was closed.

A short recess was taken at 10:25pm. The meeting resumed with all members present at 10:35pm.

Mr. Tuvel stated that his presentation this evening was complete. Mr. Tombalakian opened the floor to public comments and testimony.

Mrs. Virginia Hicks, 61 Shadylawn Drive, read a lengthy letter into the record against the application presented this evening.

Mrs. Alison Johansen, 63 Shadylawn Drive would like to know where the bathrooms would be located for this track, will a separate PA System be used at this location, will music be played at this events. There are noise concerns, parking concerns, concerns that the Master Plan has been ignored. Lights are a part of a future plan. Noise is pollution and this a quality of life issue for the people of Shadylawn. She is against the application.

Mr. Curtis Merryweather, 71 Shadylawn Drive, this application will have a negative impact on the Shadylawn residents and is not in favor of the application.

Mrs. Barbara Liggett, 2 Hillview Avenue is in favor of the application and feels that the track will benefit the space on Madison Avenue.

Mrs. Lisa MacNair, 44 Valley Road is in support of the application presented this evening and believes that the application maintains a balance moving forward between history and progress.

Mrs. Marion Karpatova, 15 Union Avenue is in favor of the application.

Mrs. Richton, 35 Crestview Avenue is in favor of the application presented this evening and feels that this field is necessary and will fit in nicely in this already beautiful campus.

Mrs. Jessica Barbosa, 72 Shadylawn Drive moved from Kearney because of the noise and feels that the field can be moved away from Shadylawn Drive further than the 81.5 feet proposed. She is against the application.

Mr. Paul Vasquez, 75 Shadylawn Drive, feels that this is a huge proposal and that it will certainly benefit both FDU and the Borough of Madison however; no one knows how this application is going to impact the residents of Shadylawn Drive. He is against the application.

Planning Board  
March 19, 2019

Mrs. MaryAnn Vigotov, 73 Shadylawn Drive provided pictures during her comments which were marked as V-2 through V-7 collectively. She feels that this is a massive sports complex and will cause a loss of quality of life as well as a loss of home equity. She is asking the Board to deny this application so that the homes on Shadylawn can be enjoyed by the owners.

Mr. Peter Woolley, 30 Ferndale Road, states that the University is just taking the existing field and renovating what is already there. This renovation will benefit the University as well as the Borough of Madison. The Board should look favorably on this application.

Mr. Paul Vasquez, 75 Shadylawn Drive, drew attention to the Board that the site plan before them is far from a renovation. This is not a renovation to an existing field by any means.

There being no further comments from the public that portion of the hearing was closed. Mr. Tuvel gave his closing remarks and stated that there would be no separate PA system. Music would not be played at the sporting events, all barbed wire fencing along Shadylawn would be removed and all State regulations regarding noise would be observed. The Board began their deliberation.

A summary of conditions for the resolution was provided by Mr. Vince Loughlin, Board Attorney. A motion to approve with all conditions as listed by Mr. Loughlin was made by Ms. Huber, seconded by Mr. Lewis and the following roll call was recorded:

“Ayes” – Mayor Conley, Ms. Baillie, Ms. Huber, Ms. Ehrlich, Mr. Lewis, Mr. Limbach, Mr. Forte,  
Mr. Flemming. and Mr. Tombalakian.

“Nays” – None  
Excused – None

**OLD BUSINESS** – None

**PLANNING DISCUSSION** – None

**CORRESPONDENCE** –

Since there was no further business to come before the Board, Mr. Tombalakian asked for a motion to adjourn the Regular meeting at 11:58pm.; seconded by Mayor Conley. A voice vote of “aye” was heard by all members present and carried.

Respectfully submitted,

Frances Boardman  
Board Secretary