

**MINUTES
PLANNING BOARD OF THE BOROUGH OF MADISON
REGULAR SCHEDULED MEETING MAY 19, 2020**

A regular meeting of the Planning Board of the Borough of Madison was held on the 19th day of May 2020 at 7:30 P.M., via a Zoom electronic meeting.

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

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

Mayor Conley 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 21, 2020, the Board by Resolution adopted a schedule of meetings.

On January 22, 2020, 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: Mayor Conley, Astri Baillie, Peter Flemming, John Forte, Alfredo Garibay, Ann Huber Tom Lewis, George Limbach who arrived at 7:55pm and Steve Tombalakian

Excused:

Absent: None

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

Approval of Minutes:

Copies of the minutes of the May 5, 2020 regular meeting were distributed to all Board members for their review prior to this meeting. A motion to approve the minutes as presented was made by Ms. Baillie, seconded by Mr. Lewis. 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 – None

NEW BUSINESS –

CASE NO. P 20-002

Preliminary and Final Site Plan with Variances

Fairleigh Dickinson University

285 Madison Avenue

Block: 101, Lot: 6

A transcript of this evening's hearing is being done by Kim Furbacher of Laura Recording .

Mr. Jason Tuvel, Esq began by giving a brief summary of the application before the Board. The site is located in the University Zone and university and private recreation are permitted uses, as are accessory uses that are customary and incidental to the principal university use.

FDU proposes to replace the existing natural turf baseball field with a new synthetic turf field and associated amenities, including a new press box, bleachers, dugouts, batting cages and bullpens. New ball stopper safety netting, and outfield fencing are also proposed. The present access drive is proposed to be expanded to add paved parking adjacent to the ballfield, resulting in 28 parking spaces. A new sidewalk is proposed to facilitate pedestrian circulation parking to the ballfield and a new crosswalk is proposed across Gatehouse Road to connect to the track/multi-purpose field. A new south-facing 19'11" tall baseball scoreboard is proposed. A total of 42 trees of at least 6" DHB are proposed for removal. Impervious coverage on the FDU Madison parcel will be 11.6% upon completion of the new multi-purpose field and track and 14.21% with the proposed ballfield improvements. Landscaping, including 62 trees, various shrubs and groundcovers are proposed, with a slightly raised planting bed along the westerly property line abutting South Oak Court. The improvements require preliminary and final site plan approval in addition to variances for proposed parking setback, heights of fences and various accessory structures and for the number, height and area of proposed signage.

The following witnesses were sworn in at once:

Steven Sproles – Landscape Architect
Mike Smith – Civil Engineer
Charles Olivo – Traffic Engineer
Paul Phillips – Professional Planner
Richard Frick – FDU Representative
Matthew Murello – Sound Expert

All Exhibits were previously marked as follows and used during this evenings proceeding:

Exhibit A01: - Site Plan Rendering
Exhibit A02: - Existing Conditions Photos 1
Exhibit A03: - Existing Conditions Photos 2
Exhibit A04: - Site Plan Rendering of Baseball Field
Exhibit A05 – Scoreboard
Exhibit A06: - Overall Perspective of Rendering View 2
Exhibit A07: - Overall Perspective of Rendering View 1
Exhibit A08: - Madison Avenue Views without Leaves 1
Exhibit A09: - Madison Avenue Views with Leaves 1
Exhibit A10:- Madison Avenue Views without Leaves 2
Exhibit A11: - Madison Avenue Views with Leaves 2
Exhibit A12: - South Oak Court without Leaves 1
Exhibit A13: - South Oak Court with Leaves 1
Exhibit A14: - South Oak Court without Leaves 2
Exhibit A15: - South Oak Court with Leaves 2
Exhibit A16: - Sign Variance – A
Exhibit A17: - Sign Variance – B
Exhibit A18: - Shed Variance
Exhibit A19: - Sound Study.

Mr. Sproles began his testimony. He explained to the Board that the existing use of a baseball field already exists on the site. The field is subpar and the proposed improvements will benefit the baseball team.

Mr. Sproles provided testimony on all proposed improvements; he stated that there would not be a concession stand and no food or beverages would be sold. Landscaping will be added along Madison Avenue and South Oak Court. The scoreboard will be illuminated and used during games as well as practice games. There is no sound in the scoreboard. There will be a 35 foot flag pole to the left of the scoreboard.

A parking discussion then took place. Twenty eight parking spaces with three handicap spots will be added to the site along Madison Avenue.

No lighting is proposed for the baseball field, however; the parking lot area and pedestrian walkway will be lit. All lighting will comply with the Borough of Madison Lighting Ordinance. Conduits are being added as part of the site work which would be used if field lighting were proposed in the future.

Landscaping will be added along South Oak Court and near the Madison Avenue exit. Evergreen trees will be installed on site to provide additional buffering to the neighbors.

Mr. Sproles agreed to comply with all comments in Mr. Frank Russo's memorandum dated May 15, 2020.

Mr. Tombalakian asked if Board members had any questions for Mr. Sproles.

Dr. Blickstein inquired about the bleachers. Mr. Sproles stated that the site would have two permanent bleachers with a capacity to hold 300 spectators.

Dr. Blickstein asked Mr. Sproles to provide the overall dimensions of the proposed scoreboard. Mr. Sproles referred to Exhibit A05 stating that the current scoreboard is 18 feet across and 19 feet 6 inches to the top. The proposed scoreboard will be 36 feet across and 19 feet 11 inches to the top. There will be no video component to this scoreboard.

Ms. Baillie inquired about replacing the fence along South Oak Court. Mr. Sproles stated that replacing the fence is not a part of this application.

Mayor Conley inquired about the parking lot layout and the Madison Avenue exit. Would the one-way flow continue? Mr. Sproles deferred to the Traffic Engineer on this.

Mr. Garibay requested the lighting proposed for the baseball fields and the hours of illumination. Mr. Sproles testified that the sidewalk and the parking area would be equipped with motion sensor lighting and go off after 20 minutes of non-activity. Lights would be shut off by 11:00 pm except those lights that provide safety.

Seeing no further Board questions Mr. Tombalakian opened the floor to questions from the public.

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Ms. Kris Coates, 3 Oak Court, Madison asked if landscaping was being considered further down the field along South Oak Court. Mr. Sproles stated that there was no further landscaping as a part of this application.

Ms. Renee Formicola, 2 North Oak Court, inquired if there would be any night games. Mr. Sproles stated that games would be held Monday – Friday at 3:30pm and weekend games would be held at 1:00pm

Ms. Angela Scafuri, 2 Oak Court, questioned the adequacy of the landscaping to preserve the neighbors visual space. Mr. Sproles explained the landscape plan in detail as well as the proposed lighting plan. He explained that adequate buffering and screening for the neighbors has been provided.

Ms. Melinda Gray, 12 South Oak Court inquired about the lighting and how many poles will be placed on site. Mr. Sproles stated that 4 poles would be placed in the parking light and 6 pedestrian poles would be placed along the walkway. Mr. Sproles stated that no lights would be placed along the perimeter of the field.

Ms. Cameron Tokuyama, 55 Shadylawn Drive inquired if the field will be rented out or any tournaments held on the proposed site. Mr. Frick indicated that the field would not be rented to outside groups but the University would continue it's practice of permitting clinics and community usage.

There being no further questions of Mr. Sproles that portion of the hearing was closed.

Mr. Mike Smith, Civil Engineer, was accepted as an expert witness.

The storm-water management was discussed at length. Mr. Smith stated that the existing impervious coverage was 11.62% and the proposed was 14.21%. There are no steep slopes on this project and the Soil Erosion was submitted to Morris County.

Mr. Frank Russo's memorandum, dated May 15, 2020 was discussed and Mr. Smith had no concerns with any of the conditions and requirements.

Mr. Tombalakian asked the Board if they had any further questions, seeing none he opened the floor to the public. Seeing no public questions, that portion of the hearing was closed.

Mr. Charles Olivo, Traffic Engineer provided his qualifications to the Board and accepted as an expert witness. A traffic analysis was provided to all Board members and Professionals. He emphasized that the access points to the facility are being maintained. There will be no change to the access points and the change in the drive aisle in the parking area will improve traffic circulation.

Mr. Olivo testified that a total of 28 parking stalls will be added to the site, three of which will be ADA compliant. The site provides for two-way traffic circulation in a safe and proper manner. 42 parking spaces are available at the easterly side of the site if needed. Charter buses can circulate on site and more than enough parking is available. A parking management plan will be provided.

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Mr. Tombalakian asked if the Board or its Professionals had any further questions. Mr. Frank Russo inquired of Mr. Olivo if he thought that the plan provided was safe and efficient. Mr. Olivo stated that the proposal was indeed safe and efficient.

Mayor Conley asked about the one-way entrance to the parking spaces. Mr. Olivo testified that a Do Not Enter sign and stripping could be used on the roadway.

Mr. Garibay questioned the Right Turn Exit on Madison Avenue. Mr. Olivo stated that there are way-finding signs at that exit today, but could be enhanced by pavement markings.

Mr. Flemming inquired as to where the handicap parking is. Mr. Olivo explained that the ADA spaces are at the southwest side of the home bleachers. He also added that the bleachers have easy access by a proposed sidewalk.

Mr. Tombalakian asked if there were any further questions by the Board or Professionals, seeing none he opened the meeting to the public. There being no public questions that portion of the hearing was closed.

A brief recess was taken at 9:08 pm. The meeting resumed at 9:15pm with all members present.

Mr. Matthew Murello, Acoustic Engineer was the next to testify. He provided his qualifications and accepted as an expert witness. A brief summary of the sound system was provided to the Board. The sound system for the site will consist of two loudspeakers, one on each side of the proposed press box. Mr. Murello stated that the Borough Ordinance regarding noise would be adhered to.

There will be no games played from 10:00pm to 7:00am. The 65 decibel level allowed would not be exceeded. The applicant will comply with the Borough noise Ordinance and DBA standards.

Mr. Richard Frick, Operations Vice President of Fairleigh Dickinson was the next to testify. Mr. Frick provided an overview as to why this project is being undertaken, stating that the current Baseball field is not appropriate for Division III play. The baseball schedule was discussed. Mr. Frick stated that FDU has 15 home games per season and may go up to 20 if they make the Conference Championship. Maintenance of the field will require grooming and was discussed along with the maintenance of the landscaping, trash and recycling and the parking lot roadway maintenance.

Mr. Frick discussed the attendance figures. He stated that no games would be played simultaneously on the Baseball Field and the Multipurpose Field. The fence along South Oak Court, will be replaced with a black vinyl chain link fence. The field is available to other organizations; however, the organization would need to adhere to the proper channels. The timing on the lighting was discussed and it was determined that the applicant would work with Mr. Russo on this issue. It was determined that the gaps created by the removal of trees would require additional landscape plantings and this would also be worked out with Mr. Russo.

Mr. Tombalakian asked the Board and Professionals if they had any additional questions of Mr. Frick. Seeing none, he opened the meeting to the public for questions.

Ms. Angela Scafuri, 2 Oak Court, asked if spectators could bring food and beverages to events. Mr. Frick stated that yes these items would be allowed to be brought in but not sold on site. Ms. Scafuri inquired as to the timeframe of the construction. Mr. Frick stated that he is anticipating this project being done by December.

Ms. Melinda Gray, 12 South Oak Court inquired as to proposed bathrooms. Mr. Frick stated that bathrooms are not proposed on this application. He indicated that two portable bathrooms would be placed by the shed along the left field line. He also stated that the shed height is 11 feet and alternate sites would be considered for the portable bathrooms if they created problems with the neighbors.

Mr. Lewis referred to Dr. Blickstein's memorandum dated March 27, 2020 specifically the future lighting. Mr. Frick stated that there are no lights proposed for this application and a new application before this Board would be necessary if lighting is installed.

There being no further Board questions or questions from the public this portion of the hearing was closed.

Mr. Paul Phillips accepted as an expert witness began his testimony. Mr. Phillips provided an explanation to the Board as to all variance relief being sought with this application. He stated that all variances being requested can be justified by C(2) under the Municipal Land Use law. Mr. Phillips stated that the relief sought can be granted without substantial detriment to the Public Good or impairment to the intent and purpose of the Zone Plan and Zoning Ordinance.

Dr. Blickstein asked Mr. Phillips to speak of the proposed scoreboard. Mr. Phillips stated that a scoreboard is traditional at any baseball field and the variances for this scoreboard are mitigated by its distance to the neighbors as well as fencing and the landscape buffer proposed.

Mr. Tombalakian asked the Board and Professionals if they had any further questions for Mr. Phillips, seeing none, the meeting was then opened to the public. There being no questions from the public that part of the hearing was closed.

Mr. Tombalakian opened the meeting for public comment. Ms. Angela Scarfuri expressed concern over the construction and asked if screening would be provided prior to the start of construction. Mr. Tombalakian stated that a detailed resolution would focus on all contingencies for the project.

Mr. Tuvel gave his closing agreement and reiterated all conditions that were discussed this evening.

The Board began their deliberation. A summary, listing all conditions to be stipulated in the resolution was provided by Mr. Loughlin.

Motion to approve the FDU application was made by Ms. Huber with the incorporation of the recommendations as stated, seconded by Mr. Lewis; the following roll call was recorded:

"Ayes" – Mayor Conley, Ms. Baillie, Mr. Flemming, Mr. Forte, Mr. Garibay, Ms. Huber, Mr. Lewis, Mr. Limbach and Mr. Tombalakian

"Nays" – None

"Abstain" – None

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OLD BUSINESS –

CASE NO. P 19-005

Preliminary and Final Site Plan with Variances

16 Waverly Place, LLC

16 Waverly Place

Block: 2702, Lot: 28

At the request of the applicant's attorney, Mr. Steve Azzolini, this application will be carried to the June 2, 2020 Planning Board meeting. New noticing will be provided on this matter for the electronic proceeding.

PLANNING DISCUSSION – None

CORRESPONDENCE – None

Since there was no further business to come before the Board, Mr. Tombalakian asked for a motion to adjourn the regular meeting at 10:26 pm.; seconded by Mr. Flemming. A voice vote of "aye" was heard by all members present and carried.

Respectfully submitted,

Frances Boardman

Board Secretary