

SUSSEX COUNTY PLANNING BOARD

MINUTES

July 6, 2015

The meeting was called to order by Chairman Borisuk at 4:04 p.m. The meeting is held in compliance with the Open Public Meetings Act, NJSA 10:4-2 of 1975, as amended. Present were:

MEMBERS PRESENT:	Andy Borisuk, Chairman Dr. John Ford Michael Francis Wolfgang Gstattenbauer, Vice Chairman Walter Cramp, County Engineer George Graham, Freeholder Member Rich Vohden, Freeholder Alternate
MEMBERS EXCUSED:	Gene Crawford, 1 st Alternate Dan Flynn, 2 nd Alternate
STAFF PRESENT:	Alice Brees, Principal Planner Antoinette Wasiewicz, Recording Secretary
ALSO PRESENT:	William Hinkes, Esq. Allen Campbell F. William Levigne, Esq. Mark Nixon David Soloway, Esq. Christopher Nevill

MINUTES

A motion was made by Wolfgang Gstattenbauer to approve the Minutes of June 1, 2015 as presented. The motion was seconded by John Ford. All were in favor with an abstention from George Graham. Motion carried.

SITE PLAN/SUBDIVISION DEVELOPMENT REVIEW COMMITTEE REPORTS

A motion was made by Michael Francis to approve the Development Review Committee Reports for June 1, 2015 and June 15, 2015 as presented. The motion was seconded by Wolfgang Gstattenbauer and carried unanimously.

APPEALS AND WAIVER REQUESTS

A. WANTAGE STONE PRELIMINARY SITE PLAN 11A(PSP)15, ROUTE 673 (BLAIR ROAD) AND STATE ROUTE 23, WANTAGE TOWNSHIP:

Bill Hinkes said he is the attorney for the applicant, Wantage Stone. They are seeking the Board's approval for design waivers for a site plan for property on State Route 23 and County Route 673 in Wantage Township. Allan Campbell, the engineer for this project, was sworn by Bill Hinkes.

Allan Campbell said the application in Wantage Township is for a quarry soil removal operation. He displayed a copy of the site plan that was submitted to the County. The property is 157 acres and is separated by two bodies of wetlands. Mr. Campbell referred to Sheet 2 of the Site Plan dated March 2015 and revised today to address the comments from the Development Review Committee meeting.

He pointed to two access locations on Blair Road. The first location is approximately 1,000 feet from Route 23 and in proximity of a JCP&L power line crossing. In the future, the applicant will be cutting through rock from inside the property out to Blair Road for an entrance only driveway. The second location is near an existing driveway where they propose to put in an entrance/exit access for the soil quarry operation on the 57 acres. The relocation of the driveway places it at the most opportune location for the best safety and sight distances. It will function as an entrance and exit driveway for the first 10 years. After the first section is completed, they will work with the rock removal from on-site toward Blair Road, which will have an exit only. There will be an entrance on the west side and an exit on the east side. The anticipated time period is probably 10-15 years, depending on the mineral resource, demand and the economy.

The sight distance that is required in the County Standards falls under the 85th percentile speed. Because the 85th percentile speed is 50 MPH, but the speed limit is 25 MPH, the governing factor of the 85th percentile requires 930' of sight distance. The theory of the standard is that there needs to be enough recognition time between the traveling vehicles and the exiting trucks to have enough time to get up to the 85th percentile, so that the speeding car does not have to slow down. He said the last thing they want is for the truck to get up to the 85th percentile speed. Mr. Campbell said they can only obtain 691' of sight distance. The Traffic Study showed that in all of these conditions, the sight distance that they are proposing to use meet all the safety criteria. If the truck can see 691' or the car can see the truck at 691', that is more than ample time for the car to slow down to 35 MPH. Otherwise, they have more than ample stopping sight distance in order to come down to the speed limit and still have safe conditions for this access.

Andy Borisuk confirmed that in the future, that driveway will be an entrance only. Mr. Campbell said that the driveway will be entrance and exit until the other entrance is constructed in 10 years. Then the driveway will be modified to exit only.

George Graham asked which direction the trucks will be coming in from. Mr. Campbell said the trucks will primarily be coming in from Route 23. The entrance is predominately right turn. When they exit, they will be crossing the line of traffic, predominately.

Mr. Borisuk asked what the pavement width on Blair Road is. Mr. Campbell said in some locations there is 24' from white line to white line. In other cases, because of curvature of the road, there is 11' on one side and 13' on the other. Blair Road was reconstructed by Wantage Township and conveyed and turned over to the County. This section was the reconstructed road with a more recent design.

The meeting was opened to the public. No comments were offered. The meeting was closed to the public.

MOTION:

A motion was made by Wolfgang Gstattenbauer to approve the request for the sight distance waivers. The motion was seconded by John Ford. A roll-call vote was taken. Results were as follows: Andy Borisuk-Yes; John Ford-Yes; Michael Francis-Yes; Wolfgang Gstattenbauer-Yes; Walter Cramp-Yes; George Graham-Yes; and Richard Vohden-Yes. Motion carried.

B. SUNN KIS, LLC PRELIMINARY SITE PLAN 23(PSP)14, ROUTE 669 (LIMECREST ROAD) AND STATE ROUTE 206, ANDOVER BOROUGH:

F. William Lavigne said he is the attorney for SUNN KIS, LLC. He requested certain waivers with respect to a site plan in Andover Borough. The waivers are for an existing driveway on Limecrest Road with respect to curbing and sight distance and other items as listed in his letter.

Alice Brees said that in John Risko's report, he mentioned installing crosswalks and sidewalks subject to the Planning Division report. Ms. Brees said there was no requirement from the Planning Division to install sidewalks or crosswalks.

Freeholder Vohden asked if a waiver was required for the Storm Water area Map and Calculations because the topography indicates that water runoff from Limecrest Road drains onto this property. Ms. Brees said in the County Standards, there are only two categories for driveways, either residential or commercial. When it is a commercial driveway, then the standards automatically come into place.

Mr. Borisuk asked about the sight distances. Ms. Brees said the sight distance is lower than what is required by the County Standards. She added that there is no better location for the driveway. The driveway is existing and is already as far back as you can move it to maximize sight distance. John Ford said if you make a right out of

the driveway, it is pretty slow because of traffic; and if you make a left off the driveway, people are just coming around, making a right hand turn or a left hand turn to the right.

The meeting was opened to the public. No comments were offered. The meeting was closed to the public.

MOTION:

A motion was made by John Ford to approve the waivers as requested. The motion was seconded by George Graham. A roll-call vote was taken. The results were as follows: Andy Borisuk-Yes; John Ford-Yes; Michael Francis-Yes; Wolfgang Gstattenbauer-Yes; Walter Cramp-Yes; George Graham-Yes; and Richard Vohden-Yes. Motion carried.

C. CELLCO PARTNERSHIP MINOR SITE PLAN 10(MSP)15, ROUTE 608 (KENNEDY ROAD,) GREEN TOWNSHIP:

David Solloway said he is the attorney for Celco Partnership. He is here to request waivers from some commercial access driveway standards. The application is for a cell tower in Green Township. This application has already been approved by the Green Township Board of Adjustment. The applicant plans to use an existing driveway to access the tower.

Christopher Nevill was sworn by David Solloway. Mr. Nevill said he has a Bachelor of Science degree in Civil Engineering and has about 28 years of experience in engineering and planning. He is a licensed professional engineer and licensed professional planner in the state of New Jersey and has appeared before approximately 200 Boards throughout New Jersey.

Andy Borisuk confirmed that the cell tower was not a permitted use and required a variance. Mr. Nevill said that was correct. Mr. Solloway said it was permitted as a conditional use and the variance was needed because they did not meet three conditions of the standards. Two were setback distances that was needed because it is keyed to the height of the facility. Mr. Nevil designed a 140' tower with a 140' setback, forgetting that there was an 8' lightning rod at the top, which technically counts towards the height. When asked, Mr. Solloway said the property is zoned agricultural residential. The third variance was from the requirement that they buffer the compound which is visible from most of the property. Mr. Nevil said the closest part of the compound is about 870' back from the road. There is a large change in elevation. It drops down 30-40' into a pond area and then rises again. You cannot see the road from the compound area and you cannot see the compound area from the road. Mr. Nevill said the applicant anticipates very low traffic generation, about one visit per month. There is an existing driveway that has been there since the 1960's. It is currently used by the owner for some outbuildings on the back of the property and to access a storage area. It is not a public commercial operation. They are requesting waivers from the standards for the cubing, painting, stop signs, stop bar, driveway width and sight distance.

Mr. Nevil said when he wrote the letter to the Board, he referenced the sight distance incorrectly. Mr. Nevill said they have 350' to the north side on County Route 608 and 254' to the south side. He said this is a rocky area and for them to attain the sight distance to the north, they would have to clear on the opposite side of the road. Mr. Borisuk asked how big the existing lot is. Mr. Nevil said the existing lot is 68 acres but the current driveway is the only area from which you can get in and out of the property. Mr. Borisuk asked how the existing use of the property is classified. Mr. Nevil said there are farm-type buildings on the property and there is also a building used for the storage of explosives. Mr. Solloway said the explosive storage is all properly licensed. Mr. Nevill said this will all have to be reviewed as part of the tower construction. They are limited in the ability to attain sight distances because they would have to clear properties that are not part of this property.

There is also an issue about the sight triangle easement. Mr. Nevill said while they do not have a problem with granting the easements, it would mean clearing 2' above and there is a lot of rock. It would be possible to do this to the north; but to the south, they would have to go onto adjoining property. Since they are requesting waivers for the improvements to the commercial access, they are also asking for waivers for the details associated with those improvements.

Walter Cramp asked for more information about the explosives that are stored on site, specifically radio frequencies. Mr. Nevill said there are a number of magazines spread out around the property. The State Standard says they need to be stored behind rock structures in relationship to public right-of-ways. There are also standards as to distances from radio frequencies. Some of the magazines will have to be moved and as the tower gets constructed, the whole placement of those magazines has to be reviewed by the State. Mr. Solloway said the property owner considered not storing the explosives any longer and the State is discouraging him from doing that. Apparently, there are very few licensed facilities to store explosives.

George Graham asked if the property owner also goes in and out of the same driveway. Mr. Nevill said the driveway was built in the early 1960's and this use has been present since the early 1970's.

The meeting was opened to the public. No comments were offered. The meeting was closed to the public.

MOTION:

A motion was made by Michael Francis to grant the requested waivers. The motion was seconded by Wolfgang Gstattenbauer. A roll-call vote was taken. The results were as follows: Andy Borisuk-Yes; John Ford-Yes; Michael Francis-Yes; Wolfgang Gstattenbauer-Yes; Walter Cramp-Abstain; George Graham-Yes; and Richard Vohden-Yes. Motion carried.

DIRECTOR'S REPORT

Eric Snyder did not attend this meeting as he was away on vacation.

UNFINISHED BUSINESS

A. SUBMITTAL OF SUSSEX COUNTY WASTEWATER MANAGEMENT PLAN:

Alice Brees said County Wastewater Management Plan has been sent to the DEP. The County Wastewater Plan and all the related maps are on the County website, under "Planning Division." Each town has its own Municipal Chapter. The Future Sewer Service Area map was approved by DEP in 2013. The Wastewater Management Plan is the document that follows the map. There were only a few changes being made from the approved map.

NEW BUSINESS

None

Walter Cramp said that he sent a letter to trail owners in Sussex County advising them that trails which are developed in Sussex County are required to have a trail crossing. A number of trails were developed without a crossing. It remains their responsibility. Once the signs and striping is put in the trail crossing, it becomes the County's responsibility to maintain. The letter went to DEP, the owners of the three trails in Sussex County and the owners of the Appalachian Trail.

OPEN TO PUBLIC

None

ADJOURNMENT

All business having been completed, a motion to adjourn the meeting was made by Wolfgang Gstattenbauer. The motion was seconded by John Ford and carried unanimously. The meeting adjourned at 4:44 p.m.