

# GREEN TOWNSHIP LAND USE BOARD MINUTES

## REGULAR MEETING, September 8, 2016

**CALL TO ORDER:** The September 8, 2016 Regular meeting of the Land Use Board was called to order by the Land Use Chairman, Mr. Holzhauer at 7:06pm. He then led everyone in the PLEDGE OF ALLIGIANCE, followed by the recitation of the OPEN PUBLIC MEETING STATEMENT.

**ROLL CALL:** Present: Mr. Scott Holzhauer, Mr. James DeYoung, Mrs. Sharon Mullen, Mr. Michael Muller, Mr. Watson Perigo, Mr. Dennis Walker, and Mr. Rick Wilson.

Also present: Mr. Lyn Aaroe, Board Attorney and Mr. Darin Phil for Mr. John Miller, Board Engineer.

Members Absent: Mr. Joseph Cerccone, Mr. James Chirip, Mr. Daniel Conkling, Mr. Mike Viersma, and Mr. Jeff Wilson

**MOTION TO EXCUSE THE ABSENT MEMBERS:** Motion made by Mr. Walker to excuse the absent members, seconded by Mrs. Mullen. No discussion. All Ayes.

**MOTION TO APPROVE MINUTES:** Land Use Board Minutes of August 11, 2016. Mr. Rick Wilson motioned to approve minutes, seconded by Mr. Walker. No Discussion. All Ayes.

### RESOLUTIONS:

Revised Resolution Memorializing the Grant of Preliminary (only) Site Plan Approval and the Grant of a Bulk Variance with respect to Rear Yard Setback sought Ancillary Thereto, Subject to Certain Conditions to Airside Inc. is attached to and made part of these minutes.

Motion to approve made by Mr. R. Wilson, seconded by Mr. Muller.

Roll call Vote: Mr. DeYoung, Mrs. Mullen, Mr. Muller, Mr. Perigo, Mr. Walker, Mr. Rick Wilson, Mr. Holzhauer.

All Ayes. Motion Carried.

Resolution Memorializing the Grant of Minor Subdivision/Annexation (Lot Line Adjustment) Approval to Application #1608, Paul and Diane Henrich is attached and made part of these minutes.

Motion to approve made by Mr. R. Wilson, seconded by Mrs. Mullen.

Roll call Vote: Mr. DeYoung, Mrs. Mullen, Mr. R. Wilson

Abstentions: Mr. Muller, Mr. Perigo, Mr. Walker, Mr. Holzhauer.

All Ayes. Motion Carried.

### OLD BUSINESS:

Application – Tranquil Valley Retreat Center (TVRC)

LU#1605 - Block 34 Lot 18

Decker Pond Road and Academy Lane, Andover, NJ 07821

Action: Continuation of Public Hearing

A draft concept plan was brought before the board

Mr. Greene, applicant, was reminded he was still under oath. Mr. Greene explained his intentions about the timeline for the expansion. He was hoping TVRC would be able to be approved in October and break ground soon thereafter so they were on track to be finished for their largest convocation in June.

Mr. Greene announced he wanted to go through each activity held at the facility according to Ms. Caldwell's report dated September 2, 2016 which is attached and made part of these minutes. The following points were made during a very lengthy discussion about the meeting/activities held on the property:

- They do not double stack events on the same weekend for safety reasons.
- Winter games are held in January, sometimes split into two weekends and are held in the gym/auditorium.
- Teen youth convention is a weekend only once a year and is held in the gym/auditorium and some of the classrooms.
- Youth stay overnight in dorms for teen convention.
- Deacon/Deaconesses meeting (in English and Spanish) is once a year for each language in March in the gym/auditorium and classrooms.
- Elders Retreat (in English and Spanish) is once a year for each language in March in gym/auditorium and classrooms. Groups stay over in dorms for the weekend.
- Family adventure is once a year in June. Most camp but some stay in dorms.
- Pathfinder (similar to scouts) camporee is once a year in August. Some stay in the cabins, some stay in the dorms and some camp. They use gym/auditorium and various areas throughout the grounds.
- Area coordinators training is once a year in the spring.
- All other events are scheduled as they come in. Some camp and some stay in the dorms. Most events are done in the summer.
- Weddings have been only church members. No alcohol and no smoking is permitted on the grounds. Outside groups, not connected to TVRC are subject to the same rules. Only once every couple of years does an outside group request the grounds/facilities.
- On average there are 15 to 25 other events, outside of the scheduled events, per year. The attendance rarely goes over 300 people.
- Mr. Ramon Merle, applicant, went back through the TVRC historic records to gather the attendance numbers that were given to the board.
- Mr. Greene wanted to clarify that he believed the board was under the impression the new facility would be able to hold 5,000 seats and that is not accurate. It will only hold 3,500-3,600 people depending upon how the architect finally lays out the arrangement of the chairs. Mr. Greene stated the fire code would not accommodate 5,000 people in that building.
- The meeting which could see attendance of 5,000 people would have use of the gym/auditorium and the surrounding grounds. They have never had 1,000 cars on site to his knowledge. It was every 5 years, sometimes it is more frequent. The president of NJ Conference plans on having on this June (2017) dedicate the new facility.
- Mr. Greene also clarified the bus drop off and parking. He explained that there would be very little bus traffic on the road that runs through the campus.
- When ground is frozen and it snows TVRC staff plows snow onto grass for overflow parking during the winter games weekends.
- In the future, as traffic comes in Academy Lane the cars will shoot right through the trees to the banked, overflow parking, (unless handicapped) so there will be limited traffic on the road through campus.
- Mr. Greene explained that TVRC's plan is to come back in October with all drawings to get an approval and permission to start



building. Mr. Holzhauser stated the reports from our professionals was also a "draft" of sorts to go along with their "concept" and they reserve the right to ask questions if needed.

- Mr. Holzhauser explained that the Board needs to weigh the number of parking spaces to see if everyone is on the same page. The number of 100 was thrown out there and it may be the right number, but the board was looking for some guidance in which TVRC has provided. The Board will need to decide if that number works.

Mr. Tom Bodolsky, the applicant's engineer, reminded the board attorney he was still under oath. Mr. Aaroe suggested the time frame needed to be discussed so that everyone has time to look at the plans.

Mr. Bodolsky proceeded to explain the concept plan he brought in for tonight's meeting:

- Parking expansion with an addition of 42 spaces (sheet 4 of 8) near the gym/proposed pool for a total of 102 paved parking spaces. The rationale for that number was taken from the activity report provided by TVRC and included into Ms. Caldwell's report.
- They are asking for a design waiver for parking which includes not only the paved parking but the banked parking as well.
- TVRC has proposed a counter clock wise circulation pattern for bus sized or truck sized vehicles including fire trucks. They have 5 handicapped spaces allocated which is the minimum amount for 100 spaces.
- There is a 300 ft riparian buffer which is an offset from the edge of the lake and all proposed buildings and parking are not within that buffer.
- The number of event parking spaces is arbitrary and is proposed in 3 phases. Avoiding any destruction of the trees was the main focus on the entrances for this banked parking. The total amount of proposed banked parking, over 3 phases, is 498 spaces.
- TVRC is committed to the understanding the applicant may not be the owner forever and a change in tenant would come before the board to approve the new use and then decide if the proposed banked parking is needed.
- The concept does not show grading, topography or any storm water management but will be on the full design brought before the board in October.
- Mr. Aaroe asked Mr. Bodolsky if any triggering event which demonstrates the inadequacy of parking would automatically require them to construct the entirety of the parking in that phase. Mr. Bodolsky agreed. Even if it is continually short 5 to 10 cars, it is a triggering event and the banked parking needs to be paved. Dead grass is a clear sign that there are not enough spaces.
- Mr. Bodolsky admitted to a few errors on the signage plan and stated that he had emailed the corrections to our office. FYI, the land use office never received this email!
- The sign plan includes numbering for buildings and various sites throughout the grounds to help identify the sites for emergency services. This plan also includes a directory sign at the entrance of Academy Lane as well as "No Parking", "Fire Lane", "No Parking – Bus Stop", directional arrows, and handicap parking signs.
- Mr. Bodolsky also talked about temporary signage depending on the size of the event such as extra "Exit" signs with a directional arrow. He stated they were willing to work with the Board for where and when to exit the grounds. If there are many cars trying to leave at once then out past the pub would be the best way to exit but if there was only a trickle of cars over the course of a few hours then Academy Lane is best.
- Mr. Bodolsky stated he did not believe a car driving though a regulated area temporarily is a regulated activity. There is already a disturbance there (parking lot D) to begin with. He does not believe that people parking in the grass should be a red flag for the temporary parking areas.

Ms. Caldwell arrived at this time.



Mr. Holzhauer suggested the Board discuss the number of parking spaces proposed by TVRC which is 102 paved parking spaces:

- Mr. Muller stated TVRC include circulation and standards for turn arounds in the parking lots for fire trucks on the final plan. He also suggested some sort of a loop for fire trucks and buses to make sure they can get through. Mr. Bodolsky explained although it may not look like it the measurements are correct, all trucks and buses can get through with no issues.
- Mr. Bodolsky went on to explain the sidewalk at the end of the proposed parking lot is a drainage divide. If he removes it will become a more complex drainage issue.
- Ms. Caldwell suggested the fire company was looking for more westerly access to the building. Mr. Bodolsky suggested refining that issue by extending a fire lane all the way to the end of the pool, he does not believe it is necessary but was looking for guidance and if the Board wants it they will try to accommodate.
- Mr. Holzhauer asked TVRC if they could designate on the plan where they push the snow and call it "temporary winter parking".
- Mr. Bodolsky stated the code for drainage is such an overdesign and if the Board was able to work with him on this it would be appreciated.

After a lengthy discussion about the extension of the fire lane and the proposed banked parking the following points were made:

- Mr. Walker suggested extending the fire lane out to put in a symmetrical island which would bring the pavement to the corner of the building. Mr. Bodolsky asked for Mr. Phil to work with him with respect the porous pavement. Mr. Phil explained that it was very expensive and as long they grade it to go into a small depression it would be ok.
- Mr. Phil stated his concerns with the some of the measurements in the proposed parking areas and the riparian buffer.
- Mr. Perigo explained the proposed banked parking area is a designated landing area for a medivac helicopter.
- Mr. Holzhauer stated the 100 concept spaces were a great starting point.
- Mr. Greene asked for clarification from the Board that there needs to be a paved extension of the fire lane near the swimming pool. The Board said yes.
- Mr. Bodolsky explained the "temporary" spaces in the proposed parking.
- If Phase one is triggered then ALL of Phase one is paved and so on for Phase two and Phase three.
- Mr. Aaroe stated any trigger mechanism for the parking will bring TVRC or other applicant back to the board for determination of adequacy or lack thereof and/or potentially, a site plan. All must agree on possible triggers tonight. As far as engineering, TVRC will have to demonstrate feasibility and approvability and the ability to obtain third party permits. The plans do not need to be engineered at this time and when there is a need for the engineered plans TVRC or other applicant will then come back before the Board.
- Mr. Bodolsky stated the drainage would be hard due to the flat land but there would be ways to make it work. Mr. Greene said they could make the drainage work, the area may need to be filled in for the proposed banked parking.
- Mr. Bodolosky explained the parking and the 7ft buffers are in accordance with the township design standards and that all of those standards would be addressed in the final engineering plan as needed.
- Mr. Bodolsky suggested using the proposed banked parking as actual event parking and eliminate the other parking areas all together. Mr. Greene stated there would be minor parking in lot D which is across the small bridge as needed for camporees and there camping events. Most of those cars would be to drop off equipment, the buses to drop of kids, and/or for the leaders to leave their cars there for the duration of the event.
- Mr. Muller stated TVRC needs to eliminate parking lot D all together then there will no need for an EIS.
- Mr. Walker suggested using the other side of Academy Lane for the overflow parking. Mr. Greene replied that the members would not want to walk that far and they would be walking across the incoming traffic.



- Mr. Phil suggested pulling through the possible extended parking lane, into the grass, along the cornfield to the power line. This could be used for overflow event parking instead of using lots B, C and D. The Board has issues with Parking lot D. They believe it can be used to drop off gear and leave one or two cars for emergencies but not for event parking.
- Mr. Holzhauer suggested a call box with preprogrammed numbers for emergency purposes near the entrance on Academy Lane.
- The Board reminded TVRC they had agreed to no parking on either side of Academy Lane and there needs to be signage on both sides to reflect that.
- Mr. Holzhauer believes there needs to be better sight distance and signage for the exit onto Stuyvesant Rd. It is not designed to be an ingress only egress. TVRC agreed.
- Mr. Phil suggested a paved pull off near the site directory at the entrance of Academy Lane.

Mr. Bodolsky explained the proposed area for the bus parking would be on the grass parallel to "Gymnasium Lane". Mr. Bodolsky suggested putting the buses on the correct side of the street so the passengers can load from the grass.

Mr. Bodolsky explained Ms. Caldwell raised many questions in her report. Ms. Caldwell replied by saying she believes a good amount of them had been addressed with the concept plan. She was happy with the Board addressing the overall complex and not just the proposed expansion of the gymnasium.

Mr. Bodolsky reminded the Board that based on the 2011 action by them the resolution states, this was considered and should still be, an inherently beneficial use, so there is no need to go over the positive criteria. TVRC has addressed the negative criteria and they are trying to solve those issues. He believes case should be closed on the Use variance. Mr. Aaroe stated that it is a religious use, a recreational use, open space, they are all beneficial and the nature of the use has not changed.

Mr. Bodolsky stated that since they have gone over so many planning issues at the meeting he is asking for relief from the planning report from all the areas outside of the proposed building. He only prepared a report for the expansion of the building. He is also looking for relief from the EIS since they have stayed out of the riparian buffer and the wetlands transition areas. Mr. Muller suggested that if TVRC sent a letter report to the board stating they have stayed out of the most restrictive jurisdictional areas and the riparian buffer then nothing else would be needed.

Ms. Caldwell explained the existing planning report is fine but she would like TVRC to add some comments at the end to summarize everything discussed tonight. Mr. Aaroe supported Ms. Caldwell's request and asked TVRC to add a brief summary of the comments taken from the meeting.

Mr. Holzhauer reminded everyone they need to find the triggers for the banked parking. After a lengthy discussion the following points were made:

- Mr. Perigo suggested asking for a revised list of attendees every 3 years, if the numbers are going up then it could be a potential trigger.
- If event permits are taken out through the town and the numbers are going up that would be a potential trigger.
- The obvious reasons would be change of use, change of owner or if the property is leased to someone other than TVRC.
- Mr. Greene stated there are currently about 17,000 congregates in NJ Conference, this is up about 7,000 people from 10 years ago.
- Although there are other sites like this throughout the country The Tranquil Valley Retreat Center is the only one of its kind in NJ.



- Mr. Bodolsky suggested a trigger point be when TVRC issues are considered a nuisance. For example, if Decker Pond Road is backed up due to people entering TVRC or if the Fire Department can't get through to where they need to go. It could go before the Township Committee for a fair public hearing to determine if the banked parking is needed. Mr. Aaroe explained it may not trigger parking necessarily but it would trigger the Township Committee telling TVRC to fix the problem.
- Mr. Holzhauer is more concerned with the "other" uses that happen year round and the people that come in the bad weather and there is no other place to park due to the snow.
- Mr. Greene stated he believes if the grass begins to break down that should be the trigger. If the overflow parking happens one time a month then it isn't a big deal but when it has a negative impact on the grounds then it is time assess the parking. Mr. Aaroe agreed and said it is the applicant's responsibility to come back to the board when they see it's becoming a problem.
- If bleachers are built in the swimming pool area that may be a trigger.
- Mr. Aaroe stated when the allegation of a trigger mechanism occurs the Board would convey the concern and TVRC would need to come in to discuss it formally to determine what, if anything, needs to be done.

Mr. Greene requested if they could begin building after they receive their approval instead of waiting until the resolution is memorialized. The board agreed. Mr. Aaroe clarified that it would be demolition and foundation only.

Mr. Bodolsky said he would get the final submissions to the professionals himself so that they would have enough time to do their reports.

Mr. Bodolsky clarified he would need design waivers for certain aspects of the plan and he asked what the board expected of him. The board stated that they would be fairly flexible when it comes to design waivers based on what they have seen already.

Mr. Holzhauer stated there was no public comment.

Mr. Greene invited the entire board to the dedication in June.

TVRC left the meeting at 9:56pm

Mr. Aaroe stated that the township attorney had minor revisions to the Land Use ordinance worked on by Mr. Miller, Ms. Caldwell, and Mr. Aaroe.

Mr. Phil announced that Dover requires their submissions 25 days in advance instead of 10. If it is minor they will accept in within 10 days. Mr. Aaroe said he doesn't know if this justifies changing the ordinance because this is a large application and most others would be fine to be seen within that 10 days. Mr. Phil suggested determining whether it is a major or minor application which would in turn, determine the length of time for the submission.

Mr. Holzhauer asked the professionals to give this some thought between major and minor applications and how they could determine the length of time needed to review a submission.

- **CORRESPONDENCE** - None
- **CHAIRMAN'S REPORT** - None



- ATTORNEY'S REPORT - None
- SECRETARY'S REPORT – None

Motion to adjourn by Mr. Perigo and seconded by Mrs. Mullen. No discussion. All Ayes.

Meeting was adjourned at 10:08pm

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Kim Mantz", with a stylized flourish at the end.

Kim Mantz

Land Use Board Secretary





**GREEN TOWNSHIP PLANNING BOARD  
RESOLUTION MEMORIALIZING THE GRANT OF  
PRELIMINARY (ONLY) SITE PLAN APPROVAL  
AND THE GRANT OF A *BULK* VARIANCE  
WITH RESPECT TO REAR YARD SETBACK  
SOUGHT ANCILLARY THERETO,  
SUBJECT TO CERTAIN CONDITIONS, TO  
APPLICATION NO. LU 1607  
AIRSIDE, INC.  
(BLOCK 26, LOT 4)**

**WHEREAS**, application having originally been made on February 28, 2008, by Airside, Inc., having its office and place of business at 93A Stickles Pond Road, Newton, New Jersey, 07860, acting through Mario Cavallone, president of the applicant, to the Green Township Planning Board, seeking the grant of preliminary site plan approval of a site plan plat proposing and detailing the construction on certain property presently owned by TAB Microfilm, Inc., c/o David Marione, having its office and place of business at 248 Brighton Road, Andover, (Green Township) New Jersey, 07821, said property known and designated as Block 26, Lot 4, on the Green Township Tax Map, of a 24,000 square foot pre-manufactured steel industrial building to become the base of operation of the applicant's sheet metal fabrication business and conducted in support of the HVAC (heating, ventilation and air conditioning) trades, said property having frontage upon, proposed new driveway access to and being located on the southerly side of Brighton Road and said property being located within the AI-10 Agricultural Industrial Zone District; and,

**WHEREAS**, in support of the original application for the grant of preliminary site plan approval and the applicant having submitted, in addition to the completed application form and site plan checklists, the following plats, documents and other exhibits: a plat entitled: *Amended Preliminary and Final Major Site Plans For Lot 4, Block 26 – Airside Inc., Township of Green, Sussex Count, New Jersey* prepared by Civil Engineering, Inc., said plats dated May 25, 2016 and having been revised on July 1, 2016, being constituted of eight (8) sheets; a plat entitled: *Airside, Inc., Preliminary Major Site Plan, Block 26; Lot 4-Brighton Road, Township of Green, Sussex County, N.J.*, said plats prepared by Jason L. Fichter, P.E., P.P., of InSite Engineering, Surveying and Planning, said plats dated January 8, 2008, being constituted of 15 sheets, inclusive of the title sheet and having been revised on February 25, 2008 and April 21, 2008 016; a plat entitled: *Proposed Industry Building for Airside, Inc., Brighton Road, Block 26, Lot 4, Green Township, Sussex Co., N.J.*, said plats prepared by Alan Spector, Architect, of A. Spector & Associates, Architects, of Newton, New Jersey, said plats being dated June 7, 2007, being constituted of two (2) sheets and having been revised on: February 11, 2008; February 20, 2008 and April 16, 2008; a plat entitled: *Property Survey, Tax Lot 4, Tax Block 26, Township of Green, Sussex County, New Jersey*, said plats prepared by Charles P. Brozowski, P.L.S. of Benchmark Land Surveyors, Inc., of Lake Hopatcong, New Jersey, said plats dated January 17, 1996 and being constituted of one (1) sheet; a report entitled: *Stormwater Management Report for a Major Site Plan of Block 26; Lot 4, in the Township of Green, Sussex County, N.J.*, prepared by Jason L. Fichter, P.E., P.P., of InSite Engineering, LLC, said report dated January 8,



2007, and having been revised on February 25, 2008; a report entitled: Environmental Impact State, Block 26, Lot 4, Township of Green, Sussex County, New Jersey, prepared for: *Airside, Inc., c/o Mario Cavallone, 93 Stickles Pond Road, Newton, New Jersey 07860*, said EIS having been prepared by Environmental Technology, Inc., of Chester, New Jersey and said EIS being dated February 28, 2008; and,

**WHEREAS**, hearings were held upon the application for preliminary (only) site plan approval at the regular meetings of the Green Township Planning Board on March 13, 2008 and May 8, 2008, at which the applicant appeared, through Mario Cavallone, the president of the applicant, and at which the applicant was represented by counsel, to wit, Michael S. Selvaggi, Esq. and at which Paul Costic, P.E., the applicant's professional engineer, and Alan Spector, A.I.A., the applicant's architect, also appeared; and,

**WHEREAS**, John P. Miller, P.E., P.P., C.M.E, the Green Township engineer and Green Township Planning Board engineer, having reviewed the application and rendered reports thereon dated February 1, 2008, and March 12, 2008; and,

**WHEREAS**, Paul Gleitz, P.P., the Planning Board's professional planning consultant having reviewed the application and rendered a report (memorandum) thereon dated March 10, 2008; and,

**WHEREAS**, as a result of the application for preliminary (only) site plan review and approval previously made to it, the Board's review of the plats, reports and other documents submitted in support thereof and the hearings held thereon at the regular meetings of the Board convened on March 13, 2008, and May 8, 2008, all as aforesaid, the Green Township Planning Board previously described the application for preliminary site plan approval particularly as follows:

1. The applicant is Airside, Inc., which has its office and place of business at 93A Stickles Pond Road, Newton, New Jersey, 07860.
2. Mario Cavallone is the applicant's president.
3. The property which is the subject of the application presently owned by TAB Microfilm, Inc., c/o David Marione, which has its office and place of business at 248 Brighton Road, Andover, New Jersey, 07821.
4. Applicant, Airside, Inc., is under contract with property owner TAB Microfilm, Inc., to purchase the subject property subject to the applicant's obtaining of preliminary site plan approval for the proposed development thereof.
5. The property which is the subject of the application is known and designated as Block 26, Lot 4, on the Green Township Tax Map. The subject property has

frontage upon, proposed new driveway access to and is located on the southerly side of Brighton Road.

6. The subject property is located within the AI-10 Agricultural Industrial Zone District and is proposed to be developed for a principal permitted use in said zone district.
7. In accordance with Article XV, Section 30-50.1(b)(1.) *processes of manufacturing limited to the fabricating, assembly and packaging of products is a permitted principal use.*
8. Specifically, it was originally proposed (and the applicant did, in fact, construct) to construct upon the subject property the following improvements:
  - A driveway entrance intersection located at the left (southeasterly) corner of the property (contiguous to adjacent Lot 4.01) on Brighton Road to provide driveway access to the improvements to be constructed.
  - A paved driveway having a width of 24 feet leading to parking areas adjacent to the proposed building and entirely circumnavigating the proposed building.
  - A proposed (partial) two-story, pre-manufactured metal building have overall dimensions of 300 feet, 0 inches in length, 80 feet, 0 inches in width and containing a total floor area of 24,000 square feet.
  - The floor area of the (24,000) square foot building will be allocated as follows: warehousing – 15,000 square feet; manufacturing – 6,000 square feet and offices – 3,000 square feet.
  - A paved and curbed parking area with a northerly tier of parking having 18 spaces, a southerly tier of parking having 10 parking spaces inclusive of two (2) handicapped spaces, for a total of 28 parking spaces located in the front (northerly) end of the proposed building, adjacent to the (3,000 square foot) office component.
  - A second, two-tier parking area located in the approximate center of the westerly side of the building and having five (5) spaces in the northerly tier, seven (7) spaces in a southerly tier of parking for a total of twelve (12) parking spaces. These (12) parking spaces will be *banked* for possible future use in the event that the applicant or the Township of Green determines the necessity of construction thereof and the applicant will establish parking for 21 trailers and two tractors (power units) in the location shown on the July 1, 2016 plan revisions.



- There will be an additional seventeen (17) parking spaces *banked* for future use located westerly of the proposed twelve (12) *banked* (reserved) parking spaces along the westerly side of the proposed building.
- Each of the proposed twenty-eight (28) on-site parking spaces to be initially constructed and the twenty-nine (29) *banked* (reserved) parking spaces will have dimensions of 9 feet, 0 inches in width and 19 feet, 0 inches in depth.
- The parking requirements for the use are as follows: warehousing at the rate of one (1) parking space per 1,000 square feet resulting in a requirement of 15 parking spaces; manufacturing at the rate of one (1) parking space for 500 square feet resulting in a requirement of 12 parking spaces and business office use at the rate of one (1) space per 150 square feet resulting in a requirement of 20 spaces for a total of 47 required on-site parking spaces.
- The applicant is proposing to provide a total of 57 on-site parking spaces of which 28 will be initially constructed with the remaining 29 parking spaces being *banked* (reserved) for possible future use.
- A total of 40 on-site parking spaces.
- As detailed on Sheets 5 and 6 (of 15) of the InSite Engineering, Surveying and Planning site plan plats submitted and as identified hereinabove, there is a fairly extensive planting schedule of trees, shrubs and landscape improvements established to enhance the site.
- There will be an area located to the rear (southerly) of the building reserved for utilization of parking of not in excess of six (6) trailers.
- There will be an on-site septic disposal system and an alternate (reserve) disposal system.
- There will be an on-site stormwater management detention basin located at the right front (northwesterly) portion of the site.
- Potable water to support the proposed use on the site will be obtained by a proposed on-site drilled well.
- There will be pavement markings, including a *stop* bar on the driveway entrance to Brighton Road, a *stop* sign and entry sign bearing the applicant's name and logo having a width not to exceed six (6) feet and having a height

above finish grade not to exceed twenty-four (24) inches. Additional signage will be established on the site including a *Do Not Enter* and a *One Way* sign.

- Lighting of the site will be achieved as set forth on Sheet 7 (of 15) of the InSite Engineering, Surveying and Planning site plan plats submitted and as identified hereinabove.
  - The free-standing lighting of the parking area, etc., of the site will be by means of 14 foot height *lantern style* lamp posts.
  - The front (northerly) portion of the proposed 24,000 square foot building will be devoted to office use on the second level thereof, containing a total of 3,000 square feet and allocated into: a reception area, nine (9) separate individual offices, a file area and a conference/lunch area. Bathroom facilities will be provided on the second floor adjoining the proposed offices.
  - The central portion of the proposed 24,000 square foot building will be devoted to a *factory area* wherein sheet metal fabrication, by means of automated equipment, will be conducted. This area will be constituted of 6,000 square feet.
  - The rear (southerly) portion of the 24,000 square foot warehouse building will be utilized as warehouse storage area and contain an area of 15,000 square feet.
9. The proposed warehouse building will have a front yard setback measured from the southerly edge of the right-of-way of Brighton Road of 463.30 feet; will have an easterly side yard setback of 102.00 feet from the building itself; will have a westerly side yard setback of (not designated on the site plans but well in excess of the minimum required 100 feet) and will have a rear yard setback of 202.19 feet.
10. The proposed building will be constructed entirely within the *building envelope* applicable to the AI-10 Agricultural Industrial Zone District with conforming front, side and rear yard.
11. There will be a total maximum of forty (40) employees employed by the applicant of which sixteen (16) will normally be located on the site itself, six or seven of which will be office employees, with the remaining twenty-four (24) employees being normally employed in activities conducted off-site.



12. The applicant is relocating his existing manufacturing operation from Andover Township where he has been in business for seven (7) years last past, to Green Township.
13. The normal hours of operation will be 7 a.m. to 3:30 p.m. daily with some limited Saturday hours. No operations will be conducted on Sundays.
14. There will be a maximum of six (6) trailers parked, stored and maintained upon the site at any time and which will be located in the trailer storage area to the rear (southerly portion) of the site.
15. The applicant has been informed of its obligation to comply with the Green Township *Mt. Laurel* Growth Share Ordinance and the requirements of COAH (Council on Affordable Housing) which appears to result in a 1.92 (rounded to 2) unit COAH housing obligation. The applicant recognizes this obligation, agrees to voluntarily comply therewith in accordance with the conditions set forth hereinbelow and to enter into a Developer's Agreement consistent with satisfaction of this COAH obligation.

**WHEREAS**, at the regular meeting of the Green Township Planning Board convened on May 8, 2008, the Board determined, by a unanimous vote of the members then in attendance and participating, a quorum being present, to take the following Official Action:

- The grant of preliminary (only) site plan approval to Application No. 469 being the application of Airside, Inc., proposing and detailing the construction of a pre-engineered metal building having overall dimensions of 80 feet, 0 inches in width and 300 feet, 0 inches in depth, the front (northerly) portion thereof being a two-story structure and said structure containing a total area of 24,000 square feet to be devoted to: warehouse use (5,000 square feet); light manufacturing (sheet metal fabrication) use (6,000 square feet) and office use (3,000 square feet) on property presently owned by TAB Microfilm, Inc., c/o David Marione, said property known and designated as Block 26, Lot 4, on the Green Township Tax Map, said property containing a total area of 12.3173 acres (536,542.51 square feet) having frontage upon, proposed new driveway access to and being located on the southerly side of Brighton Road and said property being located within the AI-10 Agricultural Industrial Zone District.
- The grant of certain improvements waivers with respect to the necessity of the construction of full parking in favor of the *banked* parking proposal described hereinabove and curbing and sidewalks along the frontage of the subject property on Brighton Road.

**WHEREAS**, the Board's taking of Official Action, as hereinabove summarized, was memorialized by Resolution dated and adopted June 12, 2008, and revised June 23, 2009, with respect to Conditions f. and g.; and,

**WHEREAS**, in that the taking of the Official Action summarized hereinabove was the grant of preliminary, only, site plan approval and further given that the applicant has completed the construction of the building and all other site improvements proposed to and approved by the Board and having submitted an application for final site plan approval which is, in essence, an *as-built* final site plan, said application having been filed December 16, 2009, and having been designated Application No. 469A; and,

**WHEREAS**, in support of the application for the grant of final site plan approval, the applicant having submitted the following plats:

- A plat entitled: *Property Survey, Tax Lot 4 – Tax Block 26, Township of Green, Sussex County, New Jersey*, said plat prepared by Charles P. Brozuski, P.L.S./P.P. of Benchmark Land Surveyors, Inc., of Lake Hopatcong, NJ, said plats dated January 17, 1996, being constituted of one (1) sheet and having been revised on: May 3, 2007; December 3, 2009; December 11, 2009.
- A plat entitled: *Preliminary Major Site Plan*, said plat prepared by Jason L. Fichter, P.E., P.P. of In-Site Engineering of Wall Township, NJ, said plats dated January 8, 2008, being originally constituted of sixteen (16) sheets, with respect to which only Sheets 1 and 4 were submitted in support of the application for final site plan approval, said plats having been revised on: February 25, 2008; April 21, 2008; August 5, 2008; September 8, 2008 and October 14, 2008.

**WHEREAS**, despite the fact that the site plan plats submitted and as identified hereinabove (prepared by In-Site Engineering) continue to be entitled: *Preliminary Major Site Plan*, they were intended to constitute and be considered as an *as-built final* site plan, particularly Sheet 4 thereof entitled: *Grading & Utilities*, despite the fact that there are multiple references thereon to "proposed" with respect to the improvements, i.e., no final site plan plat document labeled as such and showing solely **existing** improvements was submitted but the Board having determined that the plats which were submitted were sufficient for the purpose of its taking of the Official Action memorialized hereinbelow, subject to the requirement that the plats be re-titled, revised/corrected and resubmitted; and,

**WHEREAS**, application having been made on June 15, 2016, by Airside, Inc., having its office and place of business at 246 Brighton Road, Andover (Green Township), NJ 07821, seeking the grant of amended site plan approval and the grant of *bulk* variance relief for rear yard setback, in support of which the applicant having submitted the following plats and other documents:

- A plat entitled: *Amended Preliminary & Final Site Plans for Lot 4, Block 26 "Airside, Inc.", Township of Green, Sussex County, New Jersey*, said plats prepared by James G.



Glasson, P.E. of Civil Engineering, Inc., of Budd Lake, NJ, said plats dated May 25, 2016 and being constituted of eight (8) sheets, including the title sheet and bearing no revision dates thereon.

- A plat entitled: *Warehouse Addition to Airside, Inc., Block 26, Lot 4, Green Township, Sussex Co., N.J.*, said plats being architectural plans and elevations prepared by Alan Spector, Architect, said plans being dated December 15, 2014, and having been revised on: November 20, 2015 and January 15, 2016.
- A report entitled: *Addendum to Stormwater Management Report for Airside, Inc., 246 Brighton Road, Block 4, Lot 26, Green Township, Sussex County, N.J.*, said report being dated May 25, 2016 and having been prepared by James Glasson, P.E.
- A report entitled: *Maintenance and Operations Manual for Stormwater Management Facilities at Airside, Inc., 246 Brighton Road, Lot 4, Block 26, Green Township, Sussex County, N.J.*, said report being dated May 25, 2016 and having been prepared by James Glasson, P.E.

**WHEREAS**, a noticed public hearing was held at the regular meeting of the Green Township Land Use Board convened on July 14, 2016, at which the applicant appeared through Mario Cavallone, president of the applicant and at which the applicant was represented by counsel, to wit, Michael S. Selvaggi, Esq., and at which the applicant's professional engineer, James G. Glasson, P.E. also appeared; and,

**WHEREAS**, John P. Miller, P.E., P.P., C.M.E., the Green Township engineer and Green Township Planning Board engineer, having reviewed the application and rendered a report thereon dated June 17, 2016; and,

**WHEREAS**, Jessica Caldwell, P.P., the Land Use Board's professional planner, having reviewed the application and rendered a report thereon dated June 21, 2016; and,

**WHEREAS**, as a result of the application made to it, the Board's review of same, the review of same by the Board's engineer and planner and the presentation made on behalf of the applicant at the noticed public hearing convened on July 14, 2016, the Land Use Board does herewith describe the application particularly as follows:

1. As detailed on Sheet 4 (of 8) of the Civil Engineering, Inc., site plan plats dated May 25, 2016, the proposal is to construct a 9,000 sq. ft. addition to the southerly end of the applicant's existing warehouse/manufacturing/office building.
2. As detailed on Sheet 1 (of 2) of the A. Spector & Associates – Architects architectural plans and elevations most recently revised as of January 15, 2016, the proposed addition will have dimensions of 60'0" x 150'0".

3. Of the total depth of the warehouse addition (150'0"), 70'0" will project beyond (westerly) of the existing facility.
4. The proposed warehouse addition will have an overall height of 27'0", to the eaves with the overall height to the peak of the (low pitched) roof.
5. No additional employee parking is proposed to be constructed in that the applicant's testimony, accepted as factual by the Board, was that the warehouse addition would add no additional employees and that the existing parking constructed as result of the previous preliminary and final site plan approvals, will continue to be adequate to support the proposed addition.
6. Particularly, the previous approval was for 57 parking spaces, 29 of which were "banked" (reserved, not constructed).
7. Additional lighting and landscaping (no additional signage) will be established in accordance with Sheet 7 (of 8) entitled: *Lighting and Landscaping Plan*.
8. A *bulk* variance with respect to rear yard setback is required and has been sought in that the proposed rear yard setback is 122.2 feet, whereas the minimum required rear yard setback is 200 feet.

**NOW, THEREFORE, BE IT RESOLVED**, by the Land Use Board of the Township of Green that, as a result of the application for preliminary (only) site plan approval and *bulk* variance approval for rear yard setback, the Board's review of the documents and other submittals, and the hearing held upon the application at the regular meeting of the Board convened on July 14, 2016, all as aforesaid, the following **OFFICIAL ACTION** is taken with respect thereto:

1. **APPLICATION NO. LU 1607**, being the **APPLICATION** of **AIRSIDE, INC.**, proposing and detailing the construction of a pre-engineered metal building addition to the end (southerly portion) of the existing warehouse/manufacturing/office building, the proposed warehouse addition to have dimensions of 60'0" x 150'0" and containing a total floor area of 9,000 sq. ft., on property owned by the applicant, said property known and designated as Block 26, Lot 4, on the Green Township Tax Map, said property being located on the southerly side of Brighton Road and said property being located within the AI-10 Agricultural Industrial Zone District, **BE**, and same is herewith **GRANTED PRELIMINARY (ONLY) SITE PLAN APPROVAL**.
2. A **BULK VARIANCE**, **BE** and same is herewith **GRANTED** with respect to rear yard setback, the proposed rear yard setback of the proposed addition to be 122.2 feet, the minimum required rear yard setback in the AI-10 Agricultural Industrial Zone District being 200 feet.



3. The foregoing Official Action is taken, subject to full compliance by the applicant with the following terms and conditions:

- a. The applicant shall provide proof of the payment of all real estate taxes and assessments due on the subject property through the 3rd quarter of 2016.
- b. The applicant shall reimburse the Township of Green for the costs of administration of this application including professional review services rendered and the costs of the preparation of this memorializing Resolution.
- c. The applicant shall comply with the requirements and/or recommendations of John P. Miller, P.E., the Township and Planning Board engineer, as set forth in his report dated June 17, 2016.
- d. The applicant shall construct all improvements in precise compliance with the plats submitted to, reviewed and approved by the Board, **any deviations therefrom** requiring resubmission to, re-review and reapproval by the Board.

GREEN TOWNSHIP PLANNING BOARD

  
SCOTT HOLZHAUSER, CHAIRMAN

  
KIM MANTZ, SECRETARY

I hereby certify the foregoing Resolution to be a true and complete memorialization of the Official Action taken by the Green Township Land Use Board at its regular meeting held on July 14, 2016, by a motion and vote as follows:

**MOTION TO GRANT PRELIMINARY (ONLY) SITE PLAN APPROVAL AND A BULK VARIANCE WITH RESPECT TO REAR YARD SETBACK SOUGHT ANCILLARY THERETO, SUBJECT TO CERTAIN CONDITIONS, TO APPLICATION NO. LU 1607 - AIRSIDE, INC. (BLOCK 26, LOT 4):**

IN FAVOR: . Mr. DeYoung, Mrs. Mullen, Mr. Muller, Mr. Perigo,  
Mr. Walker, Mr. R. Wilson, Mr. Holzhauser, Mr. Cercone  
Mr. Chirip, Mr. Conkling, Mr. J. Wilson

OPPOSED: None.

ABSTAIN: None.

ATTEST:

  
KIM MANTZ, SECRETARY

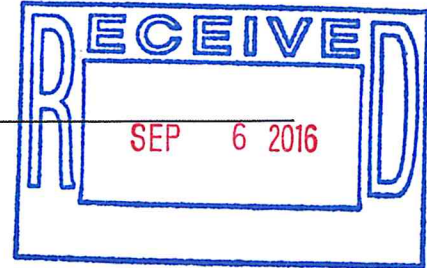
Revised: August 30, 2016 as to comments made by Dorina Fainis' email of 8/22/16

Dated: August 14, 2016

GTPB: AirsideIncGrantPrelim(Only)SitePlanApprvandBulkVarRearYardSetback.Reso.







September 2, 2016

**MEMORANDUM TO:** Green Township Land Use Board

**FROM:** Jessica C. Caldwell, P.P., A.I.C.P., Planning Board Planner

**SUBJECT:** Preliminary and Final Site Plan and Use variance for Tranquil Valley Retreat  
Center Gymnasium Addition  
Block 34, Lot 18  
Located on Decker Pond Road (County Route 517)  
Green Township, Sussex County

Dear Land Use Board Members:

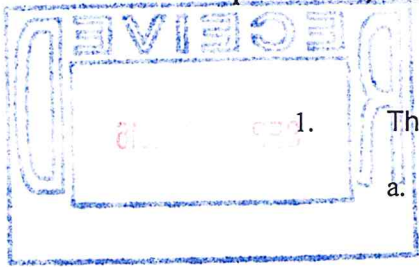
The Applicant, New Jersey Conference of Seventh Day Adventists, is seeking use variance and preliminary and final site plan approval to construct a 16,104 square foot gymnasium addition and an 8,400 square foot indoor swimming pool addition to the existing 28,189 square foot gymnasium facility located on the above-referenced site. The total square footage proposed according to the site plan is 52,693 square feet. The site currently operates as Tranquility Valley Retreat Center functioning as a retreat center for Seventh day Adventists which includes educational seminars, lectures, spiritual retreats and recreational opportunities for members. The facilities are also leased to schools, athletic teams and others. On-site facilities include the existing gymnasium, several dorms, camping cabins, a camping area, a lake, outdoor swimming pool (not currently used) and several residences. The retreat center holds an annual camp meeting that draws crowds of between 1,200 and 5,000 people. An additional two annual events are held that draw up to 1,200 people. Several other smaller events are held annually that range in size from 30 to 500 people.

The Applicant has been utilizing a temporary tent structure for larger gatherings on the site. The Applicant is now proposing to expand the gymnasium in order to accommodate gatherings of up to 5,000 people within a permanent structure. There are 52 parking spaces adjacent to the existing gymnasium. No new parking is proposed requiring a design standard waiver from Section 30-17.2.M.

A site visit was conducted by members of the Board and Board Professionals on August 4, 2016 at 6:00 p.m. The meeting was advertised and minutes were taken. Issues noted during the site visit will be raised in this report.

The Applicant submitted draft conceptual revisions to the site which increases the proposed parking on the site, proposes banked parking and permanent and event signage for the site. The original application did not include parking. This report reviews the original proposal. Comments on the conceptual plans will be forthcoming.





The following documents were reviewed for this application:

- a. Eight (8) sheets of site plans entitled, "Preliminary and Final Site Plan for Tranquil Valley Resort Center Gymnasium Addition", prepared by Pequest Engineering Company, dated May 30, 2016
- b. Two (2) sheets of architectural plans prepared by Sapphire +Albarran Architecture, LLC, dated May 25, 2016.
- c. Application package and supporting documentation.
- d. *One sheet of draft site plan layout entitled, "Site Plan for Gymnasium Addition (DRAFT)," prepared by Pequest Engineering Company, dated August 30, 2016.*
- e. *One sheet of draft banked parking plan entitled, "Site Plan Layout for Gymnasium (DRAFT)," prepared by Pequest Engineering Company, dated August 30, 2016.*
- f. *One sheet of draft sign plans entitled, "Permanent Sign Plan (DRAFT)," prepared by Pequest Engineering, dated September 1, 2016.*
- g. *One sheet of draft event sign plans entitled, "Event Sign Plan (DRAFT)," prepared by Pequest Engineering, dated September 1, 2016.*
- h. A prior resolution memorializing the grant of use or special reasons variance pursuant to NJSA 40:55D-70(d)(1) to Application No. 346 New Jersey Conference of Seventh-Day Adventists (Block 34, Lot 8) dated August 4, 2011.
- i. Planning report in support of use variance for New Jersey Conference of Seventh Day Adventists, Block 34, Lot 18 prepared by Thomas Bodolsky, P.E., P.P dated June 2016.
- j. Memorandum for Green Land Use Board, TVRC Supporting Documentation, prepared by Ramon Merle, TRVC Director, dated July 4, 2016.
- k. Planning report in support of use variance for New Jersey Conference of Seventh Day Adventist, Block 34, Lot 18 prepared by Thomas Bodolsky, P.E., P.P dated July 2011.
- l. One sheet of Campus Master Plan prepared by Thomas Bodolsky, P.E., P.P., dated July 18, 2011.



- m. Abbreviated Environmental Impact Statement Regarding Gymnasium Auditorium Expansion dated July, 2016.
  - n. Soil Investigation for Infiltrative Pond Permeability, prepared by Pequest Engineering, dated June, 2016.
  - o. Miscellaneous Support Calculations for Gymnasium Expansion New Jersey, prepared by Pequest Engineering, dated May, 2016.
  - p. Report on Stormwater Management for Gymnasium Expansion New Jersey Conference of Seventh Day Adventists, prepared by Pequest Engineering, dated May, 2016.
2. **Proposed:** The Applicant is proposing an addition containing a total of 24,504 square feet, to the existing gymnasium of 28,189 square feet. The total building size proposed is 52,693 square feet. The proposed addition includes 16,104 square feet of gymnasium/auditorium space proposed to be added to the eastern portion of the existing building and an 8,400 square foot indoor swimming pool is proposed to be located along the western side of the existing gymnasium building. In addition to the proposed addition, the proposal includes relocation of the driveway and removal of part of existing asphalt driveway of approximately 7,425 square feet.

The proposed addition to the east will extend the gym area, while the proposed addition to the west will contain a proposed swimming pool, a wading pool and locker changing areas. In addition, additional office space, meeting rooms, storage area and classrooms are proposed. Issues related to the proposed building expansion are as follows:

- a. The existing structure contains two restroom facilities, one women's restroom with six (6) stalls and one men's restroom with three (3) stalls and two (2) urinals. The proposed addition adds locker room facilities for the swimming pool that contain four (4) stalls in the women's locker room and two (2) stalls plus two (2) urinals in men's locker room. The entire facility as proposed will contain ten (10) stalls for women's restrooms and five (5) stalls plus five (5) urinals for men's restrooms. This raises concerns about whether or not adequate facilities are being proposed for the maximum capacity being proposed of 5,000 people. The proposed building will require building permit review and this may be identified as an issue at this point. The Applicant's Architect should address the adequacy of the restroom facilities proposed for the building.
- b. The existing structure is not marked with maximum occupancy signage. The Applicant should note the maximum occupancy based on fire code of the existing structure and proposed additions. This may be an issue as it relates to parking.





- c. The proposed structure has meeting rooms, classrooms and offices in addition to the gym/assembly area. Additionally, a pool facility is proposed. The Applicant has testified that the pool will never be in use during large gatherings. It should be clarified what the maximum usage of the facility will be including the pool, classrooms and offices at any one time.
  - d. The gymnasium structure is utilized for retreats, conventions, training, weddings and sports training during the winter time. The Applicant has testified that most of the use of the facility is in the summer time; however the retreat center is a year-round facility. The largest event is noted to draw up to 5,000 people. The Applicant has stated that the average event sizes range from 35-300 people. One winter event called winter games is noted to have 500 people attending. It is not only conceivable but almost inevitable that now that the building will be nearly doubled in size, with the addition of indoor swimming facilities, that additional non-summer use will occur. Testimony regarding use of the facility up to this point has largely related to the existing use and is based on an assumption that existing use will continue without increasing in perpetuity regardless of the increased size of the building. This is an unreasonable assumption on behalf of the Applicant and doesn't support the design waiver required for parking. Reasonable estimates of the level of use of the gymnasium, classrooms, offices, meeting rooms and swimming pool during fall, winter and spring should be provided given the increased size and capacity of the facility. This is relevant to the fact that temporary grass parking utilized during summer use is problematic during these times of the year and that off-site street parking will need to be accommodated by paved parking lots during wet weather and snow.
3. **History of the Site:** Seventh Day Adventists acquired the property on July 16, 1963. Over the years, the site has been developed into a multi-use complex which included Garden State Academy with affiliated structures, the Tranquil Valley Retreat Center, the Tranquility Seventh Day Adventist Church, and an elementary school with associated gymnasium. In 2005, the Garden State Academy closed. In 2008, the elementary school, affiliated gymnasium, and church were subdivided. The church is now located on a separate lot known as Block 34, Lot 18.02.

The Property in Question Block 34, Lot 18, consists of the Tranquil Valley Retreat Center and the former Garden State Academy. The Garden State Academy was a private co-educational high school, with an average enrollment of 125 students and 12 teachers. This academy consisted of the following structures, the school, a chapel, administrative offices, and gymnasium, a girl's dormitory known as Ellis Hall, a boy's dormitory known as Bulford Hall, a cafeteria and a book store.



The remaining use on site, the Tranquil Valley Retreat Center continues in operation. It functions as a youth camp, and the activities related to youth camp are mostly situated behind (east of) the Large Pond. It constitutes 41 cabins, 36 RV hook-up stations, 17 tent camping pads, an activity center, a kitchen/meeting/storage building, a bath house, a tennis court and a pool. The Retreat Center previously operated during the months of July and August, according to the 2011 resolution referenced above. The Applicant has submitted documentation that the retreat center now operates on a year-round basis, which is an expansion of the use. Additionally, the 2011 resolution noted that a maximum of 600 campers were on-site at any one time. Current documentation submitted by the Applicant and reiterated in testimony identified up to 1,200 campers on-site.

In addition to the Retreat Center, the former Garden State Academy facilities are now used for congregational activities such as lectures, educational seminars and spiritual retreats. The gymnasium is used as an assembly hall. There are 52 parking spaces adjacent to the gymnasium and the dorms.

In 2011, the Applicant applied for a d(1) use variance to permit conversion of the existing dormitories for lodging purposes for the congregation and adding restroom facilities to the dormitories. This variance was granted.

Further, the Retreat Center holds an Annual Spiritual Retreat in late June for a period of two weeks. For this event traditionally, a large tent has been erected in the front field. The Applicant is therefore, requesting an addition to the existing gymnasium to substitute a temporary structure for a permanent one.

In addition to the listed facilities, there are about nine (9) single family residences and several storage buildings located on site.

The retreat center use was identified as a temporary use held in the summer months at the facility in the 2011 resolution. The addition of a permanent structure to the site, where a temporary use was previously occurring, creates the need for a variance pursuant to N.J.S.A. 40:55D-70(d)(1). Section 40:55D-70(d)(1) pertains to a variance to permit a use or structure which is not permitted in the zone. The proposed change in use creates a year-round retreat center, where the retreat center was previously primarily made up of the outdoor camping areas and an outdoor tent for the conference. In addition to the prior conversion of the dormitories for lodging for retreat and conference center uses, the Applicant is now proposing to utilize the expanded gymnasium for its larger annual retreats.







Aerial View of Tranquility Retreat Center. Source: Google Maps, 2016

4. The following is noted:
- a. **Zoning:** The subject site is located in the AR-5/2 zone. The zone permits the following as conditional uses:
- Churches and similar places of worship of recognized religious groups, which may include attendant parish houses, convents and religious educational buildings.
  - Public and Private schools, colleges and academies teaching academic subjects, including accessory dormitories, stadiums, athletic facilities and the like.
  - Private or commercial recreation facilities such as golf courses, tennis courts, riding stables or academies and swimming facilities.

While some aspects of the existing use are permitted as conditional uses, all of the uses are not permitted as conditional uses. The proposal to create a permanent year-round retreat center within a permanent structure generates a d(1) use variance. Arguably, the expansion of the retreat center use camping facilities as noted above, generates a variance pursuant to N.J.S.A. 40:55D-70(d)(2) for an expansion of a non-conforming use. This additional variance is arguably subsumed into the

**RE: Preliminary and Final Site Plan for Tranquil Valley Resort Center**  
**September 2, 2016**

d(1) variance; however, the Applicant's testimony and proofs must address the entirety of the site that functions as the retreat center, including dormitories, cabins and camping facilities, due to the expansion of this non-conforming use.

The prior application converting the dorms for use by the retreat center triggered a d(1) use variance for a use or structure not permitted in the zone, likewise, this application will also be a d(1) use variance for a use or structure not permitted in the zone.

- b. **Use:** The Applicant has provided a campus master plan and the planning report providing information on the various uses on site. Further, the Applicant provided the following details with respect to specific annual activities with the number of attendees on site and estimated number of vehicles. It should be noted that the Applicant estimates one vehicle per four people. The ordinance requires one parking space for every three seats, thereby assuming one vehicle for every three seats.

Activity	Population	Vehicles per Applicant	Parking Spaces per Ordinance	Months
Winter Games	500	125	167	TBD
Teen/Youth Convention	350	75	117	TBD
Deacons & Deaconesses E/S	400/400	100 per event	134	TBD
Elders Retreat English/Spanish	400/400	100 per event	134	TBD
Family Adventure	1,200	300	400	TBD
Pathfinders Camporee	1,200	300	400	TBD
Area Coordinators Training	40	10	14	TBD
Other Events (Weddings, trainings, Single, couples, Men, Women, Pastors, Church Retreats)	35-300	10-75	12-100	TBD

TBD to be determined (Applicant to provide)

The following is noted:

- i. Based on the above-referenced number of attendees at typical annual events, required parking per the ordinance would range from 12 spaces to 400 spaces. While the largest event of 5,000 people is the least often event, the events that generate up to 1,200 people occur annually and would generate the need for 400 spaces.
- ii. In addition, the report notes that approximately 45 people are living on the campus and presumably on-site in addition to the above-noted populations.





- iii. As noted above, the Applicant should provide the months in which each these above stated activities is occurring.
  - iv. The Applicant should provide the number of employees/volunteers on the site during various retreats and functions. This should include security crew, cleaning crews, parking attendants, cooks, camping staff and other various employees.
  - v. There are several on-site overnight accommodations available and potentially utilized during each event. The total number of dorm rooms on-site and their use during these events should also be discussed as they essentially share parking with the gymnasium facility.
- c. **Number of Uses:** Per section 30-62, only one principal building may be erected on a lot, except for related buildings forming one (1) principal use. The proposed use is identified as an additional use on site, this further supports the need for a d(1) use variance.
- d. **Parking:** According to Section 30-17.2.M, the proposed auditorium use will require 1,667 parking spaces. This is based on the criteria of 1 space for every 3 seats in the auditorium. Per the site plan, the proposed gym/auditorium will accommodate 5,000 seats. In addition classrooms on the site are noted to accommodate 400 seats, generating an additional 1 space per 3 seats. The total required parking for the gymnasium and the classrooms is **1,800 parking spaces**. No parking calculations have been provided for other uses on the site, including the proposed swimming pool and the dormitories. These calculations should also be provided.
- i. The plan proposes **52 parking spaces or 3 percent of the required parking for the gymnasium facility only**. A waiver from Section 30-17.2.M is required. A waiver from design standards typically has a lesser burden to meet than a variance from zoning standards. However, the Board must find that the request is reasonable and that the site can still adequately function without meeting the standard. In this case, doubling the size of the building and proposing no additional parking spaces to accommodate parking is not a reasonable request. The Applicant continues to provide testimony that no additional use of the building will occur and that the temporary summer month use of the permanent structure will continue. This is not a reasonable assumption for the Board to make. There will be the ability for increased use in non-summer months and that level of use should be quantified and accounted for.
  - ii. The Applicant is largely proposing to accommodate overflow parking on grass areas around the site during the summer



months. The Applicant has provided a map showing the overflow parking areas. These areas lie within a 300-foot riparian buffer for the Category One stream located on the site. Confirmation that NJDEP rules permit temporary parking in the riparian buffer should be provided. Additionally wetlands are visible on the site surrounding the existing pond on the site and off-site along the C-1 stream. The Applicant should provide a wetland delineation in areas where proposed uses are within 150 feet of potential wetlands.

- iii. The Applicant should testify how only 52 spaces will accommodate the proposed number of uses and the volume of people expected to visit the site. Of particular concern are overlapping uses and use during months when grass parking is not available.
- iv. Given testimony regarding use of buses to the site, the Applicant should testify as to how bus access and parking will be accommodated on the site.
- e. **Circulation Plan:** The Applicant should provide a circulation plan for the site. The following items should be addressed with respect to circulation on the site:
  - i. Vehicle traffic and flow during each type of event, i.e. small, medium and large.
  - ii. Access and turning movements for large vehicles including buses, RV's and fire trucks.
  - iii. Existing aisle widths in the parking areas are substandard. These should be identified and widened based on proposed traffic flow, i.e. one way or two way.
  - iv. Pedestrian access, pedestrian crossings and pedestrian flow should be addressed for larger events.
  - v. Parking plans, locations of proposed parking and signage should be provided.
  - vi. Entrance and exit arrows should be provided so that in the case of an emergency, people know how to quickly exit the site.
  - vii. Fire lanes and no parking areas should be provided to ensure that driveways are not blocked by parked cars during larger events.
  - viii. The current proposed exit at Pub 517 should be further evaluated for capacity during large events.
- f. **Emergency Services:** The Green Township EMS and Fire Department both testified at the August 11, 2016 hearing on this manner. Several existing public safety concerns were raised regarding the site as follows:
  - i. Overflow parking on driveways is blocking access by emergency vehicles to the facilities on the site.





- ii. Pedestrians utilizing the main drive for picnicking and recreating during a retreat has blocked access for emergency service vehicles to the site.
- iii. 911 calls made from the site on personal cell phones are routed to 911 call centers in the area code of the cell phone user. This creates long delays while 911 operators locate the callers and notify Green Township emergency services.
- iv. Tent sites are not numbered and identifiable in any way making location of people calling 911 from any given tent incredibly difficult when up to 1,200 campers and presumably hundreds of tents are present.
- v. Existing driveway widths are inadequate for access by fire trucks to the existing gymnasium on the site.
- vi. Paved access to at least one side of the main gymnasium doesn't exist currently and is not proposed. Fire truck access to the western most side of the building is not possible during winter months.
- vii. The largest event proposed at this venue exceeds the Township's entire population and the Township emergency services and fire department are both volunteer organizations. A food poisoning event at the facility required transport of 16 patients by ambulance and required assistance from three (3) surrounding towns. Larger emergency situations could prove extremely challenging for local emergency services.
- g. **Emergency Plan:** The Applicant should discuss the emergency services plan for the proposed uses on site. Given the volume of people on site and the proposed number of vehicles to be located on site, an emergency services plan should be provided. This should include what information is given to attendees to alert them to emergency services access on the site; evacuation plans on the site; plans for access of emergency vehicles and how to locate people on the site.
- h. **Landscaping:** It is noted that approximately 11 trees are to be removed due to the proposed addition. The Applicant should discuss if additional trees are proposed on site. Further applicant should discuss if any additional landscaping is proposed on site.
- i. **Signage:** The Applicant should testify regarding any proposed signage or proposed change in existing signage. It was noted while on the site visit that directional signage on the site would be beneficial. There may be additional signage required during large events to direct traffic.



- j. **Architectural design standards:** The Applicant should testify regarding the exterior wall surface and roofing materials and its compliance with section 30-17.3B.
- k. **Bulk variances:** As stated above the subject site is located in AR- 5/2 zone, the following is noted. This bulk variance is based on the regular bulk variances and not the conditional requirements.

**AR-5/2**

Description	Required	Proposed
Minimum Lot Area	5.00 ac	357.10 ac
Max Density (FAR)	0.20	Not applicable
Max Lot Width @ Road	130	Not provided
Max Lot Width @ Setback (ft)	210	28710.4
Max Lot Depth	600	Not provided
Minimum Front Yard	100	727.6
Minimum Side Yard	35	72.3
Minimum Rear Yard	100	1971.8
Max. Building Height	35	23
Max. Building Coverage	15%	0.01

5. **Use Variance:**

- a. The Municipal Land Use Law (MLUL) sets forth the statutory positive and negative criteria for variance relief. It permits the Land Use Board acting as the Zoning Board of Adjustment to grant a "d variance" in particular cases and for special reasons." The courts have determined that special reasons include a showing by the applicant that the granting of the variance will effectuate the intents and purposes of the MLUL and advance the goals and objectives of the municipal master plan. This is the "positive criteria" of the statute.
- i. The August 2011 resolution of approval deemed the use to be an inherently beneficial use as a church supportive use. The courts have not deemed church's to specifically be deemed outright as inherently beneficial use. None the less, the Applicant must utilize the Sica Balancing test to address the negative criteria of the proposal as noted below.
- b. To address the "negative criteria," the Applicant must demonstrate that the proposed variance can be granted "without substantial detriment to the public good" nor will the granting of the variance "substantially impair the intent and the purpose of the zone plan and zoning ordinance" of the





municipality. Despite the finding of the use to be an inherently beneficial use, the negative criteria continue to need to be addressed as outlined in the Sica Balancing Test below.

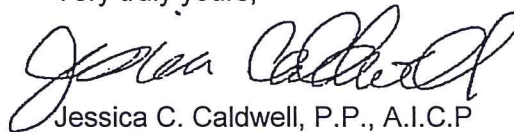
- c. **Medici Case Law:** Additionally, the applicant for a use variance is obligated to address the planning issues raised in the New Jersey Supreme Court case *Medici v. BPR, Co.*, 107 NJ 1 (1987). In accordance with the guidelines set forth in *Medici*, an applicant for a use variance must demonstrate that special reasons are satisfied by either showing that the proposed use is one which "inherently serves the public good" or that the proposed use promotes the general welfare because the proposed site is particularly suitable for that use.
- d. **Sica Balancing Test:** If a use is deemed to be an inherently beneficial use, the test known as the Sica balancing test from the Supreme Court decision, *Sica v. Board of Adjustment of the Township of Wall et al.*, is applicable. In the decision *Sica v. Board of Adjustment of the Township of Wall et al.*, the Supreme Court stated that in reviewing applications for inherently beneficial uses the Board must:
  - i. Identify the public interest at stake. *The Applicant hasn't made a strong case for the public interest at stake.*
    - 1) *The change of use of the building creates a year-round activity center; however the Applicant has made the case that Retreat Center functions won't change, they will merely be in a building versus being under a tent. Given that testimony, it is difficult to understand what the public interest at stake is for this application. I think that the Applicant needs to make this point clearly.*
  - ii. Identify the detrimental effect that will ensue from the grant of the variance, recognizing that certain impacts will result from permitting a use not normally permitted in the zone. When minimal, such impacts need not outweigh an inherently beneficial use that satisfies the positive criteria.
    - 1) *There are several issues that have been raised on the site and listed in this report with respect to health, safety and public welfare. These are the detrimental impacts of this application. There are existing emergency service and access issues, at times caused by a lack of parking on the site. Insufficient methods for handling emergencies on the*



*site put the public and the emergency services crews at risk. Access, circulation, parking and emergency services have to be addressed in order to satisfy the negative criteria of the variance.*

- iii. Impose reasonable conditions to reduce prospective detrimental effects.
    - 1) *Reasonable conditions should be imposed to ensure that that access, circulation, parking and emergency services can be properly handled on the site suitably for the number of people expected at the site.*
  - iv. Weigh the positive and negative criteria and determine whether on balance the grant of the variance would cause a substantial detriment to the public good.
    - 1) *The Applicant should address the concerns raised in this report, the board engineer's report and raised by the Board at the hearing in order to meet the criteria to receive the variance.*
6. **Concept Plans:** Draft plans were submitted by the Applicant exactly ten (10) days prior to the meeting. With mailing time, my office received the plans yesterday. I will conduct a review of the draft plans and provide preliminary comments before the meeting scheduled for next Thursday, September 8, 2016.

Very truly yours,



Jessica C. Caldwell, P.P., A.I.C.P

**J. Caldwell & Associates, LLC**

Green Land Use Board Planner

cc: Via E-Mail Only  
John Miller, P.E., Board Engineer  
Lyn Aaroe, Esq., Board Attorney  
Thomas Bodolsky, P.E., Applicant's Engineer  
Robert V. Stiles, Esq., Applicant's Attorney





