

**HOPEWELL TOWNSHIP
PLANNING BOARD MINUTES
APRIL 23, 2020**

A regular meeting of the Hopewell Township Planning Board was conducted through a Zoom videoconferencing application and was recorded through the application, commencing at 7:00 p.m. on Thursday, April 23, 2020.

Ms. Murphy, Chairperson, called the meeting to order at 7:05 p.m. She stated that notice of revisions to the conduct of this meeting as an electronic meeting only was posted on the Township website (www.hopewelltp.org) and had been forwarded to the Official Newspapers (Hopewell Valley News, The Times of Trenton, The Trentonian and the Hopewell Express) in compliance with the Municipal Land Use Law and the Open Public Meetings Act, as well as Executive Order 103 issued by Governor Murphy on March 9, 2020, declaring a state of emergency and public health emergency in the State of New Jersey.

Members present: Karen Murphy, Chairperson, Jack Belmont, Milind Khare, Paul Kiss, Kevin Kuchinski, Kristin McLaughlin, Rex Parker, Leigh Ann Peterson, Russell Swanson, Vanessa Sandom and Glenn Paul. Also present: Mark Kataryniak, PE, Community Development Director/Township Engineer, Frank Linnus, Esq. and Jaimie Laird, Recording Secretary. Absent: Frank Banisch, Planner, Banisch Associates.

Announcements

Mr. Kataryniak presented general information with respect to how the meeting would be conducted. Mr. Linnus added that an orderly proceeding in compliance with the Municipal Land Use Law (MLUL) would include roll call votes on all agenda items. With respect to applications, witnesses would be sworn at one time; testimony would be presented by the witnesses and would be followed by questions from the Board and then questions from the public. At the conclusion of the public hearing the Board would take public comment on the application.

Minutes for Approval

Mr. Swanson moved and Mr. Kiss seconded a motion approving the minutes of the February 27, 2020 Planning Board meeting. The minutes were approved as presented with Mr. Kuchinski, Ms. McLaughlin, Ms. Peterson, Ms. Sandom and Mr. Paul abstaining.

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Application

Unitarian Universalist Church at Washington Crossing, Site Plan, Preliminary/Final, Amended (Building Addition)

Block 95, Lot 32 - 268 Washington Crossing Pennington Road
Present: Ryan P. Kennedy, Esq., Stevens & Lee, applicant's attorney; Jayme Trott, a representative of the applicant; Brian F. Perry, PE, Van Note Harvey Associates, applicant's civil engineer; David Singer, AIA, applicant's architect

The applicant was seeking Amended Preliminary and Final Site Plan approval with design waivers for the construction of a building addition for property located at 268 Washington Crossing-Pennington Road and known and designated on the Hopewell Township Tax Map as Block 95, Lot 32. The property contains 5.616 acres, which is improved with the Unitarian Universalist Church at Washington Crossing. Churches are permitted as a conditional use in the Valley Resource Conservation (VRC) district pursuant to Section 17-160.d of the Township's Land Use and Development Ordinance (LUDO).

The applicant had properly complied with all procedural and notification requirements of the LUDO, the MLUL, and the Governor's Executive Order, thereby vesting the Board with jurisdiction to hear and act upon the application.

As part of the application, the applicant submitted the following plans and documents, which were made part of the record:

1. "Preliminary and Final Site Plan of Building Addition Prepared for Unitarian Universalist Church at Washington Crossing Situated in Hopewell Township, Mercer County, New Jersey, Block 95, Lot 32," prepared by Van Note-Harvey Associates, Inc., dated 11/22/19, last revised 1/8/20;
2. "Partial Topographic Survey of Part of Lot 32 Block 95 Prepared for Unitarian Universalist Church at Washington Crossing, Situated in Hopewell Township, Mercer County, New Jersey, Block 95, Lot 32," prepared by Van Note-Harvey Associates, Inc., dated 4/4/19, last revised 1/6/20;
3. "Additions and Renovations to Existing Unitarian Universalist Church," prepared by David B Singer, AIA, Architect, dated 11/28/19;
4. "Stormwater Management Report," prepared by Van Note-Harvey Associates, Inc., dated 11/22/19;

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5. "Maintenance Plan for UUCWC," prepared by Van Note-Harvey Associates, Inc., dated 11/22/19;
6. Planning Board and Zoning Board Application Documents.

The following reports and review letters were submitted by the Board's professionals and the Township staff and were made part of the record:

1. Environmental Commission Memorandum dated 2/21/20;
2. Engineering Review Memorandum dated 3/23/20 submitted by Mark Kataryniak, PE, Board Engineer;
3. Fire Official - Hopewell Valley Bureau of Fire Safety report dated 4/8/20.

The applicant appeared before the Board through its attorney, Ryan P. Kennedy, Esq., of the law firm of Stevens & Lee, who presented the following witnesses who were sworn in by Mr. Linnus:

- Jayme Trott, a representative of the applicant
- Brian F. Perry, PE, applicant's civil engineer
- David Singer, AIA, applicant's architect

Entered into evidence as Exhibit A-1, a PowerPoint consisting of 16 sheets, referred to by the applicant's witnesses during its presentation. The following information, testimony and evidence was provided to the Board:

Jayme Trott testified as follows:

- The original church building was built in 1975.
- The purpose of the application is to initiate repairs and upgrades and make the church more accessible for its congregation.
- The applicant proposes to install elevators to increase accessibility and to add administrative offices to better meet the needs of its congregation.

Brian F. Perry testified as follows:

- The Board accepted his qualifications as a professional engineer.
- He presented a PowerPoint, which among other things, demonstrated an aerial view of the property, an aerial map, a tax map, the overall site plan and other exhibits.

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- He testified that the applicant was proposing a 1,560 square foot building addition with sidewalks; the impervious coverage would be increased by 0.04 acres and the area of disturbance would be 0.14 acres.
- The site improvements are well below the lot coverage requirements of the ordinance.
- The witness addressed the Board Engineer's March 23, 2020 engineering review-1 as follows:
 - a) Section V/Plan Comments - the vicinity plan will be revised to show that the property immediately east of the subject property is Block 95, Lot 6.
 - b) The applicant agreed to revise the bulk requirement table to include existing conditions for each of the bulk requirements.
 - c) The applicant agreed to revise its plans to provide accessible access to the proposed concrete sidewalk adjacent to the ADA parking spaces as well as provide spot grades to demonstrate compliance with ADA requirements.
 - d) The applicant agreed to either widen the sidewalk or at a minimum, install concrete wheel stops and provide the appropriate details or revisions on the plans.
 - e) The applicant agreed to provide additional spot grades for the existing pavement at the ADA parking spaces and at the interface of the proposed ADA ramp to demonstrate that an accessible route is provided between the parking spaces and the building entrance
 - f) The applicant will revise its plans to flatten out the exterior grade at the entrance to the addition so as to comply with ADA requirements.
 - g) The applicant will revise its plans to eliminate the isolated low spot where the sidewalk meets the southeast corner of the walkway leading into the main building entrance.
 - h) The applicant will revise its plans to provide a uniform and conforming slope across the entire width of the landing area.
 - i) The applicant will revise its plans to show the existing grade of the steps at the northern side of the building that will abut the new concrete sidewalk.
 - j) The applicant will revise its plans to show how the sanitary sewer system is connected from the addition to the existing system.
 - k) The applicant shall revise its plans to provide details showing the connection of the relocated

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sanitary sewer manholes, vents and cleanouts to the existing lateral pipes.

- l) The applicant shall revise its plans to show the limits of any proposed asphalt pavement repair, including the thicknesses of the pavement courses on either the plan or the pavement repair detail.
 - m) The applicant shall revise its plans to provide details demonstrating that the relocation of the light fixture by approximately 10 feet to the east will continue to meet all required ordinance standards contained in Sections 17-90.1 to 17-90.5 of the LUDO.
 - n) The applicant shall revise its plans to provide a footing detail for the relocated light.
 - o) The applicant shall revise its plans to provide details of the dimensions on the parking lot striping to match the plan.
 - p) The applicant shall revise its plans to provide details for the sanitary sewer cleanout and vent.
 - q) The applicant shall restore the landscaping in front of the proposed building addition by use of native, indigenous plants and shall revise its plans to show the landscaping details.
- The Board Engineer informed the Board that since the project proposes an increase in impervious coverage by 0.05 acres and disturbance of 0.14 acres, it does not meet the threshold to be considered a major project for stormwater management purposes.
 - The applicant requested design waivers from the lighting and landscaping sections of the LUDO; the Board Engineer informed the Board that he had no objection to the design waivers because the overall landscaping plan does not change and there are minor de minimis changes to the lighting plan. Furthermore, the applicant agreed to enhance its landscaping plan.
 - The applicant's engineer testified that the applicant has received Mercer County Soil Conservation District certification as well as a letter from the Mercer County Planning Board indicating that the County Planning Board has no jurisdiction.
 - He stated that the following additional approvals or letters of no interest will be required: Delaware and Raritan Canal Commission; Hopewell Township Board of Health; Hopewell Township Board of Fire Commissioners; New Jersey Department of Environmental Protection.
 - The applicant acknowledged that the Environmental Commission's February 21, 2020 report indicated no environmental concerns with respect to the application

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and further acknowledged that the Fire Official had no objections or concerns with respect to the application.

David Singer testified as follows:

- He presented slides 10 through 16 of the PowerPoint Presentation, which included, among other things, the survey and the architectural plans.
- It was acknowledged that the existing building had a height of 35 feet and required no variance and that the building addition at its highest point was 12 feet 9 inches above ground and therefore did not require a variance.
- He confirmed that he was confident that the project meets all life safety codes with the addition; when questioned by Board Chair Murphy, he agreed that the applicant would eliminate the "up" portion of the lighting plan so as to conform with the current light standard ordinance. Furthermore, he represented that the lighting plan will comply with the current ordinance and that lights will be turned off in compliance with the ordinance.

No members of the public provided comment on the application.

Based upon the foregoing information, testimony and evidence, as well as the application and supporting plans and documents and Township agency reviews, the Planning Board made the following findings of fact and conclusions of law:

1. The subject property is a permitted conditional use in the VRC zone and requires no variances.
2. The project will result in an upgrade of the Church site, the improvements making the site more accessible to better meet the needs of its congregation.
3. The applicant's project meets all life safety codes.

Mr. Swanson moved and Mr. Kuchinski seconded a motion granting continued conditional use approval, amended preliminary and final site plan approval together with design waivers for landscaping and lighting, subject to the following conditions: 1) The applicant's satisfaction of all comments and agreements made during testimony before the Board, including, but not limited to, the agreements set forth hereinabove; 2) applicant's satisfaction of all comments and recommendations in the engineering review memorandum dated March 23, 2020 submitted by Mark Kataryniak, PE, Board Engineer; 3)

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submission of revised plans subject to the review and approval of the Planning Board Engineer; 4) securement of all approvals from all governmental agencies that may have jurisdiction over the application; 5) applicant is required to post performance guarantees and inspection fees subject to the approval of the Township Attorney and Township Engineer as required by the Municipal Land Use Law; 7) payment of the Statewide Nonresidential Development Fee pursuant to N.J.S.A. 40:55D-8.1, et seq., if applicable; 8) all terms and conditions of all prior development approvals for this site remain in full force and effect except as modified herein. It was voted on and passed.

Roll Call Vote:

Ayes: Belmont, Khare, Kiss, Kuchinski, McLaughlin,
Murphy, Parker, Peterson, Swanson
Nays: None
Abstain: None
Absent: None
Not Voting: Sandom, Paul

Ms. Murphy reminded the Board Members that Financial Disclosure Statements are due by April 30, 2020 and must be completed online.

Ms. Murphy inquired as to the status of the "Interested Parties" Motion with respect to the Woodmont Properties approval, which was scheduled for the March 26, 2020 meeting, but canceled due to the COVID-19 emergency. Mr. Kataryniak noted that his office is awaiting a response from the attorney for the "Interested Parties" in order to determine a new hearing date.

Mr. Paul inquired as to when the Board would be conducting a review of the Master Plan. Ms. Murphy noted that the Master Plan is required to be reviewed every ten (10) years and was not yet due for a reexamination; however, the Open Space and Recreation Subcommittee has completed a review of the Open Space and Recreation Plan Element of the Master Plan and the next step would be the Board's review of those findings. Mr. Kuchinski noted while the town is certainly in compliance with its Master Plan review, there have been inquiries with respect to certain elements of the Master Plan, including perhaps creating an Economic Element. He stated the town does not currently have a position on an Economic Element; however, in light of some of the affordable housing changes that have taken place, the town may wish to continue to be proactive

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with its review of the Master Plan. He stated that the Open Space and Recreation Plan Element is included in this year's budget and additional monies have been set aside for work to be done at the discretion of this Board. Mr. Kataryniak stated that Mr. Banisch has submitted proposals for certain element reviews and ordinance updates.

Mr. Belmont asked for the current status with respect to the future of the Hopewell Valley Golf Course. Mr. Kuchinski stated the County was in the process of negotiations to acquire the golf course, but since the COVID-19 emergency the County has had a shelter in place order in effect and he is unaware of the present status of those negotiations.

Mr. Kataryniak stated that for the foreseeable future, meetings would continue through the videoconferencing platform. He explained that each meeting will be treated as a special meeting in terms of noticing requirements. A notice containing unique meeting information and an agenda will be posted on the Township website and emailed to Board members and applicants within the timeframe required prior to each meeting.

Ms. Murphy asked for questions or comments from the public with respect to items not on the agenda. There was no public comment.

There being no further business, the meeting was adjourned at 8:23 p.m.

Respectfully submitted,



Jaimie Laird
Recording Secretary

The audio recording of this meeting can be accessed here:
<http://hopewelltpw.org/DocumentCenter/View/4744/April-23-2020-Planning-Board-MPEG-4>