

**TOWNSHIP OF MORRIS  
PLANNING BOARD  
REORGANIZATION AND REGULAR MEETING MINUTES  
JANUARY 9, 2023**

Call to Order

The reorganization and regular meeting of the Township of Morris Planning Board was called to order on Monday evening January 9, 2023, at 7:00 P.M. in the Municipal Building, 50 Woodland Avenue, Morris, Township of Morris, N.J.

The Pledge of Allegiance was led by Ms. Sonia Santiago, Board Secretary

Statement of Adequate Notice: The Board Secretary issued the following statement:

"I hereby announce and state that adequate notice of this meeting was provided by the Secretary of this Planning Board by preparing a notice dated January 5, 2023, specifying the time, date and place of this meeting, posting such notice on the bulletin board in the Municipal Building; filing said notice with the Clerk of the Township of Morris; forwarding the notice to the Morris County Daily Record and the Morris News Bee, and I hereby hand a copy of such notice to the Secretary of the Planning Board for inclusion in the minutes of this meeting, all of the above actions being in accordance with N.J.S.A. 10:4-6, et seq., Open Public Meetings Act."

The Oath of Allegiance and Oath of Office was administered by Steven Warner, Board Attorney to the following members:

William Ravitz, Deputy Mayor  
Catherine Wilson, Township Committee  
William Barrett, Alt. 2

Roll Call of Planning Board Members and Professionals

Members Present

Mr. Edward Benoit,  
Mr. George Quillan  
Mr. Joseph Alesso  
Ms. Tanya Van Order  
Mr. Michael Nunn  
Mr. William Ravitz, Deputy Mayor  
Ms. Linda Murphy  
Mr. Richard Bye  
Ms. Catherine Wilson, Township Committee  
Mr. Jesse Flowers, Alternate #1  
Mr. William Barrett, Alternate #2

Members Absent

None

Professionals Present

Mr. Steven Warner, Board Attorney  
Mr. David Hansen, Board Asst. Engineer  
Ms. Sonia Santiago, Board Secretary  
Mr. Paul Phillips, Board Planner  
Mr. Joseph Fishinger, Traffic Consultant

Professionals Absent

Mr. James Slate, Township Engineer

The Secretary asked for a nomination for Chairperson for the year 2023. On motion made by Mr. Benoit, seconded by Ms. Van Order with no other nominations heard and unanimously carried, Mr. Bye was elected Chairperson.

Mr. Bye asked for nomination for Vice-Chairperson for the year 2023. On motion duly made by Mr. Bye, seconded by Mr. Benoit with no other nominations to be heard and unanimously carried, Mr. Alesso was elected Vice-Chair.

### **REORGANIZATION RESOLUTIONS**

Mr. Alesso made a motion, seconded by Ms. Murphy and unanimously carried, the following resolution regarding designation of Board Legal Counsel, attached hereto and by reference made part of the official minutes of this meeting, be adopted as circulated and placed on file in the office of the Planning Board.

Roll Call: Mr. Alesso, Mr. Nunn, Mr. Ravitz, Ms. Murphy, Ms. Van Order, Mr. Quillan,  
Ms. Wilson, Mr. Benoit, Mr. Bye

### **DESIGNATION OF BOARD LEGAL COUNSEL**

AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR LEGAL COUNSEL SERVICES TO STEVEN K. WARNER, ESQ. OF VENTURA, MIESOWITZ, KEOUGH & WARNER- \$167/HR. PLUS A MINIMUM OF \$250.50 TO ATTEND REGULAR AND SPECIAL MEETINGS – NTE \$20,000

**WHEREAS**, the Planning Board of the Township of Morris has a need to acquire professional services for legal counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the practice of law is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

**WHEREAS**, the chairman of this Board has determined that the value of the acquisition will exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one year; and

**WHEREAS**, Steven K. Warner, Esq. has agreed that he will provide the professional services of legal counsel for \$167.00 per hour with a minimum of \$250.50 for attendance at regular and special meetings of the Board; and

**WHEREAS**, Steven K. Warner, Esq. of the firm Savo, Schalk, Corsini, Warner, Gillespie, O'Grodnick & Fisher has completed and submitted a Business Entity Disclosure Certification which certifies that Savo, Schalk, Corsini, Warner, Gillespie, O'Grodnick & Fisher has not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous year, and that the contract will prohibit Savo, Schalk, Corsini, Warner, Gillespie, O'Grodnick & Fisher from making any reportable contributions through the term of the contract; and,

**WHEREAS**, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds in the amount of \$20,000.00 indicating funds are available in Planning Board, Other Expenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Morris, Morris County, New Jersey, that the Chairman and Board Secretary are authorized to enter into an agreement dated January 9, 2023 for the period January 1, 2023 to December 31, 2023 to engage Steven K. Warner, Esq. as legal counsel for a total not to exceed \$20,000, and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

**BE IT FURTHER RESOLVED** that an official notice of this action shall be published in accordance with the law and placed on file in the office of the Township Clerk.

Ms. Murphy made a motion, seconded by Mr. Alesso and unanimously carried, the following resolution regarding designation of Board Planning Consultant, attached hereto and by reference made part of the official minutes of this meeting, be adopted as circulated and placed on file in the office of the Planning Board.

Roll Call: Mr. Alesso, Mr. Nunn, Mr. Ravitz, Ms. Murphy, Ms. Van Order, Mr. Quillan, Ms. Wilson, Mr. Benoit, Mr. Bye

### **DESIGNATION OF BOARD PLANNING CONSULTANT**

**AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL PLANNER SERVICES TO PAUL A. PHILLIPS, AICP/P.P. OF PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC \$167/HR. PLUS A MINIMUM OF \$250.50 TO ATTEND REGULAR AND SPECIAL MEETINGS –NTE \$20,000**

**WHEREAS**, the Planning Board of the Township of Morris has need for the professional services of a Planning Consultant; and

**WHEREAS**, the practice of land use planning is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

**WHEREAS**, the chairman of this Board has determined that the value of the acquisition will exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one year, and,

**WHEREAS**, Paul A. Phillips has agreed that he will provide the professional services of planning consultant for \$167.00 per hour with a minimum of \$250.50 for attendance at regular and special meetings of the Board; and

**WHEREAS**, Paul A. Phillips, AICP/P.P. of the firm Phillips Preiss Grygiel Leheny Hughes LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Paul Phillips has not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit Paul Phillips, from making any reportable contributions through the term of the contract; and,

**WHEREAS**, the Chief Financial Officer of the Township of Morris has filed a certificate of availability of funds in the amount of \$20,000.00 indicating funds are available in Planning Board Other Expenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Morris, Morris County, New Jersey that the Chairman and Board Secretary are authorized to enter into an agreement, dated January 9, 2023, for the period January 1, 2023 to December 31, 2023, to engage Paul A. Phillips, AICP/P.P. of Phillips Preiss Grygiel Leheny Hughes LLC as planning consultant for a total not to exceed \$20,000; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**BE IT FURTHER RESOLVED** that an official notice of this action shall be published in accordance with the law and placed on file in the office of the Township Clerk.

Mr. Alesso made a motion, seconded by Mr. Benoit and unanimously carried, the following resolution regarding designation of Board Radio Frequency Consultant, attached hereto and by reference made part of the official minutes of this meeting, be adopted as circulated and placed on file in the office of the Planning Board.

Roll Call: Mr. Alesso, Mr. Nunn, Mr. Ravitz, Ms. Murphy, Ms. Van Order, Mr. Quillan, Ms. Wilson,  
Mr. Benoit, Mr. Bye

**DESIGNATION OF RADIO FREQUENCY CONSULTANT**

**AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES TO RONALD E. GRAIFF, PE FOR RADIO FREQUENCY CONSULTANT SERVICES IN THE AMOUNT OF \$250.00 PER HOUR TO BE BILLED SOLELY TO THE DEVELOPERS ESCROW ACCOUNT.**

**WHEREAS**, the Township of Morris Planning Board has need for the professional services of a Radio Frequency Engineer; and

**WHEREAS**, this practice is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

**WHEREAS**, the anticipated term of this contract is one year; and,

**WHEREAS**, Ronald E. Graiff, PE has completed and submitted a business entity disclosure certification which certifies that Ronald E. Graiff, has not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit Ronald E. Graiff from making any reportable contributions through the term of the contract; and,

**WHEREAS**, charges incurred at the rate of \$ 250.00 per hour will be billed solely to the developers escrow account;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Morris Planning Board that Mr. Ronald E. Graiff, PE be hired as a consultant to the Planning Board to particularly discuss the Wireless site plan applications with the Board, applicants and professionals to clarify certain issues and concerns of the Board. His appearance before the Board may be required in connection with this consultation.

**BE IT FURTHER RESOLVED** that the Business disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Mr. Alesso made a motion, seconded by Mr. Nunn and unanimously carried, the following resolution regarding designation of Traffic Consultant, attached hereto and by reference made part of the official minutes of this meeting, be adopted as circulated and placed on file in the office of the Planning Board.

Roll Call: Mr. Alesso, Mr. Nunn, Mr. Ravitz, Ms. Murphy, Ms. Van Order, Mr. Quillan, Ms. Wilson,  
Mr. Benoit, Mr. Bye

**DESIGNATION OF BOARD TRAFFIC CONSULTANT**

**AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES TO JOSEPH A. FISHINGER FOR TRAFFIC CONSULTANT SERVICES IN THE AMOUNT OF \$167.00/HR. PLUS A MINIMUM OF \$250.50 TO ATTEND REGULAR AND SPECIAL MEETINGS TO BE BILLED SOLELY TO THE DEVELOPERS ESCROW ACCOUNT.**

**WHEREAS**, the Morris Township Planning Board (the “Board”) has need for the services of a traffic engineer consultant holding the designations of Professional Engineer (“PE”), Professional Planner (“PP”), Professional Traffic Operations Engineer (“PTOE”); and

**WHEREAS**, the required services involve a recognized profession, regulated by law and requiring extensive and specialized training; and

**WHEREAS**, contracts for such services constitute an exception to public bidding requirements in conformance with N.J.S.A. 40A:11-5 *et seq.*; and

**WHEREAS**, the anticipated term of this contract is one year, and,

**WHEREAS**, charges incurred at the rate of \$167.00 per hour with a minimum of \$250.50 for attendance at regular and special meetings of the Board will be billed solely to the client's escrow account; and

**WHEREAS**, Joseph A. Fishinger, PE, has completed and submitted a Business Entity Disclosure Certification which certifies that Joseph A. Fishinger has not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit Joseph A. Fishinger from making any reportable contributions through the term of the contract; and

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Morris, Morris County, New Jersey that the Chairman and Board Secretary are authorized to enter into an agreement, dated January 9, 2023, for the period January 1, 2023 to December 31, 2023, to engage Joseph A. Fishinger, PE, PP, PTOE of Bright View Engineering, LLC as traffic consultant to particularly discuss traffic matters that pertain to certain applications with the Board, applicants and professionals to clarify issues and concerns of the Board. His appearance before the Board may be required in connection with this consultation; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

**BE IT FURTHER RESOLVED** that an official notice of this action shall be published in accordance with the law and placed on file in the office of the Township Clerk.

On a motion duly made by Mr. Alesso, seconded by Mr. Nunn and unanimously carried the following professionals were appointed as follows:

**Professional Appointments for the year 2023**

Board Engineer – Mr. James Slate, PE  
Alternate Board Engineer – Mr. David Hansen, PE  
Alternate Board Engineer – Mr. Bernard Senger, PE  
Board Secretary – Ms. Sonia Santiago

The following Members were appointed to the following Committees for the year 2023:

**Technical Coordinating Committee**

Steven Warner, Board Attorney  
Paul Phillips, Planning Consultant  
James Slate, Township Engineer

**Subdivision-Site Inspection Committee**

Michael Nunn, Chair  
Joseph Alesso  
Richard Bye

**Street Naming Committee**

Edward Benoit  
George Quillan

**Legislative Committee**

Catherine Wilson  
William Ravitz

**Open Space Committee – Designee**

Jesse Flowers

Ms. Murphy made a motion seconded by Mr. Alesso and unanimously carried the resolution regarding the proposed meeting schedule, is hereby adopted as circulated and placed on file in the office of the Planning Board.

Roll Call: Mr. Bye, Mr. Alesso, Mr. Nunn, Mr. Ravitz, Ms. Murphy, Ms. Van Order, Mr. Quillan, Ms. Wilson, Mr. Benoit,

**PROPOSED MEETING SCHEDULE  
FOR THE YEAR 2023 AND JANUARY 2024**

**BE IT RESOLVED**, that the Planning Board of the Township of Morris, County of Morris, State of New Jersey, will meet to consider and act upon public business at **7:00 P.M.**, prevailing time, on each of the dates set forth below, for the year 2023 and January 2024, in the Municipal Building, 50 Woodland Avenue, Township of Morris, New Jersey:

Any member of the public who wishes to participate in the Zoom Webinar meeting may do so by going to our website [www.morristwp.com](http://www.morristwp.com) and click on “Government”, then click on “Agenda and Minutes”, look for “Planning Board” then click on the date of the Agenda you are looking to access. On the Agenda you will click on the link for the Webinar or dial in number and enter the meeting ID and password code.

**January 9th, 2023**  
**February 6<sup>th</sup>**  
**March 6<sup>th</sup> and March 20<sup>th</sup>**  
**April 3<sup>rd</sup> and April 17<sup>th</sup>**  
**May 1<sup>st</sup> and May 15<sup>th</sup>**  
**June 5<sup>th</sup> and June 19<sup>th</sup>**  
**July 17<sup>th</sup>**  
**August 21<sup>st</sup>**  
**September 11<sup>th</sup>**  
**October 2<sup>nd</sup> and October 16<sup>th</sup>**  
**November 20<sup>th</sup>**  
**December 4<sup>th</sup>**  
**January 8<sup>th</sup>, 2024**

**BE IT FURTHER RESOLVED** that additional meeting, if required, will be at the call of the Chairman with the proper notification, and

**BE IT FURTHER RESOLVED** that the Secretary is authorized and directed to:

- a.) Post said meeting schedule and maintain the same posted throughout the year 2023 on the bulletin board in the Municipal Building of the Township of Morris on Woodland Avenue;
- b.) Mail a copy of same to the Morris County Daily Record, the Morris News Bee and the Star Ledger.

Mr. Alesso made a motion seconded by Mr. Nunn and unanimously carried the resolution regarding designation of the official newspapers, is hereby adopted as circulated and placed on file in the office of the Planning Board.

Roll Call: Mr. Bye, Mr. Alesso, Mr. Nunn, Mr. Ravitz, Ms. Murphy, Ms. Van Order, Mr. Quillan, Ms. Wilson, Mr. Benoit,

### **DESIGNATION OF OFFICIAL NEWSPAPERS**

**WHEREAS**, Chapter 231 of the Public Laws of the State of New Jersey for 1975 (N.J.S.A. 10:4-6 to 10:4-21) known as the “Open Public Meetings Act”, requires adequate notice of meetings of public bodies, as therein defined, and in the manner therein set forth, and prescribed certain other procedures to be followed by such bodies.

**BE IT HEREBY RESOLVED** by the Planning Board of the Township of Morris, Morris County, New Jersey, this 9<sup>th</sup> day of January 2023, as follows:

1. That the Morris County Daily Record be designated as the official paper of the Planning Board and that the Morris News Bee be designated as the additional newspaper to receive notice of meetings as required by any and all sections of the Open Public Meetings Act, said newspapers are most likely to inform the local public of such meetings.

2. The location of posting of notice of meetings shall be the bulletin board in the Municipal Building of the Township of Morris, located at 50 Woodland Avenue, where notices of this kind are normally posted.

### **Regular Meeting**

#### **Resolutions**

Consideration of the following resolutions thereby memorializing the action taken by the Board at November 21, 2022 and December 5, 2022 meetings.

PB-10-22, Order of St. Benedict of NJ-Delbarton  
Block 4501, Lot 2.01, 230 Mendham Road, OSGU zone.

Site Plan / Variance

Mr. Alesso moved, seconded by Ms. Wilson and roll call as indicated that Resolution of Approval, attached hereto and by reference made part of the official minutes of this meeting, be adopted, as amended, memorializing the action taken by the Planning Board at the November 21, 2022 meeting.

Roll Call (Voting Members:) Mr. Alesso, Mr. Flowers, Ms. Wilson, Mr. Bye, Ms. Van Order, Mr. Benoit

PB-11-22, Sandi’s Soulbites Restaurant  
Block 10501, Lot 2, 255 Speedwell Avenue, B-11 zone.

Site Plan / Variance

Mr. Alesso moved, seconded by Ms. Wilson and roll call as indicated that Resolution of Approval, attached hereto and by reference made part of the official minutes of this meeting, be adopted, memorializing the action taken by the Planning Board at the December 5, 2022 meeting.

Roll Call (Voting Members:) Mr. Alesso, Ms. Murphy, Mr. Nunn, Ms. Wilson, Mr. Benoit, Ms. Van Order, Mr. Bye,

**Public Hearings**

**PB-14-22, Sister's of Charity of St. Elizabeth**  
Block 8801, Lot 1, 12 Convent Road, OSGU zone.

**Site Plan**

Applicant proposes to construct a guard house.

Proof of Publication and Affidavit of Service filed and approved by the Board Secretary and Board Attorney.

Mr. Henry Chou, attorney for the applicant entered his appearance and presented the application to the Board.

The following professionals sworn in by Board attorney appeared to be heard.

Richard Schommer, Professional Engineer  
Paul Phillips, Township Planner  
David Hansen, Township Engineer

The following exhibits were submitted during testimony.

A-1 Compendium presentation containing renderings, images and plans.

**Summary of Testimony** – Richard Schommer, Professional Engineer

Mr. Schommer reviewed exhibit A-1 which consisted of several pages one being the aerial photograph. He further testified to the existing condition on the property. He stated that the property consists of approximately 47.98 acres and lot 2 consists of approximately 101.75 acres, for a total area of about 149.73 acres. He further testified that the property sits within the Township, while lot 2 is within the Borough of Florham Park, and that a private driveway spans across both lots, connecting Convent Road at the southwest campus entrance to Park Avenue at the eastern campus entrance. The purpose of the application is to improve the security of the property. The plan is to raze the existing guard house and construct a new, 14.4' by 10.4' guard house and to have two main entrance gates. This will allow control of the traffic entering and exiting the campus. For emergency vehicles we can raise the gate when the emergency vehicles come in. Related to the changes there will be landscaping on each side. We will be taking down two trees and we will replant them. There is an existing pedestrian path that will be retained and we will have two mounted lights one in front of the guard house and one behind the guard house.

Mr. Schommer further testified with regard to the technical variances, one is to permit an accessory structure closer to the street line than the principal structure and two is the total of aggregate structures. We already have a number of accessory structures. These type of OSGU uses are something that is not found on residential zone. This can be approved under the c1 and c2 variance. Mr. Schommer opined that the proposed improvements will have virtually no impact on surrounding properties and will have no detriment to the public good or zoning ordinance.

A discussion was carried regarding access onto the property from Florham Park. Applicant agreed to abide by the do not plant list.

The meeting was opened to the public for questions; no one appeared to be heard.

Public portion closed at 7:50 pm

The meeting was opened to the public for comments: no one appeared to heard  
Closed at 7:51 pm



Ms. Murphy moved, seconded by Benoit that approval be granted to the application of Sisters of Charity of St. Elizabeth thereby permitting the construction of a guard house on Block 8801, Lot 1 with conditions stipulated and that the Board Attorney be authorized to prepare a formal resolution memorializing action taken by the Board, same to be presented for consideration at the February 6, 2023 Board meeting.

Roll Call (voting members)

|               |         |
|---------------|---------|
| Mr. Quillan   | YES     |
| Mr. Nunn      | YES     |
| Ms. Murphy    | YES     |
| Mr. Ravitz    | Abstain |
| Mr. Benoit    | YES     |
| Ms. Wilson    | YES     |
| Ms. Van Order | YES     |
| Mr. Flowers   | YES     |
| Mr. Bye       | YES     |

8 Ayes 0 Nays 1 Abstain

PB-04-22, Spring Brook Country Club  
Block 5802, Lot 1, 9 Spring Brook Road, OSGU zone.

Site Plan / Variance / Waiver

Continuation from the December 5, 2022 public meeting, applicant proposes to expand and upgrade an existing parking area and expand a paddle tennis warming hut as part of a second story addition above existing tennis shop.

Ms. Simone Calli, attorney for the applicant entered her appearance and presented the application to the Board.

The following professionals sworn in by Board attorney appeared to be heard.

- Harrison Barany, Professional Engineer
- Frank J. Rawding, Architect
- Paul Ricci, Professional Planner
- Chris Lakov, General Manager
- David Hansen, Township Engineer
- Paul Phillips, Township Planner

The following exhibits were submitted during testimony.

- A-2 Revised Lighting and Landscape plan
- A-3 Existing one-story structure
- A-4 floor plan to the second floor
- O-1 thru O-5 photographs submitted by Leslie Wentz photos taken 11-27-22
- O-6 thru O-8 Photographs of Street lights – photos taken 12-18-22

**Summary of Testimony** – Harrison Barany, Professional Engineer

Mr. Harrison referenced Exhibit A-1 and testified to the existing conditions on the property. He explained that the applicant was seeking to upgrade the secondary parking lot, which is used primarily for club members using the swimming pool, with the goal of adding more parking stalls, and to add a second level addition to the existing tennis hut.

Mr. Barany offered testimony regarding the proposed parking area improvements, explaining that the existing parking area hosts fifty-three (53) parking stalls of varying, and often undersized, dimensions. He testified that, per the proposal, the area would be fully stripped, expanded, repaved, and restriped, and the Applicant would add thirty-three (33) parking stalls to an existing 160 stalls across the Property, providing a total of 193 stalls for the entire club. He explained that, while this still would be a deficient number of stalls per the requirements of the Ordinance, it would satisfy the club's needs. Mr. Barany also testified that the new stalls in this area would have dimensions of 9' by 18', which is a size compliant with New Jersey's residential site improvement standards ("RSIS"). He added that the proposal includes six (6) electric vehicle ("EV") charging stations and a number of handicap-accessible stalls that would be compliant with the requirements of the Americans with Disabilities Act ("ADA"). Mr. Barany also testified that the parking area renovation would require the relocation of two (2) utility poles and the removal of forty-seven (47) trees, including eleven (11) dead ones. He explained that forty-seven (47) trees would be planted as replacements, exceeding the Ordinance's requirement of thirty-one (31) trees. Mr. Barany stipulated to abiding by the Township's "Do Not Plant" list.

Mr. Barany testified regarding proposed lighting fixtures in the parking area, explaining that the Applicant was seeking to install seven (7) total lighting fixtures therein. He testified that, of these, there would be six (6) new pole-mounted lights, one (1) light mounted to an existing utility pole that is to be repositioned, and that all fixtures would be mounted at a height of 15', measure at a color temperature of 3000 degrees Kelvin, and face downward, so as not to cause light spillage on neighboring properties. Mr. Barany further explained that, except for two (2) lights that would remain on through the duration of the nighttime hours for security purposes, all parking area lights would be shut off by no later than 10:00 P.M. Mr. Barany also stipulated to ensuring "dark sky" compliance of all lighting fixtures.

A discussion was carried among the board members and the applicant professionals regarding the tree planting, retaining wall, parking and lighting.

The meeting was opened to the public for questions; the following persons appeared to be heard.

|               |                    |
|---------------|--------------------|
| Leslie Wentz  | 3 Armstrong Road   |
| Julie Winters | 210 Mt. Kemble Ave |

Public portion closed at 8:23 pm

**Summary of Testimony** – Frank J. Rawding, Architect

Mr. Rawding stated that there is a one-story structure and it is 600 sf the addition will be 800 sf there will be a number of windows on the second floor there will be 450 sf of decking and creating an undercover for the patio. The second floor will consist of an open floor with an eating counter in the back. In terms of material, it will be consistent with the first floor. Mr. Rawding testified that one or two exterior residential-style lighting fixtures would be installed on the hut's second floor, north side, facing the interior of the Property and away from the neighboring residential lots. The only lighting will be from the existing paddle courts. A discussion was carried among the board members and the applicant professionals regarding lighting and the use of the hut.

The meeting was opened to the public for questions of the witness; the following person appeared to be heard.

|               |                       |
|---------------|-----------------------|
| Alan McAlpin  | 5 Armstrong Road      |
| Julie Winters | 210 Mt. Kemble Avenue |
| Kathleen Pitt | 206 Mt. Kemble Avenue |

Public portion closed at 8:48 pm

**Summary of Testimony** – Paul Ricci, Professional Planner

Mr. Ricci stated to have reviewed the application package and the Township ordinance. He further stated that the applicant's proposal advances the purposes and goals of the MLUL as set forth in subsections (a) and (g) of N.J.S.A. 40:55D-2, and the benefits to be derived from the proposal outweigh the modest detriments associated with the same. With regard to the positive criteria, he testified that subsection (a) justification, the proposal promotes the general welfare by providing additional parking spaces and amenities for members of the club, and regarding subsection (g) he opined that the proposal provides sufficient space in an appropriate location for a private recreational use. He further opined that the proposal does not pose a substantial detriment to surrounding properties as the proposal affords a variety of mitigation measures, including the planting of a number of new trees beyond what is required by the ordinance, light timing and sufficient light screening. He further stated that the proposal is not substantially inconsistent with the intent and purpose of the Master Plan and Zoning Ordinance.

**Summary of Testimony** Chris Lukov, General Manager

Mr. Lakov testified to actions the club had taken after hearing concerns from interested neighbors. He testified that the lighting fixtures in the existing parking areas on-site had been redirected downward in late December, and that the club plans to employ an expert to reorient lighting fixtures across the Property in a manner less offensive to neighbors. He also stated that the club annually submits a tree removal plan to the Township Engineering Department, which explains the number and type of trees planned to be removed in a given year, and the Applicant has been compliant with its obligation. Mr. Lakov also confirmed that each court has its own, individually operated lighting system and that all systems are controlled by a master panel that is supposed to automatically shut off all court lights at 11:00 P.M. He further explained that the master control had malfunctioned, not actually turning the court lights off at all, but he confirmed that it had been repaired and that the timed kill switch is now fully functional.

Mr. Lukov stipulated to using the tennis hut purely for tennis and paddle ball related purposes, and prohibiting private events and/or parties therein; and shutting off all proposed lighting fixtures in the court area by 11:00 pm, with the exception of security level lighting.

A discussion was carried among the Board and the applicant professionals regarding lighting. Mr. Hansen stated that every year the club submits a tree removal and replanting plan. Trees might not be planted in the same location where it was removed but somewhere else in the campus.

The meeting was opened to the public for questions of the witnesses; the following person appeared to be heard.

|               |                       |
|---------------|-----------------------|
| Kathleen Pitt | 206 Mt. Kemble Avenue |
| Leslie Wentz  | 3 Armstrong Road      |
| Julie Winters | 210 Mt. Kemble Avenue |

Public portion closed at 9:32 pm.

The meeting was opened to the public for comments; the following persons appeared to be heard.

|               |                       |
|---------------|-----------------------|
| Kathleen Pitt | 206 Mt. Kemble Avenue |
| Leslie Wentz  | 3 Armstrong Road      |
| Julie Winters | 210 Mt. Kemble Avenue |

Public section closed at 9:53 pm.

Ms. Calli stated that due to prior applications for development, we are proposing minimal improvements given the existing use and existing size of the property. We think this is a mindful balance between our club needs and club membership needs and the needs of our neighbors. The Club has had open door policy with the neighbors, the club wants to be a good neighbor. We are a good neighbor and we need the improvements for our club membership and we ask that the Board grant the approval to the application.

Mr. Benoit moved, seconded by Ms. Murphy that approval be granted to the application of Spring Brook Country Club thereby permitting the parking lot improvement and addition to the tennis hut on Block 5802, Lot 1 with conditions stipulated and that the Board Attorney be authorized to prepare a formal resolution memorializing action taken by the Board, same to be presented for consideration at the February 6, 2023 Board meeting.

Roll Call (voting members)

|               |     |
|---------------|-----|
| Mr. Quillan   | YES |
| Mr. Nunn      | YES |
| Ms. Murphy    | YES |
| Mr. Ravitz    | YES |
| Mr. Benoit    | YES |
| Ms. Wilson    | YES |
| Ms. Van Order | YES |
| Mr. Flowers   | YES |
| Mr. Bye       | YES |

9 Ayes 0 Nays 0 Abstain

Other Matters

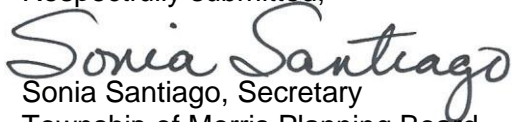
- Legislative Committee Report (if any) none to be heard.
- Morristown Motors, Inc. – Request for extension of approval. Ms. Murphy moved second by Mr. Ravitz that extension of approval be granted to the applicant. Roll call: Ms. Van Order, Mr. Nunn, Mr. Ravitz, Ms. Murphy, Ms. Wilson, Mr. Flowers, Mr. Quillan, Mr. Bye.

Closed Session (if any) none

Adjournment

With no further business for consideration by the Township of Morris Planning Board, on motion duly made seconded and unanimously carried the meeting was adjourned at 10:10 P.M.

Respectfully submitted,

  
Sonia Santiago, Secretary  
Township of Morris Planning Board  
Approved: May 15, 2023