

TOWN OF NEWTON  
PLANNING BOARD  
JULY 18, 2018  
MINUTES

The regular meeting of the Newton Planning Board took place on the above date. Chairman Le Frois read the Open Public Meetings Act and requested Mrs. Citterbart to call the roll. Board Secretary Mrs. Citterbart stated there was a quorum.

**THE SUNSHINE STATEMENT:** Was read.

**SALUTE TO THE FLAG:** Was recited.

**OATH OF OFFICE:**

Helen Le Frois – Class I Member  
Daniel Flynn – Class III Member  
Vicki Hall – Alternate Member

Each new member gave a brief bio on themselves.

**PLEDGE OF ALLEGIANCE:**

Boy Scout Troop 85 – Travis Le Masson, Senior Patrol Leader; Tyler Hermes, Assistant Senior Patrol Leader – working on their Citizenship of the Community Merit Badge to become Eagle Scouts.

**ROLL CALL:** Was taken

Attendance: Mr. Flaherty, Mrs. Vrahnos, Mr. Ragsdale, Ms. Hall, Mrs. Le Frois, Mr. Flynn, Mr. Russo, Chairman Le Frois

Excused: Mr. Marion, Mrs. Larsen, Mr. Butterfield, Mr. Wink

Professionals present: David H. Soloway, Esq. of Vogel, Chait, Collin & Schneider  
Jessica Caldwell, J. Caldwell & Associates  
David Simmons, Harold E. Pellow and Associates

**CONSIDERATION OF MINUTES**

May 16, 2018

**A motion was made by Mr. Flaherty and seconded by Mrs. Vrahnos to approve the May 16, 2018 meeting minutes.**

**AYE: Mr. Flaherty, Mrs. Vrahnos, Mr. Ragsdale, Mr. Le Frois**

**The motion was carried.**

**HISTORIC RESOLUTIONS**

None

**RESOLUTIONS**

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James Devine (#ASP-3-2018)  
Block 3.01, Lot 22  
29 Slate Hill Road

Resolution denying the appeal of James G. Devine from a determination of the Zoning Officer and denying his application to amend a condition of a prior subdivision approval relating to Block 3.01, Lot 22.

**Mr. Flaherty made a motion to approve the resolution. The motion was seconded by Mrs. Vrahnos.**

**AYE: Mr. Flaherty, Mrs. Vrahnos, Mr. Ragsdale, Mr. Le Frois**

**The motion was carried. Resolution approved.**

**OLD BUSINESS**

None

**NEW BUSINESS**

Thorlabs, Inc. (#PBSP-5-2018)  
56 Sparta Avenue  
Block 18.03, Lot 11

The applicant is requesting a minor site plan for an air compressor and a chiller system.

Peter Donnelly, Esq. of Donnelly, Mintner and Kelly is representing the applicant.

Mr. Donnelly stated: Thorlabs is owned by Alex Cable. We are here to talk about property at 56 Sparta Avenue, the main Thorlabs building. We gave notice in the newspaper and to the neighboring homeowners as required by law and we gave the affidavits to the Clerk. We are here to talk about two minor changes we would like to make to the building. I have one witness I would like to present, James Hermes. We have received letters regarding the plan from your Planner and the Board Engineer. You will see that we will successfully cover the issues raised in the letter.

Sworn in:  
James Hermes, Manufacturing Engineer at Thorlabs, Inc.

Mr. Donnelly distributed separate Exhibits A1, A2, A3, and A4 dated July 18, 2018.

Mr. Donnelly questioned Mr. Hermes: Describe what your role is at Thorlabs.

Mr. Hermes stated: I'm a Manufacturing Engineer. I help design systems for Thorlabs as well as keep them green with better standards for energy efficiency. I also work on expanding things inside the building.

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Mr. Donnelly questioned: How long have you been with Thorlabs?

Mr. Hermes stated: Three years and two days.

Mr. Donnelly questioned: Are you familiar with the property at 56 Sparta Avenue and the operations there and the application presented here tonight?

Mr. Hermes stated: Yes. I am.

Mr. Donnelly questioned: Were you involved in preparing the application?

Mr. Hermes stated: Yes.

Mr. Donnelly questioned: What are you asking for tonight?

Mr. Hermes stated: We are asking to add a back-up compressor as well as additional air cooling tonnage to support our air to the building as well as cooling to the building; mainly the fiber tower.

Mr. Donnelly questioned: The pictures have to do with the chiller so let's talk about the air compressor first.

Mr. Hermes stated: The air compressor is strictly a back-up compressor to our main compressor. The main compressor is 75 hp at the exterior of the building by the generator. We've had issues over the last couple of winters with it freezing up with no back-up compressor, we do have a 30 hp one indoors, but it is not capable of supplying the proper air for us to run our business.

Mr. Donnelly questioned: Explain how the proposed new outdoor compressor compares relative to the existing outdoor compressor?

Mr. Hermes stated: The new compressor will be 60 hp, the current one is 75 hp. The new compressor will be in an enclosure to help when the temperature gets to 40 below zero. The existing compressor does not have an enclosure.

Mr. Donnelly questioned: Where will the new compressor be located?

Mr. Hermes stated: In the back of the building where we receive and ship items from the company there are bays 3 and 4 where we can slide the compressor in. We will likely run some bollards. It will be enclosed. It will be strictly a back-up compressor so it will not run unless the other compressor is down. It will be on stand-by. The back-up compressor has to be exercised once a week or twice a month, subject to engineering determining the hours.

Mr. Donnelly questioned: Thorlabs is willing to install protective bollards?

Mr. Hermes stated: Yes.

Mr. Donnelly questioned: Will you be installing a new pad to receive the air compressor?

Mr. Hermes stated: No. We will use existing concrete that is already on the site. So we will just be setting it on the ground.

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Mr. Donnelly questioned: Are you aware of the Town's noise ordinance and have you measured the distance to the nearest residential lot line?

Mr. Hermes stated: Yes. The distance is 180' to the nearest neighbor.

Mr. Donnelly questioned: Have you taken any sound measurements so you can test how loud the device might be?

Mr. Hermes stated: Yes. We used our existing compressor which is 75 hp and a bigger unit. The measurements at 100% capacity at 180' is 48 dba. At 50% capacity or less after 6pm it runs at 40 dba at 180'. It is a variable speed compressor. When it asks for more pressure it speeds up. When it asks for less it slows down.

Mr. Donnelly stated: To recap, you have taken measurements from the existing 75 hp compressor that is not enclosed and you are proposing to install a 60 hp compressor that will be enclosed. Is your thought that the smaller compressor that is enclosed will generate less noise than the larger one that is not enclosed?

Mr. Hermes stated: Yes.

Mr. Donnelly questioned: Do you recall the manufacturers specs right next to the unit?

Mr. Hermes stated: At three feet it is 65 to 75 dba.

Mr. Donnelly questioned: Regarding the chiller, why do you need it and where will it be placed?

Mr. Hermes stated: We have a fiber tower that creates fiber. We need more cooling to complete our full product line. So we are requesting to add a single unit, an additional 30 tons, to help our production run properly.

Mr. Donnelly questioned: Where on the roof will it be located? You can reference the exhibits.

Mr. Hermes stated: On Exhibit A1, you see six raised roofguards. This is where the unit will sit. It is a foot off of the actual roof. You can see other units. There is the big one to the right, RTU7. In front is another unit which is 10' high, DDU1. This unit provides air to multiple areas of the building.

Mr. Donnelly questioned: Why put it in that location?

Mr. Hermes stated: The fiber tower exists right there. The structural engineer recommended we put it there because of the structure that's existing at this point.

Mr. Donnelly referenced Exhibit A2 and questioned: Can you explain what A2 is?

Mr. Hermes stated: Yes. The green X indicates where the unit will go. From that mark to the front of the building is 28'. That is the side of the building on Sparta Avenue directly across from Dunkin Donuts. To the right of that you will see a white roof top. That is the top of the fiber tower. The piping will come in through the side of that tower and go down into the fiber tower.

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Mr. Donnelly referenced Exhibit A3 and questioned: Can you explain what A3 is?

Mr. Hermes stated: Yes. The Dunkin Donuts sign is on the left. Across the street, 117' away from the building, taking a picture from the roadside so you can see what you are looking at above your head. On the roof on the left is the unit I described on A1 and A2. To the right of that there are two units that you cannot see. I took a second photograph which is Exhibit A4.

Mr. Donnelly questioned: Exhibit A3 shows to the right of the existing unit that we see. Can it be seen from this vantage point?

Mr. Hermes stated: It will not. When the unit is installed it will be exactly the same from this vantage point.

Mr. Hermes continued: Exhibit A4 was taken from the back of the parking lot; DMV is to your right. You now can see the two units. Where the center unit is, that is where it will be based. You will see the same thing and the same elevation.

Mr. Donnelly questioned: On A4 it says 270'. So you were standing back approximately an additional 150' from the location you took the photo for A3. Is that how far back you were standing?

Mr. Hermes stated: Yes.

Mr. Donnelly questioned: So from that distance you can see the other two existing units. So the new unit will look like the triplet of those existing units?

Mr. Hermes stated: Correct. Also note that there is an increase in elevation of 7' from A3 to A4.

Mr. Soloway questioned: Did you take all these pictures?

Mr. Hermes stated: Myself and Joseph D'Annibale did.

Mr. Soloway questioned: Are these a fair and accurate representation?

Mr. Hermes stated: Yes.

Mrs. Le Frois questioned: Please clarify exactly where the new unit will be.

Mr. Hermes stated: If you look on A1, you see the unit in the center of the system. This unit will sit on top of this. You will just see the tops of those all together like unit c.

Mrs. Vrahnos questioned: Can you show where on A4 you are putting the new unit?

Mr. Hermes stated: It will look like a skyline. It is coming out 6' away from there.

Mrs. Vrahnos stated: So it will be in front of this.

Mr. Hermes stated: If you look at number 1, that's where the unit is going to sit. You are going to see the top of that. It will be the same elevation as these others. The only difference is you are going to be 10' from here to this end.

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Mr. Soloway stated: He said it will be triplets. So there will be three that look the same.

Mr. Hermes stated: The existing unit is 7'2". The new one will be about 6'8".

Mr. Donnelly questioned: On A3 you are just a couple of feet in front of the Dunkin Donuts property is that correct?

Mr. Hermes stated: Yes.

Mr. Donnelly questioned: So would you say that the new unit will not be visible from that vantage point?

Mr. Hermes stated: That's correct.

Mr. Le Frois questioned: What would be necessary to get the unit on the roof?

Mr. Hermes stated: We would do it from our parking lot in the L shaped lot on the side of the building. We can set it there and send it up.

Mr. Donnelly questioned: Would you coordinate that with the Town Police Department?

Mr. Hermes stated: Absolutely.

Mr. Le Frois questioned: Do you anticipate additional noise being generated as a result of adding this equipment?

Mr. Hermes stated: No. I would not. The roof is 40' high and I've taken readings at street level. I don't get any sound levels from the existing equipment up that high.

Mr. Flaherty questioned: Is there any accumulative noise?

Mr. Hermes stated: I'm not a sound engineer, but I do know that when our generator is cycling and our compressor is running at 100% I did not get any accumulative noise.

Mr. Simmons reviewed his report dated July 11, 2018 and stated: Page one shows the documentation which outlines and catalogs the proposed equipment.

Mr. Le Frois questioned: Did you receive enough materials to consider it a complete submission?

Mr. Simmons stated: Yes. I did receive additional information tonight from the applicant on a field test that they performed at the rear property line. The manufacturer gives a decibel reading so many feet off the unit which is standard. In this particular case they are 180' to the nearest property line. The applicant did sound meter readings at the property line. The limit normally is 65 dba from 7 am to 10 pm and 50 dba from 10 pm to 7am. It is my understanding that they got a reading of the larger existing compressor of 48 dba at 100% field test. As the applicant pointed out the new unit is smaller hp and enclosed so it will meet even the night time operation limits. The one item that I did suggest the Board discuss with the applicant as far as testing with the compressor to determine which days of the week they are going to test the unit; not on a weekend as it's a residential area. There was discussion about maybe a Wednesday at

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a certain time for about an hour. I would suggest that if the Board approves it the applicant would establish this.

Mr. Le Frois questioned: Are you able to commit to a time now?

Mr. Hermes stated: Yes. Wednesday at noon time would be great.

Mr. Simmons stated: The applicant has addressed all other items.

Ms. Caldwell reviewed her report dated July 5, 2018 and stated: The site is governed by the Sparta Avenue Redevelopment Plan. The existing light manufacturing use on the site is permitted in the Redevelopment Plan. The site has an existing air compressor which was approved by the Board in July 2016. It would be beneficial to have the location of the new air compressor noted on an as-built. In terms of the location, we have emergency generator standards that I reviewed. It does meet those standards. From the additional testimony tonight it meets the noise level requirements as well. As far as screening, no additional screening is required.

Mr. Le Frois opened this portion to the public.

1<sup>st</sup> Public – Ralph Porter, 12 Pine Street, Newton. I find it interesting that they are looking at the view from Sparta Avenue and not Pine Street. Concerned with what is the enclosure going to look like? Is it going to be a wood shed? When the original application was approved they had a certain number of trees to be on that property and right now there are 13 trees dead on the property that have not been replaced. When are they going to go back in or aren't they. Otherwise they are good neighbors.

No more public stepping forward. Portion closed.

Mr. Donnelly stated: We can address these one at a time.

Mr. Hermes stated: The enclosure is made by the manufacturer. It is a steel enclosure that is insulated on the inside. It will look like a Sea box. A Sea box is a large container that they use to transfer items from other parts of the world. In the application, you can see that it is oversized. We've deleted the air size as well as the heater that goes inside there. It is 7' long, by 7' high, and 10' wide. It will be 3' off of the building.

Mr. Le Frois questioned: What color is it?

Mr. Hermes stated: We would like to keep it a green color; something that blends in to the other items. We have blue dumpsters. We could keep it in that range or do something closer to the color of the building.

Mr. Flaherty stated: I would like to see it closer to the color of the building.

Mr. Donnelly questioned: There was a question as to whether you took into consideration the view from other streets. Looking at A2, do you believe this new piece of equipment will be seen from the other streets?

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Mr. Hermes stated: It will not be seen from three streets, because there is a parapet on the front and the unit that is behind it is tall so you will not be able to see it from the ground.

Mr. Donnelly questioned: To clarify, there is a unit on the Pine Street side that would be blocking you?

Mr. Hermes stated: Pine Street is behind here. You have 28' from the front. There will be other units that block that. There is a unit between the new unit and Pine Street.

Mr. Donnelly questioned: So will this unit ever be seen from Merriam Avenue or Pine Street?

Mr. Hermes stated: No.

Mr. Donnelly stated: Regarding the trees, we can work with the Town and if we need to do so we will replace those trees.

Mr. Soloway crafted a resolution to approve the application for preliminary and final site plan in addition to the usual conditions of taxes and fees, the applicants agreeable to the conditions to test and exercise the compressor on Wednesday's at noon during normal business hours. The applicant agreed to install protective bollards. The applicant will be required to comply with all noise regulations. The applicant will provide an as-built to the satisfaction of the Town Engineer. The applicant has agreed to replace any trees.

Mr. Donnelly stated: To be clear, if there is an existing maintenance obligation that we have to replace trees we will absolutely do so. I don't require that I've agreed to do anything beyond what we've agreed to tonight. We were not here to discuss trees.

Mr. Soloway questioned: I understand the distinction. What are your thoughts Mr. Simmons?

Mr. Simmons stated: I've done an inspection of those trees in the past and I can provide Mr. Donnelly with the information.

Mr. Soloway stated: It is my understanding that there have been a few problems with a few trees. If it's the same trees then I think it may be appropriate to have the applicant address them.

Mr. Soloway continued: The color of the enclosure will be a neutral color that is agreed upon by the Engineer's office.

**Mr. Flynn made a motion to approve the application with the conditions mentioned in the resolution. The motion was seconded by Mrs. Le Frois.**

**AYE: Mr. Flaherty, Mrs. Vrahnos, Mr. Ragsdale, Ms. Hall, Mrs. Le Frois, Mr. Flynn, Mr. Russo, Mr. Le Frois**

**Application approved.**

**COURTESY REVIEW**

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Sussex County Community College on existing McGuire's Property/Building –

Mr. Soloway stated: This is a project being proposed by Sussex County Community College. Under the Municipal Land Use Law, any governmental agency that proposes a Capital Improvement Project within a municipality that has adopted a Master Plan, that agency is required to discuss the proposal in a public meeting with the Planning Board. This is done as a courtesy. That is what is being done here tonight. As a practical rule the County College is not subject to the ordinances of the Town or of the Redevelopment Plan which governs other applications in this particular area.

Glen Kienz, Esq. of Weiner Law Group is representing Sussex County Community College (hereinafter "SCCC").

Mr. Kienz stated: This is not a site plan. You have to find that it is consistent with the Master Plan. Your obligation is that if you see something and you think you have a better way of doing something you can make a recommendation. SCCC can then take that into consideration and think about it. But it can't be a requirement as it would on other applications.

Mr. Soloway stated: The County College does have a requirement to take those recommendations under advisement in good faith and can't arbitrarily, capriciously and unreasonable ignore them. The other thing that the Board wants to do is comment on the application in the context of the Town's Master Plan and in this case the Redevelopment Plan.

Mr. Flynn questioned: Is there ever any variance talk with a public entity like this?

Mr. Soloway stated: There are a few, very occasional exceptions, but pretty much they are not subject to the ordinance. They have the obligation to take everything into consideration and they can't run rough shot over everything.

Mr. Kienz stated: Mr. Soloway summarized everything. I would mention before we get started that we have already opened up, thanks to Mr. Russo's help, a process discussing a number of issues with Municipal officials and professionals. We have ongoing discussions and I am very familiar with your planning and your ordinances as well as the Redevelopment Plan. We have taken that into account along with a number of other things. SCCC is interested in moving ahead gently not only for its benefit but for the Town's benefit as we are a part of the community. The review tonight according to Section 31 is fairly straight forward.

Mr. Kienz referred to pictures and stated: This is the McGuire site. What we are proposing at this time is take the McGuire dealership and begin the conversion process. We want to move part of our Technical Career Program because it's really a three phase program to this site. It is the kind of final part where there can be training. The McGuire site is perfect for what we want to do because obviously it was a car dealership. Under Phase I you can see trees that don't exist right now. That's part of Phase I because it's such a focal point for the Town of Newton and I've lived in the Town for about 20 years. It's a focal point there and we want to make it something that will look nice in the Town of Newton. The front of the McGuire building will eventually under Phase IB be used as part of our new Culinary Institute. The rear part of the building is going to be used for what we call hard trade. It would be automotive, welding, diesel tech, and some machine tool eventually. The building sets up perfectly for something like that because everyone knows how a car dealership is. There is the front where the customers come in and there is the area in the back where you are not allowed to go. The back is where we will do

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Phase IA. Phase IA is in the back of the building and the landscaping and the fencing. Phase IB would be the culinary. I would like to have Dr. Connelly give you an overview. Then if the Board has any points it would like to make we would like to hear. I would like to advise that this is only Phase I. There will be additional Phases. We are in the process of setting up meetings with Town officials to find out how this can become compatibility and a joint exercise doing improvements for the Town of Newton.

Dr. John Connelly, President of SCCC, stated: Mr. Kienz has discussed the details of the "what". There is one piece left unmentioned. In Phase IB we are also interested in the back masonry block building. We would like to get going on renovations in there to make that usable space for our academic programs and trades. From my point of view as administrator of the College, we very much view this as a partnership with the Town. We are very grateful to Tom Russo and others who facilitated the conversations that have already taken place that have been critically important in shaping the good ideas. We consider ourselves part of the Redevelopment Plan. Not in any way absconding with the Redevelopment Plan. Using the term "rough shod" is unhelpful and disrespectful to the people who have done this work already. There is so much that we can do together. What we really care about here is what we do for the Town of Newton. There is a need to revitalize downtown Newton. We know that Spring Street is a challenge for us in terms of presentation of things and it's a great green. We think that this reconsideration of repurposing of the McGuire property is a really great way to preserve history and to bring it in to a new generation with things that we need to do. Mr. Kienz has already talked about our desire to move forward on Phase IA. Landscaping plays a critical part of that. It is the first impression that needs to be made. Chris Wolverton will discuss the landscaping that we have in mind but we are open to other ways to do it best.

Mr. Chris Wolverton, Principal of HQW Houghton, Quarry, Warr Architects, stated: We want to introduce green space in the parking lot, less than 20' back. We will introduce trees between the curb and the sidewalk, between the sidewalk and the fencing. There will be additional plantings, grass, benches. This fence will be approximately 7' tall consisting of brick bollards, a brick base and black aluminum. Beyond that it will be our parking (even though it's in Phase 1B). In addition, I will introduce you to our green space in Phase IA. There will be additional seating areas for students as well as additional green space. In addition to the landscaping, there will be new signage on the building. We will replace the existing black awnings with metal awnings to give it a modern aesthetic to the building.

Mr. Kienz questioned: Does the proposed signage comply with the Newton Ordinances?

Mr. Wolverton stated: Yes, but because of its location we also agreed that we would meet with the Historic Commission.

Mr. Le Frois questioned: Any more modifications to the building? Removing windows, doors, etc.?

Mr. Wolverton stated: No. Not on the outside.

Mr. Le Frois questioned: Any need for additional equipment?

Mr. Wolverton stated: Most additional equipment will be located in the attic space. In Phase IB we will put in an exhaust fan. The compressors are meant to be housed inside. There may also be a generator.

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Mrs. Le Frois questioned: Can you speak to the timeline of Phase 1A and Phase 1B?

Dr. Connelly stated: Phase 1A we are hoping to begin as quickly as we can on the basis of our agreements with McGuire's which are under negotiation at the present time. In addition to that we are hoping to occupy on the basis of a lease the back portion of 1A so we can begin our automotive and welding programs in particular and also begin to prepare for diesel technology and machine tool there. We know for certain we want automotive and welding to be there this coming fall. We will be working this summer to achieve that if at all possible and then advance in moving some other things along for more permanent residences is the idea.

Mr. Kienz questioned: So the landscaping would be done as well?

Dr. Connelly stated: Yes. In our agreement with McGuire's we are hoping to do that as quickly as we can. I know a bit about plants and know when certain ones should be planted. We want to optimize the landscaping there. Our best hope for the trees is to get it done by the end of October. With spring planting you always in the State of NJ end up with a summer like we have now and then lose the plants. We are pretty well positioned to be able to plant the trees in the fall. We take the landscaping matter very seriously because it will be the first statement we make in the project and the first statement we make when people come down 206 into the Town. We also need to make sure the back of the house is taken care of. The purpose of this is to run quality academic programs to attend to the middle skills gap that's a problem for this economy that we are in right now.

Mr. Kienz stated: Let's talk about that. The automotive and welding programs that you are providing to the residents.

Dr. Connelly stated: One of the great challenges we face in Sussex County is economic development. If you do not have proper economic development you will not face well the high cost of living here. We have a drain of the demographic. To turn that around you need economic development. One of the key parameter is maintaining and retaining the businesses that we have. An example of that would be Thorlabs. Alex Cable has told me in numerous conversations that he is in need of machinists for precision machinery. One of the things that really limit his enterprise is the skilled workers he needs to grow. You either grow or you fall. He is in a growth phase and in order to compete internationally he needs to be able to grow. He needs the skilled workers to be able to do it. He is in need of precision machinists to make the metal parts for the optical science that goes on there. For research and development he imports the PHD's that you know about. In addition there are the people doing manufacturing; precision machinists. That is happening on route 206 in Andover, but that is too small. They are going to be expanding. But having buildings doesn't get it done. You can buy buildings and equipment but you can't buy skilled people. That's the job of the Community College. They have asked us to partner with them and we are. We need a place to do it. We cannot help them if we don't have a place to do it. Right now we have a partnership that allows us to occupy some of their space but that is not a permanent solution. We need a permanent space. We have the best automotive program in the State. It has to do with the partnerships that we have with industry. They are very tight, clear, rich, and they are the reason we are at the table tonight with the McGuire's. It is the type of work we have been doing and it is absolutely essential. We know that in the auto tech industry it is the person who pays the most who goes to where they want to go. The auto technicians in Newton rotate from one dealership to the next as they are stolen and pilfered from one dealership to another. The fact of the matter is there is

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a shortage of qualified automotive technicians who are mature, disciplined, and have a passion for solving problems and tracking down electrical gremlins in the computers that run the cars. Our supervisor in automotive, Jason Fruge, has taken our automotive program from one of the worst to the very best in two years. I know that to be the case because I know all the other presidents in the State of NJ and the automotive programs they run.

Mr. Kienz questioned: Why don't you tell everyone about Phase IB?

Dr. Connelly stated: Phase IB has two dimensions here. You are seeing the front which is where we believe to be not necessarily the best or the largest culinary program but it will be unique and one of a kind. Culinary programs in the State of NJ hit three out of four things that they should be getting. We are going to hit four out of four things. None of them have an operational restaurant. The back and the front of the house are run by the students. The students learn how to run a business. How to be concerned about quality control, inventory and pinching a penny and delivering quality in service and food. They will be learning all that at the culinary institute. We are also going to need a skills kitchen. A culinary skills kitchen is where students know how to use a stove and oven properly, about sauces, stocks, and knife skills; all of that. So this space in the front third of the McGuire facility, the brick building, will be where culinary will reside. The students will learn there both in terms of running a restaurant and in terms of culinary skills.

Mr. Kienz questioned: Will the restaurant be open to the public?

Dr. Connelly stated: Yes. We are going to make the very most of this space. It will be an operational restaurant. We will have market rates for the menu and will operate that so the students will learn very important things.

Mr. Kienz questioned: Will it be open Saturday and Sunday?

Dr. Connelly stated: No. It would be very unlikely to be open on the weekend. There are many reasons which you can ask about if you are curious. Phase IB will also be the masonry block building out back. We know that at least temporarily we can fit all the programs; diesel, welding, automotive and machine tool. It will require more space. Machine tools have a lot of machines spread out with space in between for safety and instructional purposes. We are going to need a larger space. We anticipate that the permanent home of machine tool will be in the masonry block building out back. Therefore, IB, and it's important that we get going on that or we won't be able to deliver what we anticipate are the needs for Thorlabs. All of these renovations, what do they involve? We know with the help of HQW what we need to do and they are going to be minimalistic. We don't plan on changing their fundamental original purpose from when the McGuire's owned the property. This is about trades. We consider these to be clinical sites. Our students learn in theory, lab, and a clinical site. It is absolutely essential from our point of view that we cover all of that.

Mr. Kienz questioned: So is the theory and the lab on the campus?

Dr. Connelly stated: In not all cases. In automotive right now it is. We will continue to maintain that. In machine tool also, in some of the theories we have simulators. These are devices that students use to do the necessary coding. To understand and appreciate the XYZ axis so they can design the parts. That can happen with the simulators. After that they need to cut them on the real machines. So we have lab skills happening. Automotive for example, auto anatomy is

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taught on our campus. Then we need a space where they can re learn those and the trouble shooting skills that go with that are from real cars, which you can't do on a chalkboard in a classroom.

Mr. Kienz questioned: Are you maintaining some of the parking on site?

Dr. Connelly stated: I think there will be plenty of discussion about the parking situation. Philosophically, my feeling is that this is parking available space in Town. However, we negotiate that I think Tom and I need to have a conversation about how we want to make the very best use and to the benefit to the Town of Newton in regards to that parking spot.

Mrs. Le Frois questioned: Some critics have asked why do a culinary program when there is already one at Vo-Tech. Can you expand on the difference and what makes this unique?

Dr. Connelly stated: That very same thing can be said about many programs. There are things that distinguish College technical career education programs from those that are in the high school. I'm going to start with the most obvious distinction of why it's critical that we have programs like these. Let us consider when a student is a freshman. When they are going to Sussex Tech for the first time, they are 14 years old. What happens to a Newton High School student who is 14 years old and doesn't go to Sussex Tech. Then they are 17 years old at Newton and they haven't chosen a vocation and they want one. The Community College has to be ready for that student. In addition, we have to be ready for the 35, 37, 42 year old who is now unemployed and sees that there are other opportunities to start a different job. A machinist might start out at \$40k, \$60k, \$80k, or \$120k. A pipe welder is \$120k. A pipe welder under water is above \$150k. So these are really significant jobs. It doesn't matter if we are talking about electrical or electrical line workers. These are critically important programs. Puerto Rico struggling from its troubles, one of the things that nobody talked about was the drain of qualified electrical linemen who knew what they were doing to be able to help rebuild the infrastructure of Puerto Rico. That was the second most limiting factor in that particular project. So it's critically important and Sussex Tech School can't get it all done. In regards to culinary we think there is a real opportunity there. In the conversations we've had with employers such as Crystal Springs, Perona Farms, etc. we've found that students who graduate Sussex Tech have a particular set of skills but they wish they had additional skills, which would be developed in a program like ours. Not a lot of students will be ready to start their own business out of Sussex Tech. In our program they teach business skills as well as entrepreneurship. Again, back of the house, front of the house, inventory, and all of that. So it's a value-added composition. In the food industry, the survivors are the ones who have a passion for it and dig in deep. Those will be the ones who want more training and seek it out and get it.

Mrs. Vrahnos questioned: Will these be degree programs or certifications? When a person graduates from the culinary program what will they have?

Dr. Connelly stated: Our programs are going to be both. We will have degrees that we award, the AA degrees. Those degrees can articulate later on if appropriate to a Bachelor's of Applied Sciences. So it does transfer. You have the theoretical arts and the practical arts. A literate, functioning 1<sup>st</sup> world country has both philosophers and plumbers. In welding there are qualifications and certifications. There is testing. I don't anticipate we will be a testing center. We will send them to Sussex Tech. They have an incredible testing center and they will continue to do that work. The certifications are different than the certificates. We will be awarding College level certificates that do laddering. So they receive the certificates and then very

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quickly and smoothly transition into a degree. It's about layering those things properly and making sure our students take advantage of that.

Mr. Russo questioned: From a practical standpoint it is my understanding that the College is looking to lease the property. So speaking from a tax perspective this will still be conventionally taxed for the purposes of the municipality is that correct?

Mr. Kienz stated: Yes. And part of the second items that we are talking about concern what other activities can be done in the future on the site. That's why the opening remarks was about the College, the Town, and others in the community so we can make sure it is getting as much money as is reasonable on the property.

Mr. Russo questioned: And the long term vision is possibly to purchase the property?

Dr. Connelly stated: Yes.

Mr. Russo stated: I know we talked about a pilot or some sort of payment to the municipality. I know its long term, but we appreciate the willingness of the County and the College to have these conversations because you know the position we are in. I want to say I'm very grateful to Glen, Dr. Connelly and Judge Parker. We've talked about a long term vision such as housing or a parking garage; something long term that would benefit the community. I'm grateful that you are willing to have those conversations because the reality is you don't have to. You are looking to do this project and you are here as a courtesy but we know how Municipal Land Use Law works. I'm grateful on behalf of the Town that you are willing to have these conversations. It means a lot to the Town.

Opened to the public.

1<sup>st</sup> Public: Wayne McCabe, 125 High Street, Newton. I'm here as a resident and a taxpayer. I attended the meeting a week ago. I think this is a good step and use of this building and a golden opportunity for the Town and the College. It is an ideal situation.

Mrs. Le Frois stated: There are 9 parcels as part of the Redevelopment Plan and this is about a third. So that conversation in and around this project and future expansion is important to note. So the next steps could perhaps be with those other parcels.

2<sup>nd</sup> Public: Ralph Porter, Pine Street, Newton. I like this very much. I'm a carpenter. Have you reached out to the Carpenter's Union?

Dr. Connelly stated: We have not reached out to the unions on this particular topic. We have reached out to the unions on other topics with the College. Those initial meetings have helped to develop relationships with them. Another program we are interested in getting into the masonry block building is construction trades. We have that program and we need a space for it. My concern is that the challenge the unions will help us with. These are systematically and chronically low enrolled academic programs in the country. Yet right now we have 1.5 million openings in the construction trades. It's a paradox.

3<sup>rd</sup> Public: Tammy Horsfield, President of Sussex County Chamber of Commerce and the Sussex County Economic Development Partnership. Here tonight to support the College. I don't know if anyone here was involved in the Council 20 years ago, but we had some great discussions

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about bringing the College to Spring Street and bringing the campus here. There was a lot of support behind that from the business community. What we didn't have were the discussions that we are having tonight about the importance of trades. The world has changed. While we've always grown up knowing how important it is to have degree programs there are people who don't take it to that level. Number one: you have to look at the fact that many of our businesses need apprenticeship programs. They need programs that you are offering to allow them to continue to grow. Seeking talent is a challenge to Sussex County and it is important for us to continue to grow. We have been growing continuously in the tourism area. Over the last 10 years we have continued to grow at least 2, 3, or 5% each year. I just completed an economic impact study. Every household in Sussex County has saved \$1,100 in taxes annually because of tourism in this area. That culinary institute can afford us to grow that and to also train more employees so they too can reap the benefits of the economic development. Another piece of it is our College. It is our Community College and it is about community. Many times we see our College up on the hill as its own campus. It's time to bring it around to the Community College and bring it in to Newton. It affords us to have our residents partner with our College and our students. We need to grow our young professionals in our community. They are leaving and we need them to stay here and we need to help grow them and train them and understand that there is opportunity for them here. They are going to take our place one day. My hope is that our County Seat will help grow the young professionals here and that Spring Street will become the place for young professionals to go. We will have the opportunity to train them here and keep them here. I think the Community College can help do that.

4<sup>th</sup> Public: Jason Fruge, Automotive Supervisor at SCCC. Read a letter into the record from Neilsen Automotive Group. Letter explains the shortage of automotive technicians in Sussex County. They have hired four students from the intern program between the College and Nielsen. They will continue to support the intern program and are appreciative of all the College is doing for the community.

No more public stepping forward. Portion closed.

Mr. Simmons stated: The only thing I would add is that we did have a discussion on some of the other approval the applicant will eventually require from the utility board to make sure the infrastructure is available and working out in the project.

Mr. Le Frois questioned: Would the Fire Department be part of that review?

Mr. Simmons stated: Based on the information that I saw this afternoon, they are going to be able to have the architectural firm look at the site plan and the access for emergency services as well.

Ms. Caldwell stated: This is a Section 31 Review as Mr. Soloway noted. Our primary goal aside from opining and providing our recommendations as experts in planning in the Town is to review consistency with the Master Plan. So I want to give my opinion on that and I also want to talk about the Redevelopment Plan because it is in that area. In terms of the Master Plan we do have transect zoning where we look at development in the Town from a high density core to graduated density to the outer parts of the Town. The parcel we are talking about is a little over 2 acres. It is in the center of the downtown and is part of a larger 4 and ½ acre Redevelopment area. It is in the T-5 and T-6 zones which are in the Town Core and Town Core Support area. They are higher density, mixed-use zoning and a whole host of uses are permitted. We are definitely looking for multi-story buildings and buildings with nice streetscapes that front close to

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the street and provide nice pedestrian interaction. Those are the types of things we are looking for. Certainly public uses, government uses, educational uses are all permitted and sit well within the downtown area. From a Master Plan consistency perspective it certainly fits well within the Master Plan. One of the issues for this parcel in particular and why we have a Redevelopment Plan is that it is under used in perspective of the downtown. We have minimum story heights. We were looking for a minimum of 2 story heights and 80' frontage at the buildout line and the front yard setbacks. We are looking for a lot more density. Because of this the Town declares an Area in Need of Redevelopment and adopted a Redevelopment Plan with a mixed use scheme. We also did include some public space, which the College is incorporating with the setback and the green space area. It is something we were interested in having. I think we were contemplating the area because the green is a little bit limited because of the amount of traffic going around it. It could be an area where a public gathering could place like a farmer's market or that sort of thing. We definitely looked at having more there than the existing structure and one reason that we are all appreciative that the County has come to us and offered to work with us and talk about other phases going forward. We really want to look for more at this site. We feel it is very under-utilized in the current condition. In leaving just the existing buildings, in my opinion it leaves it in an under-utilized state in terms of the Redevelopment Plan as well. We look forward to and are appreciative of working with the County in order to utilize this site for other uses as well. There's been discussions of possible student housing or other areas for residential because one of the key pieces for this site is trying to bring people in to the downtown and putting more feet on the street. We think putting the students in is a good possibility and good first step but we are definitely looking for more. It is just one piece of a larger parcel for Redevelopment. We are looking to work with the County to facilitate developing the other parcels.

Mr. Le Frois stated: It sounds like we generally have that commitment.

Ms. Caldwell stated: Yes and we appreciate of that because as it has been noted they do not have to do that. We appreciate them being good neighbors. We think they can benefit from some of the other developments talked about as well.

Mr. Flaherty stated: With the proximity of the welding area to the eating area, will there be a separation from the fumes? Also you wouldn't want anyone accidentally walking into the welding area thinking they were going to the eating area. And what about the storage of chemicals?

Mr. Kienz stated: It will be stored in the back. We've had the opportunity to speak to your construction official and we are very aware of it. We want to do the right thing.

Mr. Soloway stated: My suggestion is that you don't vote on whether or not to approve that the statute contemplates the report which can be a short letter really be sent to the agency covering jurisdiction that is spending the money here.

Mr. Kienz stated: I think it would be sent to us.

Mr. Soloway stated: The motion would be to authorize the Board Secretary to send the letter to the College, copying the Governing Body, that a presentation was made about the project and that the project as proposed except for building height and frontage buildout is generally consistent with the overall objectives of the Master Plan and the Redevelopment Plan. You

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could also note that this phase is only part of the College's plan and the College's property is only part of the Redevelopment area.

Mr. Kienz stated: I would suggest that in the letter you also make a reference that you strongly encourage the College and the Town of Newton to continue to meet to discuss future development which is exactly what we talked about but that way it has been memorialized.

Mr. Le Frois stated: Perhaps bring the entire property more in line with the Redevelopment Plan in the future.

**Mr. Russo made a motion to authorize the Board Secretary to send a letter as described by Mr. Soloway. The motion was seconded by Mrs. Le Frois.**

**AYE: Mr. Flaherty, Mrs. Vrahnos, Mr. Ragsdale, Ms. Hall, Mrs. Le Frois, Mr. Flynn, Mr. Russo, Mr. Le Frois**

**CORRESPONDENCE:** (Reviewed)

Ordinance 2018-9 An Ordinance Amending Sections 320-2 "Definitions" and 320-2.C "Permitted Uses" of the Newton Town Code to Permit Light Industrial Uses in the T-4 and T-5 Zones.

Ordinance 2018-10 An Ordinance Amending the Code of the Town of Newton, Section 320-25, "Sign Standards", Regarding the Existing Signs at 116-118 Spring Street.

Resolution 145-2018 Appointment of Mayor as Class I Member of the Newton Planning Board.

Resolution 145-2018 Appointment of Town Council Representative as a Class III Member of the Newton Planning Board.

Letter from John Mills commending the Planning Board on the professional way they handled the Rockywood Property, LLC variance request at the April 18, 2018 Planning Board meeting.

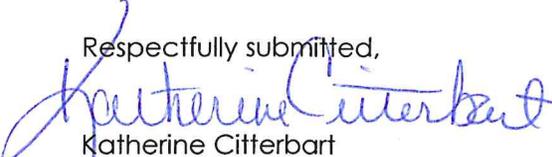
**EXECUTIVE SESSION** - None

**PUBLIC PORTION**

**ADJOURNMENT**

**Mr. Flaherty made a motion to adjourn the meeting. Motion seconded by Mr. Flynn. The meeting was adjourned at 8:50 PM with a unanimous "aye" vote.** The next meeting will be held on August 15, 2018 in the Council Chambers of the Municipal Building.

Respectfully submitted,

  
Katherine Citterbart  
Planning Board Secretary