

The Manasquan Planning held a Special Meeting at 6PM for the purpose of hearing a Presentation by the Board of Education High School Sports Field Reconstruction. Geoff Cramer read the Open Public Meeting statement.

John Muly – Vice Chairman is the acting Chairman as John Burke had to recuse himself because of a conflict of interest. Paul Rabenda recused himself also due to a conflict of interest.

ROLL CALL:

Board Members Present:

Mayor George Dempsey, John Muly, Joan Harriman, Councilman Owen McCarthy, Neil Hamilton, Greg Love, Mark Apostolou, Peter Ragan

Board Members Absent:

Paul Rabenda, John Burke, Leonard Sullivan, Jay Price and Robert Young

Professionals Present:

Geoffrey S. Cramer – Planning Board Attorney

Albert D. Yodakis – T & M Engineering – Planner/Engineer

John Muly asked everyone present to please stand and salute the flag.

John Muly opened the meeting stating the purpose of this meeting is to have the Board of Education make a presentation on the proposed renovation to the athletic fields at Manasquan High School. After the presentation, members of the Planning Board will have an opportunity to ask questions about the plan presented. Discussion will be limited to the actual plan itself and no other issues related to that. After the question and answer period by the Planning Board the public will have an opportunity to ask questions. At that time they will be asked to come to the microphone, state their name and address. All questions will be limited to the plan presented. Other questions regarding financing, etc. should be directed to the BOE at their next meeting on October 17, 2013. Each member of the public will be allowed 5-minutes. Please try to avoid asking questions that have already been asked. At the end of the public session the Planning Board will make suggestions and recommendations that will go to the Board of Education, and the State Department of Education. Recommendations by the Planning Board are not mandatory and may or may not be accepted by the BOE or by the State Department of Education.

Speaking for the Board of Education is Douglas Kovats, Mr. Eareckson and Mr. Tim Zenier. Mr. Eareckson asked why Mr. Burke was not present. Mr. Muly said because he receives a salary from the BOE. Mr. Eareckson then asked if there were any other

members who receive monies or income from the BOE. The response was none. Mayor Dempsey said it had been well over a year since he had gotten a check from them. Mr. Kovats said he thinks the public present may be confused as to why he is not present as an applicant seeking approval from the Board. As part of our review process before the Commission of Education in accordance with certain statutory formula and also the Administrative Code, the Commissioner of Education has said in this instance, make a submission to the Planning Board for their review and we would like to have their review, recommendation or not. He wants to set the stage that in the case the Planning Board wants changes made he is not in the position to do that this evening. He doesn't have a full board here this evening and would not commit his client of anything until he has an opportunity to present this Board's concerns to them. We are here on a project which needs no introduction. These are the fields over at MHS, we intend to modernize the existing field, expand it, and we will not be expanding the property of the BOE. We will construct all of the renovations at the existing site without acquiring any property. For purposes of convenience this evening it's best to describe the two major aspects of our project. Number one is the retaining wall; number two is the multi-purpose field that will ultimately be placed there. He said the field once constructed will serve football, soccer, boys and girls lacrosse, track and field hockey, surrounding track. A little bit bigger to make it easier for our runners to compete. He said he considers this a Site Plan meeting. It should be limited to Site Plan issues. He then asked Mr. Eareckson, the President of Matrix Engineering is the BOE Engineer for this project to review the scope of the project. Geoff Cramer said the speakers from the BOE did not have to be sworn in as it was not an application and therefore not on record. Mr. Eareckson had Exhibits he prepared to show the Board. The first one showed the existing conditions of the field at present. It shows the stream channel, the wetlands line. The second Exhibit is the first project, sheet 3 of the 8 sheet set of the retaining wall and drainage project. Sheet 3 of 12 is dated/signed 8/21/2013. This is the Matrix New World plans. The title of that sheet is the "Existing Conditions Plan"; the set of plans is called the "HS Sports Field Re-Construction". He addressed the plan that shows the retaining wall along the wetlands buffer corridor. In order for this project to proceed the only thing that has to be removed are the bleachers, everything else can stay functional while this project proceeds. He pointed out the new access that is proposed from the back side of the school and the Administration building and the handicap access ramp that was part of the DEP comments, it shows the stairs that were part of the DEP permits, it shows the drainage height that is the flood hazard individual permit. It shows the flood hazard line, that was the other flood hazard permit that was approved by the DEP and it shows the retaining wall that caused the wetlands buffer modification permit to be required and issued by the DEP. This also shows the plantings that were required as a condition of that permit, there was a riparian zone disturbance and a buffer averaging zone disturbance that required the removal of the existing access road that was on that side of the school now. That road will be removed and planted with native vegetation and trees so that it functions as a natural buffer to protect the stream channel from pollutants. He then addressed the next plan set, sheet 3 of 12; this is the other construction project before you. This is the track and field project. He went over these plans with the Board members. They had to change the orientation of the field in order to fit a regulation size track, so they could hold home track events. He believes the track team has the most participating athletes of any team in the entire HS. The only improvements they are constructing are the

outside of the track. They are basically just filling in the area where they hope to have that paver area in the future with the recycled cinders from the existing track and some additional stone dust. That will allow them to provide handicapped access from the new handicap ramp out to the new track which is one of the concerns noted by the Engineer. These proposed improvements do not require any setback Variances, there are in the plan that we are about to get to some things that we need to talk about. But, this particular set of improvements falls outside of all side yard, rear yard, and front yard setback requirements of the Town. The last sheet that he addressed is from the original DEP Permit set, this is sheet 3 of 10, and it is titled "Site Plan HS Sports Field Reconstruction". A copy of this plan was sent back to us with a permit from the DEP. The date of this plan is November 19, 2009. There are certain elements missing from the Construction plans, there are the bleachers and the concrete base under the bleachers, there is a concrete walking path around the entire track, there are visitor bleachers on top of concrete pads that are not shown. The BOE decided to go forward with this project as two separate projects. The Field Construction project will be started immediately as soon as we receive all the appropriate approvals. Then the Field Project once we receive all approvals. The baseball field is going to be displaced with this project. They want to be able to modify the field at the elementary school to accommodate the baseball field. They want to make sure that there is enough money in their budget to build all of projects that are required to satisfy all of the athletes in the entire school district. That outlines what we are doing. We have received a copy of the Board Engineer's report consisting of four pages dated October 7, 2013. Mr. Cramer asked Mr. Kovats if his Engineer agreed with the recommendations made by Planning Board Engineer. Mr. Kovats said any recommendations made will be taken into consideration. Al Yodakis, Planning Board Engineer went through his report touching on the highlights. Al asked if the deletions on the 2013 Plan would have any impact on the DEP permit. Mr. Kovats said it would not. Al asked if soil borings were obtained and he was told yes they were. Al asked about phasing the project and the reason for that. The answer was they had hoped to already begun construction on the retaining wall to beat the weather of the winter. Al said at some points the retaining wall is shown at 9-feet, with a 9-foot drop you may want to consider the height of the fence on the wall. It does present an industrial look when we go to a 6-foot high fence but for safety there are going to be kids in the area. Mr. Kovats said for the neighbor's sake they decided to stay with the 4-foot fence. Al asked if this would be advertised as two separate projects and the answer was yes. Its possible one contractor would take both. Al's next comment is about the visitors bleachers, if this was a normal application the Board would be requiring a Variance, has any thought been given to buffering, fencing, putting a berm in or landscaping that area and trying to buffer it. The answer to that comment was one of the interesting things about this site, there are existing improvements on the site that are closer than 5-feet to the property lines, there is a two-story building on the southeast side of the site that is 3.8-feet from the property line, it's known as the Snack Shack, there is a shed a little further to the southeast, that's actually 2-feet from the property line. We know about the issue, I have not been authorized to proceed with any construction related documents for either of those, when that happens we certainly discuss the impact with the neighbors. What is being proposed now does not include the bleachers that are pretty close to Lot 6.01, Block: 38. The plans which consist of a 12 sheet set the HS Sports Field Reconstruction Plan those are his construction documents that are going out to bid, there are no bleachers

shows on that plan whatsoever, stated Mr. Eareckson. Mayor Dempsey asked if the DOE get the '09 plans showing the bleachers and the concrete walk and the answer by Mr. Eareckson was they do not because it is not part of the application. Mayor Dempsey asked if when they applied for the wall did they include that and he was told no they approve construction projects and that is not part of the construction project. John Muly said he would certainly recommend that you take a look at the pictures. Councilman Owen McCarthy asked about the corner of that lot on sheet 3 of 10 of the 2009 plans. The corner of the bleachers and the corner of the property line, that other corner of the house seems like its right on top of the shaded darker gray area. Mr. Eareckson said again these plans were prepared not by me in 2009, it appears that it's zero (0). Councilman McCarthy said he wants to make sure that we have an opportunity, are these bleachers and this concrete walking path going to be part of what you are asking the DEP to approve at this juncture. Mr. Eareckson said there are no requests for any approval of any of those elements. If he gets hired to re-design this that is a 10-foot wide walking path, he could narrow it down to 5-feet wide in that particular spot, he would shift the bleachers a little bit so that they are 5-feet away, and that is the setback requirement in this Zone. Al Yodakis asked what is the proposal for seating since bleachers are not proposed. Mr. Eareckson said there are multiple discussions happening, one is renting bleachers, another is we have removable bleachers on the property that we could move. If the original bleacher construction is within the overall budget for this entire project it's possible we can build new bleachers. Mayor Dempsey said but you have no idea where you are putting the bleachers. Mr. Eareckson said he knows exactly where he is putting the home bleachers, they will be as big as they are now and we can put those same bleachers back in place and have exactly the same situation we have today. He could put two (2) visitor bleachers on the other side and not even have an issue with setbacks and we would have more seating than we have today. It's a very achievable solution. Board members asking questions were Joan Harriman, John Muly, Mark Apostolou, Mayor Dempsey, Councilman McCarthy, Other issues addressed were lighting, ADA access, drainage, traffic flow, emergency vehicle access. Mr. Eareckson said artificial turf is not built for vehicle access. Al Yodakis stated he personally had a trench drain crack on him. Al said they may want to consider additional cleanouts, especially going around the edges of the track that could be a very difficult space to clean. Mr. Eareckson said that would be discussed with the School maintenance staff. Al said we are encouraging porous pavers anywhere we can in the Borough, we would like the BOE to consider that if you can. That was all Al Yodakis had regarding his report. Mr. Eareckson said he has been involved with this project since 2006 and the elementary school field will be nicer than the current field. It's included in the budget and we believe it's achievable to construct that. There are concept plans that were prepared by other firms and shown at public BOE meetings in 2008 and 2009, this year he has seen it again presented. Mark Apostolou had legal questions to Mr. Eareckson which could not answered at this time but would be addressed at a later date. Mark Apostolou had other questions regarding the application and which plans were submitted to the Department of Education. Mr. Eareckson stated the 2009 plans were submitted. There was lengthy discussion about this. Mr. Eareckson stated the 2009 plans differed in that they had five bleachers, with a concrete pad under them, it had a 10-foot walkway around the entire perimeter of the track, it had a paved area where we currently have cinders. It is his opinion that the cinders do not make a difference for a revision submission to the DEP.

Owen McCarthy had numerous questions for Mr. Eareckson also. He sees that they have in the potential drawings that do include the bleachers, that there are large home bleachers and then four sets of visitor's bleachers. He asked if there were any other areas where they were going to put bathrooms for all the people who would be coming to this facility. And, would there be another concrete area where they would put concessions or bathrooms. Mr. Eareckson said potentially concessions, there has not been any bathrooms planned. The concessions in the 2009 plan were planned to be under the home bleachers. Mr. Eareckson said there was no more pavement than was shown in the 2009 plan or he would need a modified permit from the DEP. Owens's largest concern is really the distance of the setbacks to the concrete walkway and the bleachers and the residence located at Block: 38, Lot: 6.1, he just wants to remind him of that and he is sure all of his colleagues will reiterate for the sake of brevity to put that on the record again. Another question is access to this complex. Mr. Eareckson said there would be two (2) sets of gates in the fence at either end of the Multi-Purpose Field, there is a fence proposed around the entire field separating the track and field. The current access onto the school property is not being modified, the gates that exist along the Streets between the parking lot and the field and also the administration building, none of those are being changed you will still have access. Some of those were closed off by the administration depending on how we want to run the event, depending on how we want to collect fees. The access will be controlled by the administration. The fence around the field has multiple access points. Mr. McCarthy's concern is the ingress and egress on Elizabeth and Osborn Avenues remain in the system that if there is a fire, something that happens along the school you have a means of getting people out of this complex as opposed to the two areas delineated on your plan. That is something that could be addressed with the Fire Official and they will raise their concerns as well. Mr. Eareckson reminded the Board members that this field does not require any maintenance when asked how maintenance vehicles would gain access to the field. The only way the Planning Board would see additional plans are if they have to be sent to the DOE. Next, Mr. Muly asked the audience to come forward and they will be limited to 5-minutes.

Audience Members Coming Forward:

Christine Rice – 61 Cowart Avenue - She was not happy about the baseball field being moved to the Elementary School. She is here to advocate for the Elementary School children. They are taking something that is 100% Manasquan, and now they are taking the High School, which is all the sending districts and displacing our residents of the Town.

John Burke – 197 Parker Avenue - He is speaking here as the announcer. He questioned the underground conduits and will they be able to run speaker wires around the field. He said normally you don't put speaker wire with electrical lines because the electrical lines can interfere with the speaker.

Carol Coyle – 101 McLean Avenue – she doesn't think the Elementary School should be deprived of their play area, she thinks it's very important. She doesn't have any children in the school now but she had four sons go through the school system. They need that area and it's not fair to move the High School where we have sending districts and they are depriving our children of exercise, they need to get around. Again, John Muly said as he told Christine Rice that is something that needs to be taken up with the BOE. She also thinks that the plans are unclear.

Heather Garrett Muly – 28 Elizabeth Avenue – She questioned the plans and what exactly was given to the DOE, she wants to make sure that the Planning Board is very clear when they are communicating with the DOE, what they received, what they reviewed and what if anything your recommendations are for. Not, this project that they presented to the public over and over and over again. Conceptual plan, architectural plans, walked with some of the neighbors of the properties, just who they thought was important to give a letter to and told them where things were going. She thinks it's important to communicate with the DOE exactly what was communicated. In the past School buildings are not required to adhere to setback requirements but something like this according to the County Superintendent would have to adhere. The numbers for the Track team are both girls and boys. The DEP is part of the whole project. She also stated there are plans from Matrix New World and then plans from Birdsall Engineering that has now been purchased by somebody else and is that allowed, did the plans purchase these plans. She then asked the Planning Board Engineer if there would be a difference for something submitted to the DEP, a bleacher system similar to what we have now with support structures, footings and things like that and would that be something different than say footings to hold a concession stand. Al Yodakis said he doesn't want to speak for the DEP because ultimately they make their own decisions and this Board has no jurisdiction. Typically, when the DEP looks at this type of application they will be looking at the total impervious coverage. Her time was up.

Michelle LaSalla – 44 Parker Avenue – She asked if the walking pad was there and the bleachers were there would there be a setback issue from the Planning Board's perspective. Owen said the plans with the bleachers, plan 3 of 10, is a copy of that plan with the DOE. Mr. Eareckson said that is not part of the reconstruction project, it has not been submitted to the Department for approval. Owen said if we make comments that are not before the DOE he is confused why we have this plan if this is not a part of their application. Mr. Kovats said to show what we did for permits. Owen asked if they build something that was not on their permit do they have to get the approval of the DEP for that. Mr. Kovats said if the impervious coverage was changing they would have to go back to the DEP. Greg Love said the permit expires December of '14, would it not mean that you would have to complete the project by that date in it's entirety. Mr. Kovats said his opinion is no with the Permit Extension Act, if you had started he thinks you would not have to go back.

John Papandrea – 29 Willow Way – His concern is really with the retaining wall and the structure supporting it and the buffer zone. He asked the Engineer if they were going to place pilings under the retaining wall. Mr. Eareckson said they have not received construction drawings back, he has reviewed the geotechnical reports from the borings and it is his professional opinion that this segment of the wall is sitting on a stone base. He asked the question because he said as you know the area in question is part of the Superfund Site and PCE at the level of 13pbbs were found in the stream between that right field and homeowners on Willow Way. He has documentation to support that. Because of that and because the levels have increased over the years the Federal EPA intends on taking additional surface water and soil sediment samples from that area. The area we are talking about is the transition zones between the athletic fields and the homeowners on Willow Way. There is a remediation problem there. They haven't given us a time table as to when they are going to take these core samples but they did say they would be in touch with the BOE. The point he is trying to make is would it not be prudent in terms of not

just the children and the homeowners but he supposes everybody involved to postpone construction or consider recommending postponing construction until the Federal EPA has taken the soil and water samples and come up with their findings. In light of the fact that this kind of construction is going to disturb the soil and the maps make it clear that the flume itself is relatively shown in this area. He then passed copies of the document to the Board members. Mr. Eareckson said this project will not impact the groundwater, therefore we do not anticipate any disturbance of the contamination that is being further analyzed.

Carl Straub – 27 Willow Way – The plans that we have heard about are being characterized as construction plans verses conceptual plans and at this point part of the overall athletic field plans dealing with the Varsity baseball field is only in a conceptual phase behind the Elementary School. We know the Creek has lots of water running through it and floods dramatically at times, we have even had water flooding into the band room of the High School, not that long ago. This water proceeds in between the two parts of the Elementary School. Do we know that the water going past the Elementary School and through the Elementary School property has wetlands or wetlands buffer that might conflict with the Varsity baseball outfield. Do we know that we don't need a permit from the DEP to build a Varsity baseball field behind the Elementary School? We have heard words such as renovations, expanding existing field, and re-construction. Is there any part of the current field that is used or remains in place with regard to the field, the goal posts or anything? Mr. Eareckson said the new field is an artificial turf field so if you are asking is the grass from the existing field staying in place, no. Mr. Eareckson said he views the new field as a rehabilitation of a new surface. Mr. Straub said in the 2009 permit from the DEP there was a few stipulations mentioned one of them was a split rail fence and where would that be located. Mr. Eareckson said it's shown on the retaining wall plans; there are two locations of that fence. One will be in the woods, the other one because there is an existing fence running along here that will protect the wetland buffer, there is a small section of split-rail we are proposing to keep the public from accessing the wetlands modified buffer.

Patti Bossone – 46 Ridge Avenue – She stated she came to the meeting tonight to get unconfused and now she is even more confused. It appears to her and people have asked her and she would like to answer them correctly. You have approval from the DEP and the DOE, two different people had to approve these plans. Is it possible that she is confused and so are a lot of the Town because we are all under the assumption that different plans went to different places? The Planning Board got one set of plans, the DEP got another set. These are rumors that are going on and she thought she would get an answer tonight and she is still confused. Mr. Eareckson said the Planning Board has all the plans. The DOE regulates School construction projects; there are two projects proposed, the retaining wall and drainage project. Ms. Bossone said did the DEP and the DOE get the same plans that is her question. Mr. Eareckson said the DOE has two sets of plans, the DEP has another set of plans, the Planning Board has all three. Ms. Bossone said are all the plans that you are going to ok the same plans that the DEP and the DOE approved? Mr. Eareckson said the ones that the Planning Board reviewed are the same that the DOE needs to approve. You are not reviewing 2009 plans he said to George Dempsey, you are reviewing the 2013 plans. Those plans are identical with what the DOE needs to approve. Again, the 2009 plans do not need your review; they were submitted to the DEP and approved in 2009. George said but didn't you state that the 2009 plans are different from the 2013 plans so

the DOE has not seen the 2013 plans or the DEP. Mr. Eareckson said that is not exactly what I said; the DOE has seen the 2013 plans. Your review is for two sets of construction plans both dated 2013. The DOE has those exact same plans. The 2009 plans were approved by the DEP, you have a copy of them so you can verify conformance of the elements with the 2013, but they are not under review they are already permitted and approved.

Ms. Bossone said her concern is if you put a shovel in and you start to put up that wall and it's put up wrong or the Fire Official comes and says this whole thing is wrong we have to change it around, you can turn around and say no we can't, the DEP can say it has to stay that way. We could have a funky thing going on like the field with no bleachers, no bathrooms, she just wants to know if everybody is looking at the same plans are all on the same page. Mr. Eareckson said things that are being constructed, the retaining wall and drainage, that's the first thing that is going to be built so if there is anything funky everybody has a chance to look at them, we can make sure there is nothing wrong with those plans. Ms. Bossone asked why everyone is in such an uproar with this, Mr. Eareckson said he doesn't know, Ms. Bossone said she would like to know, someone is hiding something somewhere, that's what everyone is telling her.

Heather Garrett Muly – 28 Elizabeth Avenue – She said what she was finishing up before, we are talking about the buffer for the Willow Way people. They get 42 trees. They are cutting down 21 trees and that is a requirement of the DEP to replace the trees in that buffer zone. Yet there is no consideration for the people on the other side, there is a property line that when you look at those setbacks one has zero. Mr. Eareckson said that is not the plan that is being used for the project. Ms. Muly said those are Birdsall's plans even though you have them, even though that is what is being presented to the public. Parking she is asking the Planning Board to help, it's been said at Board meetings that it's not going to be any worse than any of the football games we have now. She is a property owner and this is a concern of hers, it was there when she came and brought the property there is a football that has been existing, she enjoys it. On the days there are football games her children are not allowed anywhere near the Street. We have to call the police sometimes because people block their driveways. She thinks the Fire Marshall needs to look at what happens when there is a football game, a pop Warner game. Is there anything the Planning Board can do, because the Planning Board and Manasquan itself oversees the fields? The Police police it, if there is a noise issue she is calling the police, if there is a light issue, she is calling the police. It has been said by the BOE with the turfing of the field they will be able to rent it out for income. She wants a turf field, she is all for sports, she would enjoy watching these festivities going on, it's the renting out, ten months a year 9 or 10 o'clock at night, cars, parking. We don't have the facilities. She is asking the Planning Board and the Town of Manasquan to help those people that the BOE has no consideration. Please put some restrictions on this, the neighborhood is going to be greatly impacted and we already have an issue with parking.

John Muly said some of those issues need to be brought up with the Borough Council, we don't have jurisdiction over that.

Mark Apostolou made a motion to close the public portion of the meeting.

John Muly called for a 5-minute break.

John announced that at this point the public portion is closed, the Board will take under advisement the comments made by the public, the questions that we have and try to come up with some recommendation.

Owen McCarthy had questions regarding the drawing 3 of 10 that shows bleachers, the concrete walkway, and our issues that you have acknowledged with regard to setbacks involving those items that are not part of the plan that is in front of the DOE right now. Owen's question is before you attempt to build your concrete walkway and the visitors bleachers which really seem to be the largest items that have issues with setback. Will you come back in front of this Planning Board? Mr. Kovats said if we are required to do so by the Commissioner of Education, that's the safest answer he can give at this time. Owen's concern now is if we don't voice concerns and identify some issues we have with setbacks, he doesn't want that to be deemed any type of waiver on our behalf. Owen said the DOE doesn't have these plans. Geoff Cramer said the neighbors have talked about a buffer, Mr. Kovats said the Board will have to make recommendations as they see fit. The Board members made their recommendations that each felt should be included in their report to the DOE. Following the Board members recommendations, and the Board Engineer's recommendations it was decided that Mr. Cramer would draft a letter with the suggestions and comments from the Board members. All the recommendations made by the Board members were addressed and would be put in the Resolution prepared by Geoff Cramer, Board Attorney.

Respectfully Submitted,

**Mary C. Salerno
Planning Board Secretary**