



**Township of Freehold**  
**OFFICE OF THE PLANNING BOARD**  
One Municipal Plaza, Freehold, NJ 07728

**REGULAR MEETING MINUTES**  
**October 3, 2019**

The Regular Meeting of the Planning Board was called to order by Chairman Gatto on Thursday, October 3, 2019 at 7:00 p.m. at the Freehold Township Municipal Building, One Municipal Plaza, Freehold, New Jersey. Mr. Gatto read the Notice of the Open Public Meetings Law: "In accordance with the Open Public Meetings Law, (c.231.P.L. 1975), this meeting was announced by posting the notice on the bulletin board reserved for that purpose; by mailing such notice on January 18, 2019 to the official newspapers of the Township and by filing such notice with the Township Clerk."

**Present:** Mayor McMorrow, Mr. Ammiano arrived at 7:20 pm, Mr. Bazzurro, Mr. Bruno, Mr. Coburn, Mr. Gatto, Ms. Jahn, Mr. Kash, Mr. Shortmeyer, Ms. Kurtz, Mr. Asadi.

**Absent:** Mr. Levy.

**Also Present:** Timothy White, Township Engineer; Frank Accisano, Esq.; Kate Keller, Phillips, Preiss, Grygiel; Todd Brown, Planner-Trainee; and Donna Butch, Administrative Officer.

There was the Pledge of Allegiance.

**RESOLUTIONS:**

**Variance # 014-19**

**Bannan, Michael & Cynthia**

**Block 4, Lots 7.02 – 16 Old Monmouth Road**

Mr. Kash made a motion, and was seconded by Mayor McMorrow to approve the application and memorialize the resolution. The motion passed with the following roll call vote: Mayor McMorrow, Mr. Bazzurro, Mr. Bruno, Mr. Coburn, Mr. Gatto, Ms. Jahn, Mr. Kash and Mr. Shortmeyer.

**NEW APPLICATIONS:**

**Site Plan #857-1-16 & "D" Variance 035-18**

**J & O Associates, LLC**

**Block 71, Lot 11 – 3440 Route 9**

Proposal to renovate the façade of the existing rear building and to use the rear building as a primary use where it was previously only approved as accessory warehouse/storage to the primary (front) building.

A motion was made to carry the application to November 7, 2019 meeting made by Mayor McMorrow and seconded by Mr. Bazzurro. The motion passed with the following roll call vote: Mayor McMorrow, Mr. Bazzurro, Mr. Bruno, Mr. Coburn, Mr. Gatto, Ms. Jahn, Mr. Kash, Mr. Shortmeyer, Ms. Kurtz and Mr. Asadi. Mr. Accisano announced to the public this application would not be heard during tonight's meeting as it has been carried to the November 7, 2019 meeting.



**Variance #018-19**

**Rozzi, Maria & Joseph (sold to Chris & Lauren Bracken)**

**Block 84, Lot 4.14 – 24 Polo Club Drive**

Requesting variance relief to maintain an existing 196 sf pergola in the rear yard over an existing paver patio, where 192 sf is permitted.

Mr. Joseph Rozzi and Ms. Maria Rozzi appeared as the applicant. Mr. Accisano stated he reviewed the proof of notice submitted by the applicant which was correct in form, published and served in a timely fashion so the Board has jurisdiction to conduct a public meeting. Mr. Accisano explained that variance applications can be technical in nature and received an affirmative confirmation that applicant was comfortable representing themselves in this matter.

The applicant had no objection to the exhibits that were marked. Mr. Gatto read the review letters into the record.

**Mr. Ammiano arrived to meeting at this time, 5 minutes into this application.**

Ms. Rozzi explained their request for a variance and apologized for construction of the pergola without Township approval.

Mr. Gatto opened the application to the public. Seeing none, public comment was closed. A motion was made to approve the application by Mr. Shortmeyer and seconded by Mr. Ammiano. The motion was passed with the following roll call of eligible Board Members: Mayor McMorro, Mr. Ammiano, Mr. Bazzurro, Mr. Bruno, Mr. Coburn, Mr. Gatto, Ms. Jahn, Mr. Kash, Mr. Shortmeyer, Ms. Kurtz and Mr. Asadi.

**Bifurcated Use Variance Application # 015-19 (Ref. SP# 803)**

**Wasatch Storage Partners, LLC**

**Block 69 Lots 36.04, .05, .06, .07 – 80/85/100/105 Gibson Place**

Applicant seeks a bifurcated use variance to approve a self-storage facility with eleven buildings, 59 RV parking spaces and associated site improvements. Chapter 190-146.B. – self-storage uses are not permitted within the CMX-2 Zone.

Before this application was heard, Mayor McMorro and Mr. Ammiano excused themselves, as this application is a Zoning Board matter.

Jennifer Krimko, Esq. appeared for the applicant. Mr. Accisano explained that the applicant is initially seeking approval for a change in use, not the elaborate drawings or site plans. Specifically, this application is to review the proposed use for this block and lot in this particular zone.

Ms. Krimko had no objections to the Exhibits marked on Exhibit List and Mr. Gatto read the reports into the record.

Mr. Gatto read into the record Mr. White's Engineer Review Letter dated 8/26/2019 (Ex P2).



Mr. White, Twp Engineer, noted the number of parking spaces in his report was incorrect and should be 59 not 27.

Mr. Gatto read into the record Ms. Keller's Planning Review Letter dated 8/14/2019 (Ex P3). The subject zone does not permit storage facilities. Ms. Keller requires clarification in the applicant's testimony describing hours of operation, number of employees/shifts and any loading needs with regards to trucks and the layout of the buildings. Ms. Keller also addressed the parking space count being 59 spots.

Mr. Gatto read into the record Shropshire's Traffic Engineering report dated 7/25/2019 (Ex P4). Applicant had no objection to comments.

The following witnesses were sworn in: Scott Wyckoff, Wasatch Storage Partners; David Boesch, Nelson Engineering; John McDonough, Project Planner; Stanley Lance Heal, Architect; Gary Dean, Dolan & Dean; Kate Keller, Phillips Preiss Grygiel LLC, Township Planning Consultant; Timothy P. White, Township Engineer.

Exhibits presented by the applicant's attorney to be marked into evidence:

- A-11 – aerial of the project site [board]
- A-12 – color rendered use variance plan [board]
- A-13 – photo board with plan overlaid in an aerial, 3 photos [board]
- A-14 – 5 page planning exhibit packet [handout]

David H. Boesch, a licensed Landscape Architect, gave an overview of surrounding properties, and reiterated the plan to vacate an area of the property closest to Gibson Place. Ms. Keller confirmed. Mr. Boesch also discussed: setbacks, buffers to residences, primary access from Gibson Place, landscape easements, discrepancy in office square footage (1,000 sf).

Exhibit A-15 – DEP LOI Letter (dated 1/11/2017) was entered into the record by Ms. Krimko to resolve questions from Board and Professionals pertaining to potential wetlands on the site.

Mr. White addressed Mr. Bazzurro's question regarding existing utilities, which are to be addressed during site plan review.

Mr. Wyckoff, of Wasatch Storage, discussed: the proposed facilities' hours of operation; security measures; 30' aisle widths; the 1,000 sf reserved for office space; retail area; bathrooms and breakrooms; and sale of boxes, bubble wrap, tape and locks; similarities to other storage facilities; and, typical users/renters.

Mr. Wyckoff also put on the record that the RV parking is to be well maintained. No access to power/water/sewer will be available in the facility, but the parking are is strictly vehicle storage. The facilities' employees will do walks and inspections and will contact owner if there is a perceived violation or problem. Per the rules and conditions of the Renter's Lease, there will be no hazardous material storage, living in/camping out on the property. The applicant derived the 59 space total from a completed market study of the area and consideration of the property and setbacks constraints. Ms. Krimko added typical vehicles stored on premises could be box trucks, boats or trailers.

Mr. Gatto asked Mr. White if Shropshire Associates (Township's Traffic Engineering consultant) is aware of the comment about a contractor storing their fleet of vehicles and potential traffic impact to



Route 537 and surrounding streets. Mr. White to follow-up with Traffic Engineer. Ms. Krimko responded that daily-use contractors would not be the norm, but was only presented as an example. Mr. Gatto requested for the Applicant consider the approximate 2,000 residents in nearby residential neighborhoods who have to live with current commercial vehicles parking restrictions of which may be looking to use this facility as an option for parking.

Mr. Bazzurro presented concerns regarding: RV parking spaces possibly turning into an overnight parking lot; the potential noise issue to surrounding residential homes when vehicles are started in the morning; increase noise and traffic when trucks of all size and capacities are picking-up on a daily basis. To avoid this, Mr. Bazzurro recommended additional restrictions to RV parking use in Renter's lease.

Ms. Keller inquired if large moving trucks were anticipated to be on site. Mr. Wyckoff stated the biggest truck would be a box truck, like a Uhaul truck. It was agreed with the Applicant that no "18 wheelers" would be permitted. Ms. Keller asked when people clean out their vehicle, would there be accommodations for bulk trash. Mr. Wyckoff responded that dumpsters are for office trash and recycling only. Renters will be responsible to take their own trash out.

Mr. Gatto stated that certain architectural design requirements will have to be met if the Use Variance is approved. Ms. Krimko acknowledged and agreed.

Mr. Heal, licensed Architect, gave testimony regarding: materials and look of building as shown in renderings; location of roll-up doors; building height; and, viewscape from road and residential neighbors.

Ms. Keller commented on the need for facades facing a residential area to be broken up so not to see one huge building. Mr. White added the conditional use standard, relative to the architecture in the CMX-3 Zone, should be compatible with the uses in the area, designed with colonial motif.

Mr. Gatto called a recess at 8:52pm, any members so that members of the public may come up and look at the exhibit boards. Meeting returned from recess at 9:10pm.

Based on concerns raised, Ms. Krimko would like to resubmit plans and clarifications to RV parking restrictions. Specifically, ten days before the next meeting she will submit in writing what the intended use of the parking area. Ms. Krimko requested to open the meeting to the public for comments and questions. Mr. Gatto added the need to expand the 50' buffer and define where the 3 ac conservation easement would be located.

Mr. Gatto opened the application to the public.

Mr. William Kearns of 800 Oakley Dr. appeared and was sworn in. Mr. Kearns inquired if additional questions could be asked during next meeting. Mr. Gatto responded affirmatively. Mr. Kearns also inquired what will the applicant be doing to prevent from late night operations by storage renters.

Mr. Lambert Maceran of 820 Oakley Dr. appeared and was sworn in. Mr. Maceran inquired if there are any restrictions on what can be stored in units (ie: flammable materials). Mr. Maceran expressed great concern with the storage of hazardous materials on site and lack of policing by storage employees. Ms. Krimko responded that storage prohibitions would be included in the Renter's lease document.



Mr. Mark Madonna of 810 Oakley Dr, appeared and was sworn in. Mr. Madonna questioned what the benefit is to Freehold Township to have this use approved. Ms. Krimko clarified that they are asking for a use variance, and the benefits to the town will be heard during the Applicant's Planning testimony. Mr. Madonna also voiced concern for safety of school kids with increase in traffic in the area.

Motion made by Mr. Shortmeyer, and seconded by Ms. Kurtz, to move remainder of the application hearing to November 14, 2019. All in favor, Aye.

#### **CLOSED SESSION:**

Mr. Shortmeyer made a motion to go into closed session to discuss pending litigation, seconded by Mr. Kash; with all in favor. Frank Accisano, Esq. announced that the Planning Board has authorized a resolution allowing the Board to go into closed session, excluding the public from the hearings in order to discuss litigation for:

- Litigation – TMobile/Moini v. Freehold Township Planning Board
- Litigation – Platinum Motors v. Freehold Township Planning Board

The Board went into closed session at 9:37 pm.

The Board concluded closed session and reopened to the public at 9:41 pm.

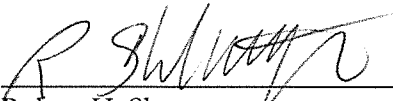
#### **DISCUSSION:**

- Ms. Butch and Mr. White gave a brief overview of upcoming agendas and applications.

#### **ADJOURNMENT:**

There being no further business, a motion was made by Ms. Jahn and seconded by Mr. Bazzurro to close the meeting. All in favor, aye. Meeting concluded at 9:43 pm.

Respectfully Submitted,

  
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Robert H. Shortmeyer  
Secretary