

**FREEHOLD TOWNSHIP PLANNING BOARD
REGULAR MEETING
MINUTES
JANUARY 21, 2016**

The Regular Meeting of the Planning Board was called to order by Mr. Gatto on Thursday, January 21, 2016 at 7:00 p.m. at the Freehold Township Municipal Building, One Municipal Plaza, Freehold, New Jersey. He read the Notice of the Open Public Meetings Law.

Present: Mr. Ammiano, Mr. Cook, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno, Mr. Kirk, Mr. Coburn, Mr. Asadi and Ms. Kurtz.

Absent: Mr. Bazzurro

Also Present: Francis C. Accisano, Esq., Timothy P. White, Township Engineer, Nancy Torre, Administrative Officer and Danielle Sims.

There was the Pledge of Allegiance.

MINUTES:

A motion to approve the minutes of the October 15, 2015 meeting was made by Mr. Shortmeyer, seconded by Mr. Ammiano and passed with the following roll call vote: Aye: Mr. Ammiano, Mr. Gatto, Mr. Shortmeyer, Mr. Bruno and Mr. Kirk.

The vote on the minutes of November 5, 2015 was carried for lack of quorum. Mr. Kash will listen to the recording to be eligible to vote.

RESOLUTIONS:

**Minor Site Plan with Waiver of Site Plan Detail #482-5-15
Center For Aging, Inc. d/b/a Applewood (Applicant/Owner)
Block 86.01, Lot 21 –1 Applewood Drive**

Mr. Shortmeyer made a motion, seconded by Mr. Cook to approve the resolution. The motion passed with the following roll call vote: Aye: Mr. Ammiano, Mr. Cook, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno, Mr. Kirk and Mr. Coburn.

**Minor Site Plan with Waiver of Site Plan Detail and Variance #588-1-15
Battleview Orchards, Inc. (Applicant)
Taylor and Lisa Applegate (Owners)
Block 67, Lot 28 – 91 Wemrock Road**

Mr. Kash made a motion, seconded by Mr. Ammiano to approve the resolution. The motion passed with the following roll call vote: Aye: Mr. Ammiano, Mr. Cook, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno, Mr. Kirk and Mr. Coburn.

Mr. Asadi was seated for Mr. Bazzurro.

NEW APPLICATIONS:

Minor Site Plan with Waiver of Site Plan Detail #879-15

Primark US Corp. (Applicant)

MS Portfolio LLC (Owner)

Block 69.01, Lot 18.0

Minor Site Plan with Waiver of Site Plan Detail approval for façade improvements, construction of a new emergency access door on the upper level, with a 24 square foot pad and proposed new exterior signage for the Primark store in the 2nd floor of the existing Sears store.

William J. Mehr, Esq., Mehr, LaFrance and Williams appeared on behalf of the applicant. Mr. Accisano said 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 hearing. Mr. Gatto asked if there was any objection to the exhibits marked. Mr. Mehr said no. Mr. Gatto read reports. The following witnesses were sworn: Anna Jones, Callison Architects; Michael Hasni, Primark; Timothy P. White, Township Engineer. Exhibits were presented and marked.

Anna Jones, Callison Architects appeared her credentials were accepted. She said Primark is a family value apparel company they sell lower priced apparel. They're based out of Ireland and wide spread in Europe and are in the process of building ten stores in the northeast United States in the next two years. Mr. Mehr asked her to describe the physical location. Ms. Jones said it's at the Sears store they will be occupying the second floor. She referred to an exhibit and described what is proposed. Mr. Gatto said there is no connection inside between the two stores. Mr. Mehr asked about signage. Ms. Jones described the proposed signage. Mr. Gatto said the sign committee looked at it and was satisfied. He asked if they can comply with the comments in the reports. Ms. Jones said yes. Mr. Gatto asked if there were any questions from the board or public.

Anna Perez, 61 Yorke Drive, appeared and was sworn. She asked about public restrooms. Ms. Jones said there are eight per gender for customers.

A motion to close the public hearing was made by Mr. Shortmeyer, seconded by Mr. Kash, all in favor aye. Mr. Kash moved that a positive resolution be prepared, seconded by Mr. Cook, all in favor aye.

Preliminary & Final Major Subdivision #850-2-15

CentraState Medical Center, Inc. (Applicant/Owner)

Block 86, Lot 4.01 – 901 West Main Street

Preliminary & Final Major Subdivision approval for a subdivision for the creation of a lot which shall be dedicated for the future construction of a water tank and related utilities.

Mr. Kash recused himself from this application Ms. Kurtz was seated for him.

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William J. Mehr, Esq., Mehr, LaFrance and Williams appeared on behalf of the applicant. Mr. Accisano said 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 hearing. Mr. Gatto asked if there was any objection to the exhibits marked. Mr. Mehr said no. Mr. Gatto read reports. The following witnesses were sworn: Trevor Taylor, PE, CME Associates; Timothy P. White, Township Engineer. Exhibit was presented and marked.

Trevor Taylor, PE CME Associates appeared his credentials were accepted. He referred to the exhibit and described the area. This application is strictly for subdivision of the property. The subdivision creates a new lot that is .70 acres and it is for the construction of a new water tank to be constructed by the township and that improvement is not proposed as part of this application. He said there are three additional easements proposed as part of the application and described them. Mr. Gatto explained to the public at some point there will be an access point from the hospital that connects three different commercial properties with the release on Gravel Hill Road. A discussion followed regarding the light. Mr. Taylor described the new road. Mr. Gatto asked if there were any questions from the board. Mr. Asadi asked about the easement dedication to the town. Mr. Gatto asked if there were questions from the public.

Jean Marie Thom, 130 Gravel Hill Road appeared and was sworn. She asked where the new road will be. Mr. Taylor referred to an exhibit and described where the access easement currently is and that is not going to change as part of this application it will remain. They are going to expand it from twenty feet to twenty five feet. Ms. Thom asked if there will be other applications. Mr. Accisano said yes.

Anna Perez appeared and was sworn asked about the proposed road. Mr. Taylor explained.

A motion to close the public hearing was made by Mr. Ammiano, seconded by Mr. Shortmeyer, all in favor aye. Mr. Ammiano moved that a positive resolution be prepared, seconded by Mr. Cook, all in favor aye. Mr. Kash rejoined the board.

“C” Variance Application #15-15

Glenn Wells and Nancy Kletke-Wells (Contract Purchaser)

Block 108, Lot 3.05 – 189 Ely Harmony Road

Variance approval for minimum lot area, width at building line, frontage and depth to construct a single family dwelling approximately 2,200 sq. ft.

William J. Mehr, Esq., Mehr, LaFrance and Williams appeared on behalf of the applicant. Mr. Accisano said 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 hearing. Mr. Gatto asked if there was any objection to the exhibits marked. Mr. Mehr said no. Mr. Gatto read reports. The following witnesses were sworn: Glen Wells; Robert Burdick, PP; Timothy P. White, Township Engineer. Exhibits presented and marked.

Robert Burdick PE, PP appeared his credentials were accepted. He wants to assure the board they will be coming in with a conforming home. There will be not impervious coverage, FAR or setback variances associated with it. This application is for approval to construct a single family home on a lot that was subdivided legally in 1974 to a one acre lot. Subsequent to that, this area has been rezoned to an R-80 zone requiring approximately two acres which necessitates the need for the variances proposed. There is a mixture of one and two story homes in the area. All the other lots in this subdivision are similar size and are developed. The applicant cannot purchase additional property to bring this lot into conformance with the ordinance. He described the variances being requested and that they are all pre-existing nonconformities. He gave the positive and negative criteria. The requested variances can be granted without substantial detriment to the zoning ordinance, master plan or public good and the advantages outweigh the disadvantages. He said the building footprint shown on the plans is conceptual in nature. The actual home that will be built will be aesthetically pleasing. He addressed the reports. Mr. Gatto asked if there were any questions from the board or public. No one wished to speak. A motion to close the public hearing was made by Mr. Shortmeyer, seconded by Mr. Ammiano, all in favor aye. Mr. Shortmeyer moved that a positive resolution be prepared, seconded by Mr. Kash, all in favor aye.

“C” Variance Application #18-15

Jodi Guagliardo

Block 71.08, Lot 4 – 24 Hampton Drive

Variance approval to construct an addition to a home with an existing side yard setback of 18.9 feet where 20 feet is required.

Frank Noviello, owner Noviello Contracting said he was hired by the applicant to do an addition on her home. Mr. Accisano asked who the applicant is. Jodi Guagliardo said she is. Mr. Accisano said the builder cannot represent her she can present him as a witness. This is a technical application for a “c” variance and asked if she understands what is involved. Ms. Guagliardo said she will do her best. Mr. Accisano asked if she wants to proceed without an attorney. Ms. Guagliardo said yes. Mr. Accisano said 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 hearing. Mr. Gatto asked if there was any objection to the exhibits marked. Ms. Guagliardo said no. Mr. Gatto read reports. An exhibit was presented and marked. The following witnesses were sworn: Frank Noviello; Jodi Guagliardo; Timothy P. White, Township Engineer.

Frank Noviello appeared he said they applied for a permit and were told they need a variance. He explained they are not going any closer to the existing house next door or further than the existing rear yard setback. The addition will be used for family when they visit. There is an existing bedroom and they are adding a sitting room and bathroom. Mr. Gatto asked about the comment in Mr. White’s report regarding drainage. Mr. Noviello said he wasn’t aware there was an easement back there. Mr. White said there are two drains in the rear yard that exist in an easement to the Township one is covered up. He noticed the surrounding area wasn’t draining properly. The berm along the rear property may need to be regraded. Mr. Gatto said if this was approved that would be a condition of approval and they would have to comply. Ms. Guagliardo said she understands. A discussion followed. They were told if it exceeds the FAR they need to come back.

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Mr. Gatto asked if there were any questions from the board or public. No one wished to speak. A motion to close the public hearing was made by Mr. Shortmeyer, seconded by Mr. Kash, all in favor aye. Mr. Shortmeyer moved that a positive resolution be prepared, seconded by Mr. Ammiano, all in favor aye.

INFORMAL REVIEW:

Informal Application for Subdivision
Rocco Lobriaco
Block 42, Lots 18 & 18.01 – Maher Road

Subdivision of two residential lots with existing homes into four lots.

Richard DiFolco PE, PP, JKR Engineering appeared he said they are here for an informal. Mr. Accisano said this is an informal nothing binding. Mr. DiFolco said the property is on Maher Road and owned by Mr. Lobriaco. He referred to the plan and described the area. They have sufficient land area for four conforming R-60 lots in area. They propose two lots in the back of Mr. Lobriaco's house on a street that comes in parallel to the side line. Mr. Gatto asked if it's a new street. Mr. DiFolco said yes, right now there is a driveway to his home in the same location. He said the two new lots while they have 60,000 plus square feet do not have the required lot depth. They want to get a sense if he's wasting his time coming in for a depth variance. A discussion followed regarding depth, road and board's concerns.

DISCUSSION:

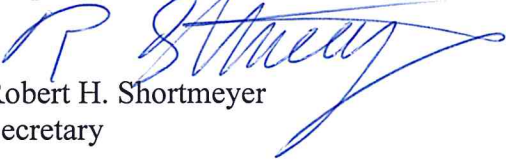
Mr. Accisano explained "d" variance relief for conditional uses. Mr. Gatto said they have to list reasons in denials.

Mr. Gatto asked about upcoming applications. Mr. Ammiano spoke about Dorothy Avallone.

ADJOURNMENT:

There being no further business, a motion was made to adjourn the meeting and passed unanimously. The meeting concluded at 8:47 p.m.

Respectfully Submitted,


Robert H. Shortmeyer
Secretary