



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

REGULAR MEETING MINUTES
March 17, 2016

The Regular Meeting of the Planning Board was called to order by Mr. Gatto on Thursday, March 17, 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. Bazzurro (left early), Mr. Gatto, Mr. Kash (arrived late), Mr. Shortmeyer, Mr. Bruno, Mr. Kirk, Mr. Coburn, Mr. Asadi (arrived late).

Absent: Ms. Kurtz.

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

There was the Pledge of Allegiance.

MINUTES (Part I):

A motion to approve the minutes of the December 3, 2015 and meeting was made by Mr. Ammiano, seconded by Mr. Shortmeyer and passed with the following roll call vote: Aye: Mr. Ammiano, Mr. Gatto, Mr. Bruno, Mr. Kirk and Mr. Coburn.

RESOLUTIONS:

Mr. Bruno listened to the recording for the following two (2) resolutions and is eligible to vote.

Minor Site Plan #486-2-15
Nestle USA, Inc.
Block 43, Lot 33 – 61 Jerseyville Avenue

Mr. Ammiano 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. Bazzurro, Mr. Gatto, Mr. Shortmeyer, Mr. Bruno, Mr. Kirk and Mr. Coburn.

“C” Variance Application #020-15
Raymond and Toni Santiago
Block 30.10, Lot 6 – 9 Palace Place

Mr. Shortmeyer 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. Shortmeyer, Mr. Bruno, Mr. Kirk and Mr. Coburn.

Mr. Kash arrives at the meeting.



NEW APPLICATIONS:

Soil Removal/Fill Application # SR-01-16

JSM at Eaton, LLC –The Edge

Block 83, Lot 1.01 – Route 9/Elton-Adelphia Road

Proposal to import 35,789 cy of fill and export 7,163 cy of excess topsoil (site plan # 824-1-15).

Mr. Gerald Sonnenblick, Esq., Sonnenblick Parker and Selvers, appeared on behalf of the applicant. Mr. Gatto read reports into record. Exhibits were presented and marked. The following witnesses were sworn: Ronald Aulenbach, Edgewood Properties, Timothy P. White, Township Engineer.

Mr. Aulenbach indicated that they will be importing approximately 36,000 c.y. of soil and exporting approximately 7,000 c.y. to Monroe, NJ.

Mr. Gatto asked if there were any questions from the Board. Mr. Gatto asked if there were any questions from the public.

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

Mr. Asadi arrives at the meeting.

MINUTES (Part II):

A motion to approve the minutes of the November 5, 2015 and meeting was made by Mr. Ammiano, seconded by Mr. Kirk and passed with the following roll call vote: Aye: Mr. Ammiano, Mr. Gatto, Mr. Kash (listened to recording), Mr. Bruno and Mr. Kirk.

NEW APPLICATIONS (Continued):

Water Resources Application # WRPA-01-16

Russell R. Weber (Applicant)

Florence-Ann Goerke (Owner)

Block 97, Lot 60 – 229 Georgia Road

Relief to construct a raised septic due to seasonal high groundwater being less than 5'. Condition of approval to previous ZBA # 012-14

Mr. Weber entered his appearance, representing himself. Mr. Gatto read reports into record. Exhibits were presented and marked. The following witnesses were sworn: Russell Weber, Timothy P. White, Township Engineer.

Mr. Weber has no objections to Mr. White's and T&M's review comments and can comply with all comments. Mr. White confirms that the applicant is still obligated to comply with all of the requirements of the previous Zoning Board approval conditions.

Mr. Gatto asked if there were any questions from the Board. Mr. Gatto asked if there were any questions from the public.

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. Cook, all in favor, aye.



Preliminary and Final Site Plan Application 877-15/Var. #16-15 – “D” Variance
3690 Route 9, L.L.C. (Advanced Auto)
Block 70.05, Lot 12 – 3690 Route 9 South

Proposal to construct an Advance Auto Parts store. The proposed improvements will include a single story 7,600 s.f. store, two (2) paved driveways, parking (51 spaces), underground utilities, and a stormwater management system. A use variance is required to permit a retail use in the existing Corporate Multi-Use Development (CMX-3) zone. Additionally, several bulk variances including lot area, lot width, lot frontage, lot depth, front yard setback, and parking are being requested.

Mr. Cook and Mr. Ammiano leave the dais as this is a “D” Variance and cannot participate in this

Mr. Gerald Sonnenblick, Esq. entered his appearance for 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. Sonnenblick said no. Mr. Gatto read the reports into record. The following witnesses were sworn: Sean Delaney, Bowman; Otto, Polgardi, Advanced Auto Parts, John Pingatore, Advanced Auto Parts, Scott Kennel, Mconough & Rea Assoc, Bret Skirvin, Site Enhancement Services (Sign Company), Carey Tajfel, Managing Member for the Applicant and Timothy P. White, Township Engineer.

Additional exhibits were marked into record. Mr. Delaney appeared and his credentials were accepted as an engineer and a professional planner. Mr. Delaney described the existing site, the surrounding area and the previous use-being a motel, which burned down. Mr. Sonnenblick addressed a comment in a review letter regarding the lot being undersized and provided a letter from the adjoining property owner stating they have no interest in selling any property to the applicant.

Mr. Delaney described the waivers and bulk variances requested and the pre-existing conditions on the site and the proposed improvements. They are unable to gain additional property and the site is restrictive due to the shape and size of the lot. The application reflects parking below the ordinance requirements, but is above the company standards and needs. Moving the building back beyond the required 100’ setback would require more tree removal and would infringe on the proposed basin and stormwater runoff. Mr. White took no exception to these findings.

Drainage and basins were described. Roof drains would be directed to the basin and the inlets will be completely on the subject property (not requiring DOT permits). The site is elevated about one (1) foot higher than the highway. Soil will be moved to/from the site (applicant would need to return to the Board for a Soil Removal/Fill permit). Roof top HVAC will be screened. Water and sewer will connect to the existing sewer stub and water connection. Evergreen shrubs (3’ high) will be provided to screen the headlights and screening will buffer the basin, south side and supplement next to the adjacent animal hospital. Seven (7) LED lighting fixture details and parking lot fixtures were provided and will look similar to those on the Audi site. Mr. Delaney described the proposed signs. The Board expressed concerns regarding the logos on the signs (against Township Ordinance) and suggested that the logos be removed and to comply with all sign ordinances, including the colors. Mr. Sonnenblick stated they will comply with the sign ordinance. The slopes were described as 3:1 where 4:1 is required as this would move the basin about 8’ in every direction and require them to take down additional trees. Mr. White took no exception to this. The applicant said they could comply with all other comments in Mr. White’s review letter. It is requested that the sidewalk requirement be waived. Mr. White described that the Board may want to consider having the applicant install the sidewalk as there is a worn walk path along the frontage of the property and due to future improvements to the adjacent MACW/Bellemead



site. The Board left this as an item to be evaluated by the Township Engineer in the field (field adjustment) to determine during construction. If Mr. White determines that there is no need for the sidewalk installation, the applicant will be required to make a contribution to the sidewalk fund in lieu of providing the same.

Mr. Sonnenblick agreed the applicant would comply with low flow channel and underdrain comments and also comments regarding the heritage tree inventory as part of compliance. Mr. Delaney stated that they would be able to comply with all of Hatch Mott MacDonald's comments. In response to Shropshire's traffic review letter, Mr. Delaney stated that the applicant feels that there is sufficient parking provided and the Board has no issue with this waiver request and they will also provide the bollards at the loading zone as requested and will match the building material. Addressing Paul Phillip's planning review; the building height is 26'8" to the top cornice and is about 200 feet to the closest residential property on Helen Avenue. Mr. Delaney stated that the applicant would comply with the comments regarding the materials on the building and Mr. White took no objection to this.

Mr. Delaney described the need for the "D" variance and the "C" bulk variance in that the site is particularly suited for the use and will not propose any detriment to the public. The proposal carries out the purposes of planning pursuant to the Township Ordinance and Master Plan due to the location on Route 9 and the use is compatible with other properties along Route 9 and the site is appropriately sized for the use. The site will have minimal impact on utilities. The deliveries will be once a day, about 5 days a week, loading and unloading the deliveries takes about ten (10) minutes. The proposal will provide meet purpose a- municipal action to guide appropriate use and development-promote public health, safety and welfare, c- adequate light, air and open space and purpose g- proposes sufficient space and appropriate location to meet the needs. No substantial detriment to the public good due to site suitability (compatible with other uses), the proposed use enhances other uses along Route 9, low intensity development, utility use is minimal and it is less intense than permitted uses.

Mr. Sonnenblick stated that the applicant will abandon the previous approvals should the applicant receive approvals for this application.

Scott Kennel has previously been qualified by the Board as a professional in traffic study and testified about the trip generation and the proposed parking adequacy. The future MACW driveway design would not have any conflict with the current application proposal. NJDOT approval is expected in about 3-4 weeks.

Mr. White confirmed that the sign foundation will not be in the easement, although the sign overhang does go into the easement. Mr. White took no exception to this.

Mr. Asadi confirmed that there are do not enter signs to avoid people driving in the wrong direction.

Mr. Coburn confirmed that the deliveries would not interfere with any parking spaces.

Mr. Bazzurro confirmed that no services will be provided on site. The applicant agreed, but stated that the business does collect waste oil that is collected by a service company.

Mr. Gatto asked if there were any questions from the Board. Mr. Gatto asked if there were any questions from the public.

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. Kash, all in favor, aye.



DISCUSSION:

Mr. Gatto asked about upcoming applications. Ms. Sims described the upcoming meeting agenda.

ADJOURNMENT:

There being no further business, a motion was made to adjourn the meeting and passed unanimously. The meeting concluded at 8:15 p.m.

Respectfully Submitted,

Robert H. Shortmeyer
Secretary