Township of Freehold

OFFICE OF THE PLANNING BOARD

One Municipal Plaza, Freehold, NJ 07728

REGULAR MEETING MINUTES
November 14, 2019

The Regular Meeting of the Planning Board was called to order by Chairman Gatto on Thursday, November 14, 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, Mr. Bazzurro, Mr. Bruno, Mr. Coburn, Mr. Gatto, Ms. Jahn, Mr. Kash, Mr. Shortmeyer, Ms. Kurtz and Mr. Levy.

Absent: Mr. Asadi

Also Present: Timothy P. White, Twp. Engineer; Frank Accisano, Esq.; Kate Keller, Phillips, Preiss, Grygiel; and Donna Butch, Administrative Officer.

There was the Pledge of Allegiance.

Mr. Gatto announced the Township Committee will be leaving before the last application on the agenda due to being a "D" Variance.

Before hearing the applications, Mr. Gatto wanted to thank Frank Accisano on behalf of Robert McGirr, past Chairman, himself and the Freehold Township Planning Board for his 40 years of service to Freehold Township. Mr. Gatto read aloud an elaborate history of Mr. Accisano's career, personal accomplishments and his volunteer efforts with Freehold Township.

RESOLUTIONS:

Preliminary and Final Major Site Plan and Variance SP#882-1-19/VAR#023-19
Hackensack Meridian Health Realty Corp
Block 69.05, Lot 35.03 – 315 West Main Street
Mr. Ammiano 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. Ammiano, Mr. Bruno, Mr. Coburn, Mr. Gatto, Ms. Jahn, Mr. Kash, Mr. Shortmeyer, Ms. Kurtz and Mr. Levy.

Resolution Authorizing the Execution of a First Amendment to a Settlement Agreement Between the Freehold Township Planning Board and Land Bank Freehold, LLC
Mr. Gatto read the description of this resolution for the record. Mr. Ammiano made a motion, seconded by Ms. Jahn, to approve the Amendment Agreement and memorialize the resolution. The motion passed with the following roll call vote: Mayor McMorrow, Mr. Ammiano, Mr. Bazzurro Mr. Bruno, Mr. Coburn, Mr. Gatto, Ms. Jahn, Mr. Kash, Mr. Shortmeyer, Ms. Kurtz and Mr. Levy.

NEW APPLICATIONS:

Variance Application VAR #021-19
PECELLI, Bryan
Block 104 Lot 34.05 – 201 Nomoco Road
Proposal of 38' x 20' structure (screen patio 16' x 20' and a garage at 22' x 20') used as a detached garage, storage of lawn and pool equipment. Size exceeds maximum allowable accessory structure of 192 sq. ft. in a residential zone.

Mr. Bryan Pecelli 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 himself in this matter.

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

Mr. Gatto read into the record Mr. White's Engineer Review Letter, dated 10/29/19 (Ex P-2). Mr. Gatto confirmed that the Applicant is not requesting approval for a basketball court at this time. Mr. Pecelli agreed and acknowledged he will have to come back to the board.

Mr. Gatto read into the record Ms. Keller's Planning report, dated 10/30/19 (Ex P-3). Mr. Gatto asked Ms. Keller if the basketball court should be omitted from her report. Ms. Keller said it was of no concern.

The following witnesses were sworn in: Mr. Bryan Pecelli, Applicant; Ms. Kate Keller, Phillips Preiss Grygiel Planner,s Township Consulting Planner; and Mr. TimothyWhite, Township Engineer.

Mr. Gatto asked a series of questions for clarification from Mr. Pecelli. Mr. Pecelli responded with the following: his closest neighbor is 25'+ to the left; this project will have no negative impact on his neighbors or general public; no lighting or fence over 6' will be installed in the vicinity of the basketball court; fence will be 6' vinyl gray facing the road and black chain link will be on the sides and rear; and, existing tall arborvitaes will help to aid screening.

Mr. Gatto asked if the exterior material for the new structure will be similar to the house. Mr. Pecelli confirmed the exterior materials will be exactly the same as house.

Mr. Accisano asked Mr. Pecelli if he would object to having the resolution read that there will be no lighting on the basketball court even though the basketball court is not a part of the approval for this application. Also if, the sports court should be installed at a later date, drainage would be addressed with the Twp Engineer directly and save the step of coming back to the board. Mr. Pecelli agreed.

Mr. Gatto opened the application to the public. Seeing none, motion to close this application was made by Mr. Shortmeyer and seconded by Mr. Ammiano. All in favor, Aye.

A motion to move the application for a positive resolution was made by Mr. Ammiano and seconded by Mayor McMorrow. All in favor, Aye.

7:20 pm. The Township Committee members excused themselves from the meeting, as it is a "D" Variance.

(Carried from October 3, 2019 meeting without further notice)
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

Ms. Krimko, Esq. introduced herself on behalf of the applicant. Ms. Krimko had no objections to adding Exhibits A-16 (list of modifications from Nelson Engineering, dated 11/7/19) and A-17 (proposed outdoor storage space limitations, email from Ms. Krimko, Esq., dated 11/8/19) into the record.

Ms. Krimko clarified on Exhibit A-17 that a landscaper, who might go to Florida for the winter, would store his trucks until spring.

David H. Boesch, a licensed Landscape Architect with Nelson Engineering, referred to 50' landscape buffer and gave an explanation of revisions that occurred since last meeting, which included: increased buffer width; entire project shifted 10' to the northeast; increased the width of traffic aisle, to 30'; landscape buffer will prevent vehicles to access the site from Oakley Dr.; added 19 parking spaces throughout and four loading areas.

Mr. Bazzurro asked if the 50' buffer of existing vegetation would remain. Mr. Boesch and Ms. Krimko responded the plan is to keep as much as possible and will add more vegetation as necessary.

Ms. Krimko stated that the applicant's lease agreement will give management the right to enter the units without notice on an emergency basis any other time. Management also reserves the right to automatically terminate the lease if violations are found. A copy of the lease would be provided to the Board should they receive future site plan approval.

Doug Polyniak, licensed Sr. Project Engineer, with Dolan and Dean Consulting Engineers. After being sworn in, Mr. Polyniak highlighted how traffic will be impacted by the proposed use. Specifically, Mr. Polyniak reviewed the proposed use's low trip generation is similar to a day care, medical office and restaurant use.

Ms. Krimko asked the Board for a recess to give the Applicant's Planner time to arrive.
Chairman Gatto and the Board reviewed the upcoming agenda and would wait until the planner arrived. After which, the Board took a 10-minute recess.

After the recess, Mr. John McDonough, a licensed Professional Planner of John McDonough Associates LLC, gave the Board planning testimony to justify the requested variance relief. Mr. McDonough's testimony included: suitability of the site for the proposed use; how the use will not be a detriment to the surrounding area; the applicant's proposed layout includes a wide green belt-like buffer to surrounding residents; the proposed use would be an improvement in comparison to the prior approved use and site plan due to its low intensity and traffic impact.

Mr. Accisano asked Mr. McDonough, with respect to MLUL, to give specific reasons. Mr. McDonough testified that the proposed use will: promote the general welfare, allows the relief of clutter and distraction in our homes, transforms underutilized land into a good use, and location is appropriate.

Seeing no additional comments from the Board, Mr. Gatto opened the application to the public. Seeing none, motion to close the public hearing was made by Mr. Shortmeyer and seconded by Ms. Kash. All in favor, Aye.

A positive motion for the Use Variance was made by Mr. Shortmeyer and seconded by Ms. Jahn. All in favor, Aye.

ADJOURNMENT:

Happy Thanksgiving. Next meeting to be December 5, 2019.

There being no further business, the Chairman adjourned the meeting at 7:45 pm.

Respectfully Submitted,

Robert Shortmeyer, Board Secretary