A Special Meeting of the Planning Board was called to order by Vice Chairperson A. Richard Gatto on Wednesday, October 31, 2007 at 7:40 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. Gatto, Mr. Platt, Committee Anthony J. Ammiano, Mayor Dorothy H. Avallone, Mr. Bruno.

Absent: Mr. Louro, Mr. Shortmeyer, Mr. Bazzurro, Mr. White, Mr. Kash and Mr. McGirr.

Also Present: Roger C. McLaughlin, Esq., Joseph M. Mavuro, Township Engineer, Guy F. Leighton, Township Senior Planner, Andrew Feranda, P.E., Shropshire Associates, Judith M. Brown, Adm. Officer and Danielle Sims, Clerk.

There was the Pledge of Allegiance. Mr. Gatto sat as Chairperson in the absence of Mr. McGirr, Mr. Bruno was seated as a regular member and Mr. Platt was seated as Secretary. Committeeman Ammiano certified to listening to the audio recording of the previous meeting held on October 18, 2007. He then urged all members and staff to speak directly into the microphones so that there is a clear recording of the meetings.

MINUTES:

A motion to approve the minutes of October 18, 2007 was made by Mr. Ammiano, seconded by Mayor Avallone and passed with the following roll call vote:
Aye: Mr. Gatto, Mr. Platt, Mr. Ammiano, Mayor Avallone and Mr. Bruno.

RESOLUTION(S):

DML Properties, LLC
Field Adjustment to Previously Approved Site Plan
Application No. 701-3-06
Route 9 South, Block 4, Lot 44

This resolution deferred to the December 6, 2007 meeting due to lack of a quorum.

Monmouth County Vocational School District
Capital Project Review
Application No. 778-07
Kozloski Road, Block 41, Lot 11

A motion to approve the Resolution (attached and made part of these minutes) was made by Mr. Ammiano, seconded by Mr. Platt and passed with the following roll call vote: Aye: Mr. Gatto, Mr. Platt, Mr. Ammiano, Mayor Avallone and Mr. Bruno.

Ben Garfunkel
Amended Major Subdivision Approval
Application No. 854-2-07
Burlington Road, Block 42, Lot 12

A motion to approve the Resolution (attached and made part of these minutes) was made by Mr. Ammiano, seconded by Mayor Avallone and passed with the following roll call vote: Aye: Mr. Gatto, Mr. Platt, Mr. Ammiano, Mayor Avallone and Mr. Bruno.

John Fitzpatrick
Minor Subdivision with Variance
Application No. 856-1-06
Clover Court, Block 105, Lot 43

John Fitzpatrick
Water Resources Protection Ordinance
Application No. WRPA-02-06
Clover Court, Block 105, Lot 43

The Resolutions are deferred to the December 6, 2007 meeting. Mr. Gatto said that the board is in receipt of a letter from Peter G. Licata, Esq. noting consent to an extension of time for the Board to act on this matter through and including December 20, 2007.

TIME EXTENSION:

CentraState Medical Center, Inc.
f/k/a Iron Ore Associates, Inc. (Jonap)
Time Extension for Site Plan Approval
Applications Nos. 681-01 & 681-1-04
Monmouth County Route 537
Block 85.36, Lot 7
A motion for preparation of a positive resolution to grant an extension of time was made by Mr. Ammiano, seconded by Mayor Avallone and passed with the following roll call vote: Aye: Mr. Gatto, Mr. Platt, Mr. Ammiano, Mayor Avallone and Mr. Bruno.

CONTINUED APPLICATION:

Raintree Towne Center Associates, L.P.
Preliminary & Final Major Site Plan Approval with Variances
Application No. 439-1-06
Monmouth County Route 537
Block 86, Lot 12 – Zone – B-10

Preliminary and Final Major Site Plan Approval with Variances to construct a one-story 25,000 square foot medical office building on proposed Lot 12.12 with site improvements to include construction of a driveway access to serve the office building from Village Center Drive, re-construction of the driveway to the post office to eliminate the “S” curve, construction of a driveway for “right-in/right-out” to Route 537, parking lot for 138 vehicles, stormwater management, lighting and landscaping. Variances include: Maximum building coverage: 15% required, 16.5% proposed; Minimum side yard: 100’ required, 55’ provided; Minimum rear yard: 100’ required, 62’ provided (existing condition) and Maximum impervious coverage: 60% required, 73.7% provided.

Gerald N. Sonnenblick, Esq., Sonnenblick, Parker & Selvers, P.C., 4400 Route 9 South appeared for the applicant and said that the application is a continuation from a meeting held on September 6, 2007. Mr. McLaughlin said that the following persons appeared and were sworn at the previous meeting: James Higgins, P.P., James Higgins Associates; Frank A. Miskovich, P.E., Abbington Associates; Jeffrey D. Venezia, AIA, Design Ideas Group; William T. Wentzien, P.E., Abbington Associates; Andrew Feranda, Shropshire Associates, Joseph M. Mavuro, Township Engineer and Guy F. Leighton, Township Planner.

Mr. Gatto said that the board is in receipt of a report dated October 26, 2007 from Andrew Feranda, P.E., Shropshire Associates. He read the report and it was marked into exhibit as P-46. A letter from the Monmouth County Planning Board dated October 9, 2007 was read and marked into exhibit as P-47.

Mr. Sonnenblick said that they would comply with the comments from the county and further noted that a report was received from the Environmental Commission and it was marked as P-48.
The following attorneys entered their appearance: Peter Falvo, Esq., Ansell, Zaro & Grimm representing Centra State Medical Center and Peter LaFrance, Esq., Mehr, LaFrance & Williams representing Raintree Towne Center Associates.

Mr. Sonnenblick stated that their testimony concluded at the previous meeting but the height of the proposed building needs to be addressed. The access to Monmouth County Route 537 was addressed. He said that Mr. Miskovich is present to testify to the access as is Mr. Higgins who would be addressing the variance requests.

Jeffrey Venezia, AIA, Design Ideas Group, previously sworn appeared. A color rendering of the proposed building was displayed. He testified that a one-story building does not overwhelm the property adding that the design of the building is pedestrian oriented. A large open space area to the west of the property would remain as so. A one-story building is more economical to construct. Construction of a two-story building does not eliminate significant imperious coverage. The post office and retail buildings in the nearby areas are one story. A one-story building is more in keeping with a scenic corridor.

Mr. Gatto referred to exhibit P-47 regarding planting of ornamental trees. Mr. Sonnenblick said that they would comply with that.

James W. Higgins, P.P. previously sworn appeared. He offered his background as a professional planner to the board and his qualifications were accepted. He said that he reviewed the applications, site plan, exhibits, Land Use Ordinance of the Township, Master Plan, Settlement Agreement as well as visiting the subject site. He outlined the variance requests for side yard noting that a 100’ side yard setback is required and, with the subdivision of the property, a 38’ side yard setback would be provided on Lot 12.01 and a 25.2’ side yard setback would be provided on Lot 12.02. The variance request for lot width was given noting that 1,000’ is required. Proposed on Lot 12.01 is 682’ and 89’ on Lot 12.02. The lot size required for the zone is a minimum of ten acres and 7.017 acres is proposed on Lot 12.02. Frontage of 1,000’ is required and 964’ of frontage is proposed on Lot 12.01 and 89’ is proposed on Lot 12.02. A variance is being requested for a one-story building, lot coverage and impervious coverage. Mr. Higgins then addressed floor area regarding a one-story building vs. a two-story building. A two-story building at the subject site does not allow for significant impervious coverage. A one-story building advances the intent and purpose of the Land Use Law in that it would be consistent with the surrounding area. He then noted that the architectural style of the proposed building fits in with the area. The building is an appropriate use for the area. Improvement to the access to the post office is proposed. The access road to Route 537 would also have a positive affect on the operation of the property.
Mr. Ammiano discussed impervious coverage on the proposed lot with a two-story building vs. a one-story building and side yard setbacks. Mr. Gatto discussed the economics of the application. Mr. Higgins referred to the Municipal Land Use Law that addresses the subject of lessening the cost of construction.

Frank A. Miskovich, P.E., Abbington Associates appeared. It was noted that he was previously sworn. He briefly reiterated his testimony given at the previous meeting regarding vehicular circulation at the one-story building as opposed to a two-story building. Internal vehicular circulation would remain the same. Parking is proposed on all sides of the building. Construction of a two-story building would only bring parking closer to the building and only a small amount of parking spaces gained. It was noted that he was referring to exhibit P-40. Parking at the Raintree shopping center was discussed and Mr. Miskovich added that he has been the engineer for the shopping center for many years.

Mr. Mavuro said that a two-story building would bring parking closer to the building which is a more positive site plan. Mr. Feranda said that he agrees with the testimony of Mr. Miskovich noting that circulation around the building would remain the same if there were to be a two-story building however, approximately up to fourteen additional parking spaces may be gained. He discussed parking for general office and medical office. Mr. Sonnenblick noted that both types of offices are proposed at the building.

Mr. Miskovich discussed traffic on Village Center Drive and the operation at the Karate School. Mr. Miskovich said that he did not perform additional traffic counts noting that the school generates after school hours. Traffic maneuverability was discussed at length. Mr. Feranda discussed sight distance at the access drive onto Route 537 which is proposed at right in/right out only.

Jeff Venezia, AIA reappeared and said that a person using the building would enter the building at any access and use the common spaces to take them to their destination. Mr. Higgins said that, in his opinion, there would be the same number of parking spaces for a one-story building vs. a two-story building. Mr. Gatto asked the number of buildings within the shopping center that are two-story. Mr. Higgins said that approximately 5,500 square feet of the buildings in the shopping center are two-stories.

Mr. Gatto stated that the public portion of the application remains open from the previous meeting.

Peter Falvo, Esq. appeared and said that he would like to cross-examine Mr. Miskovich regarding traffic. He asked regarding existing traffic generated by the shopping center and the proposed post office driveway improvements. Mr. Falvo
discussed vehicles exiting onto Route 537 west that would make a right turn out only. He questioned regarding vehicular accidents at Route 537 and Village Center Drive. Mr. Feranda said that a report has been provided by the police department and there are approximately twenty accidents per year with the majority occurring when someone is making a left hand turn into the center further adding that he has back-up reports to support the data. He said that the site plan proposed this evening would not add to existing intersection conditions. Mr. Feranda said that, in his opinion, the conditions at Village Center Drive and Route 537 could be improved suggesting that the Township could perhaps approach the County. The deceleration lane proposed on Route 537 to the hospital property was discussed. Mr. Miskovich said that vehicles exiting the subject site on Route 537 would enter the roadway before the deceleration lane begins. Mr. Ammiano said that he observed ambulances traveling to the hospital and witnessed the moving traffic yielding to them. Mr. Feranda said that the proposed access drive from the subject site to Route 537 would improve the intersection at Village Center Drive and Route 537. Mr. Mavuro concurred with Mr. Feranda. Mr. Falvo said that, in his opinion, the proposed access drive would be a conflict with the signalized intersection.

Peter LaFrance, Esq. appeared for Raintree and discussed the Settlement Agreement and said that there is no need to present his witness at this time.

Mr. Sonnenblick stated that he has no further witnesses to present at this time.

Gene Golub, Double Creek Parkway, Freehold, New Jersey appeared and was sworn. Mr. Falvo said that he objects to a member of the Township Committee speaking. Mr. McLaughlin said that there is no conflict, that he is speaking as a citizen. Mr. Golub asked if two entrances are better than one and further discussed the line of sight from Village Center Drive. Mr. Miskovich said yes and the site plan provides for good sight distance from the Route 537 and Village Center Drive intersection. He discussed the volume of traffic anticipated when the project is completed. Mr. Golub asked that the building plan be displayed and asked the total number of entrances to the proposed one-story building. Mr. Golub requested to address the planner regarding a two-story building and Mr. Higgins said that he has no information to address that since he already presented testimony regarding a one-story building fitting-in with the area. Mr. Golub discussed the driveway remedy (presently an “S” type driveway) to the post office as being part of the Settlement Agreement. He then asked to address the architect regarding the entrances to the building. Mr. Higgins addressed the existing variance requests.

Jeff Venezia, AIA reappeared and said there would be ten entrances for a one-story building and two entrances for a two-story building and noted the location of them on the building plan. He said that he is not sure of the cost of constructing one-story building vs. a two-story building. Mr. Golub asked regarding the stipulation of a 25,000 square foot building in the Agreement. Mr. McLaughlin read from the Settlement
Agreement (Exhibit P-43), paragraph 1, page 5. Mr. Golub addressed aesthetics of the proposed building.

Mr. Falvo said that he has a witness to present. Mr. Gatto called a brief recess and the board reconvened at 10:05 p.m.

Peter Falvo, Esq. appeared and called forth Mark Katariniak, P.E., Birdsell Engineering who was sworn. He offered his credentials to the board and they were accepted. He said that he reviewed the application, the site and the intersection at Route 537 and Village Center Drive and said that he wished to focus on traffic noting that he also reviewed the proposal for the deceleration lane to the hospital. He stated that he agrees with the testimony from both traffic engineers adding that the ingress/egress to Route 537 is desirable as it benefits emergency vehicles but also has concern regarding safety and the proximity of it to the proposed deceleration lane. A crisscross of traffic is problematic. The County expressed concern regarding adding points of ingress/egress along Route 537. There is a detriment to safety regarding the right in/right out driveway, especially emergency vehicles continually using Route 537. No substantial benefit is foreseen with the proposed driveway. The majority of traffic on Route 537 travels from the east to various sites and exits to the east. He addressed signalization improvements at Village Center Drive as referred to by Mr. Feranda and also suggested that the Township pursue this matter with the County.

Mr. Gatto discussed the speed of traveling emergency vehicles at the intersection of Route 537 and Village Center Drive as well as other access points on Route 537. By way of example, an ambulance driver slows down at Stillwells Corner Road, at Mounts Corner shopping center and all other access points along Route 537 to the entrance to the emergency room.

Mr. Katariniak said that the driveway to Route 537 is not needed for the operation of the site and that an additional conflict regarding traffic should not be added to Route 537. Mr. Ammiano asked regarding ambulances traveling on the west bound side of Route 537 to the hospital utilizing the same entrance on the east bound side. Mr. Katariniak said that improvements to the hospital property allowed for more room to make left turn maneuverability into their site. Typically, vehicles slow down or stop for emergency vehicles.

Mr. Feranda asked to address the board regarding the sight distance entering and exiting the site from the proposed driveway. Mr. Katariniak said that the sight distance occurs mainly from the west bound side of Route 537.

Mr. Bruno asked the number of emergency vehicles traveling to the hospital daily. Mr. Katariniak said that he is not sure and does not have the statistics.
Mr. Gatto announced that this application would be continued to January 17, 2008 and that an extension of time to act is needed. Mr. Sonnenblick indicated that he would provide that.

DISCUSSION:

Mr. Gatto outlined the upcoming applications for December 6, 2007 noting that the Provident Bank application will not be on that agenda. There would be an application on the agenda for the Monmouth County Board of Chosen Freeholders, Kozloski Road for a new parking lot. He requested that Tom Thomas, P.P. be present at the January meeting and the board staff indicated that they would contact him.

There being no further business, a motion to adjourn was made by Mr. Ammiano, seconded by Mayor Avallone and passed. The meeting concluded at 11:15 p.m.

Respectfully Submitted,

Peter Platt
Acting Secretary