

**FREEHOLD TOWNSHIP PLANNING BOARD
REGULAR MEETING
MINUTES
JUNE 4, 2015**

The Regular Meeting of the Planning Board was called to order by Mr. Gatto on Thursday, June 4, 2015 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: Mayor Cook, Mr. Salkin, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno and Mr. Kirk.

Absent: Mr. Bazzurro and Mr. Coburn.

Also Present: Roger McLaughlin, Esq., Timothy P. White, Township Engineer, Kate Keller, Planning Consultant and Nancy Torre, Administrative Officer.

There was the Pledge of Allegiance.

MINUTES:

A motion to approve the minutes of the April 16, 2015 meeting was made by Mr. Shortmeyer, seconded by Mr. Kash and passed with the following roll call vote: Aye: Mayor Cook, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno and Mr. Kirk.

RESOLUTIONS:

**Capital Project Review #598-1-15
Borough of Freehold – Standby Generator
Block 5, Lot 17 and Block 17, Lot 2 – Waterworks Road**

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

NEW APPLICATIONS:

**Amended Preliminary & Final Major Site Plan #824-1-15
JSM at Eaton, LLC – “The Edge @ Freehold”
Block 83, Lot 1.01– Route 9 and Elton Adelpia Road**

Amended Preliminary and Final Major Site Plan and Variance approval to construct 14 buildings which will include 209 residential rental units and 14,553 sq. ft. of retail space.

Salvatore Alfieri, Esq., Cleary Giacobbe Alfieri and Jacobs appeared on behalf of the applicant. Mr. McLaughlin said he reviewed the proof of mailing and publication. It is correct in form and timely served and published therefore the board has jurisdiction to entertain the application this evening. Mr. Gatto asked if there is any objection to the exhibits marked. Mr. Alfieri said no. Mr. Gatto read reports. Mr. Alfieri stated what items they will comply with and which they will provide testimony for. (Mr. Salkin arrived 7:06 p.m.). Mr. Gatto said for the record there is a typo in Mr. Leone’s report the garage doors should be brown not black.

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The following witnesses were sworn: Ronald Aulenbach, Director of Engineering Edgewood Properties; Karl Pehnke, Traffic Engineer, Langan Engineers; Brad Bohler, Civil Engineer, Bohler Engineering; Justin Auciello, PP; Andrew Feranda, Traffic Consultant, Shropshire Associates; Kate Keller, Planning Consultant, Phillips Preiss Grygiel LLC; Timothy White, Township Engineer. Exhibits were presented and marked.

Ronald Aulenbach said he is here representing the developer. Mr. Alfieri said he is not being offered as an expert just a representative to give you an overview. He asked him to describe where the property is located and give an over view of what exists and what is being proposed. Mr. Aulenbach referred to exhibit P-38 the existing site aerial and described it. He said P-40 shows the previous approved plan for an 8,000 square foot commercial building, 8,300 square foot daycare facility, a 2,900 square foot bank and two restaurant pads approximately 6,000 square feet. To date the bank and daycare facility are up and occupied, the 8,000 square foot commercial building is under construction. They were unable to retain restaurant tenants for the front so they came back to the town and based on the recently adopted mixed use development zone, P-39 will indicate the proposed site plan. The site plan sits around the existing bank, daycare and commercial building/retail is unchanged. The access points off Jackson Mills Road, Elton Adelpia Road and Route 9 remain unchanged. They are proposing two mixed use buildings of approximately 10,000 square feet. Those individual buildings will house commercial on the first floor with residential apartments on the second and third floors. Behind that in building #3 is a fifty-two unit apartment building with seventeen garages that front on it with tandem parking spaces. Located behind there are five twenty-five unit buildings each containing nine garages. They also propose forty individual stand-alone garages throughout the site also for the tenants. Mr. Alfieri said they will refer to the reports and address comments by the appropriate expert. He referred to Mr. White's report and said they will comply with everything but want to comment on items 7, 14, 19 and 20. Mr. Aulenbach said as indicated in both Mr. White's and the T&M's report there is an existing detention basin located adjacent to the bank that currently holds water. He explained what they propose to do and that they will make it function to township's satisfaction. Mr. Gatto asked Mr. White if he is satisfied with that. Mr. White said when they get the boring logs they will review them and if there is an issue with ground water they may come back if not he is satisfied with the comment.

Karl Pehnke appeared his credentials were accepted. He referred to item 14 and said access for the project has already been established. They have a permit and a construct a driveway which provides a right turn in and right turn out from South bound Route 9. Route 9 at that location provides two through and a third auxiliary lane that travels through the intersection along their frontage and an eight foot shoulder. They are not proposing to modify or change that configuration. The driveway design was established with relationship to far side jug handle. They have determined and prepared a letter of no interest and submitted it to the DOT. He said for the record, the letter is determination that they do not need a new permit. DOT may or may not choose to comment on that letter. They will forward any correspondence they receive to the town. Mr. Alfieri asked if the letter sent to DOT has been sent to the town. Mr. Pehnke said he believes it has but will send another copy. Mr. Gatto asked Mr. White if he is okay with that. Mr. White said provided the DOT does provide that letter of no interest, he is okay with that.

Mr. Feranda said we have that letter and if the DOT provides any correspondence that is the information we would like to have. If they don't provide correspondence that means they have accepted what is in that letter, sometimes that is how they do it. Mr. Gatto asked for the record if he concurs with Mr. Pehnke. Mr. Feranda said yes.

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Mr. Aulenbach referred to P-47 a parking distribution exhibit and addressed comments 19 and 20 regarding parking. Mr. Gatto asked Mr. Feranda if he has comments. Mr. Feranda said he hasn't seen this exhibit yet. He will look at it and confirm the number of parking spaces. A brief discussion followed. Mr. McLaughlin asked him the total number of spaces required and provided. Mr. Aulenbach said he broke it down into two sections. The overall site which is all the buildings existing plus proposed is 549 required, 616 proposed. The number for just the proposed buildings mixed use buildings and residential in the rear is 473 required, 495 proposed. Mr. Gatto said you're leaving out the two existing buildings and the parking requirements needed for those two buildings. Mr. Aulenbach said actually the three. The 473 and 495 numbers take out the bank, daycare and the 8,000 square foot building that was approved. Mr. Alfieri said regarding P-30 they will provide testimony starting with page 5. Mr. Aulenbach said there are two comments on page 5 regarding the trash enclosure behind the 8,000 square foot building where they agreed to do the masonry and also the affordable housing developers agreement.

Justin Auciello, PP appeared his credentials were accepted. He said they require a variance for setback for building 8, proposed 128' required 300'. A variance for buffer proposed 13', required 25'. A variance for a free standing sign three are permitted and five are proposed. Mr. White said there is one more for the existing building. Ms. Keller said they are acknowledging that as pre-existing since nothing is being changed as far as the building. Mr. Auciello referred to the exhibit and described the setback variance for building 8. The purpose of this is to provide parking in proximity to the building for convenience. The matter of convenience is a benefit. He believes the granting of this variance would outweigh any detriments. The second variance is for the buffer and even though they require the variance, he believes from a planning standpoint, they satisfy the intent of the zoning ordinance because the buffer serves as open space and will never be developed. They are providing a sufficient distance from the property and the MH Zone. When you balance whether or not the granting of this variance would present a substantial detriment to the public good, he doesn't see it that way from a planning standpoint because they do meet the intent of the ordinance. Mr. Gatto asked if the open space was included in the calculation, what would be the buffer. Mr. Auciello said 50' to the garages. Mr. Aulenbach referred to P-41 and said what they are proposing based on the professionals reports are to provide a minimum 25' of full landscaping which will include on top of the detention basin and down the slope. Mr. Auciello described the third variance required for signage. They propose two new monument signs that will identify the residential component and that is in addition to the three previously approved signs. These signs serve two practical purposes, for identification and beacons when you transverse the property in the internal roadway. They will be well landscaped, have a brick finish and appropriate lighting. When you balance the positive and negative criteria in this instance the benefits outweigh any detriments and are aesthetically pleasing. Mr. Aulenbach explained where all the signs are. Mr. Auciello said these variances all serve the practical purposes: 1) Signage is internal it's intended to identify the residential portion of the overall mixed use development. 2) The buffer requirement extends into the detention basin. It serves as open space from the standpoint of that area will never be developed, will be landscaped and down sloped so it does meet the intent and spirit of the ordinance. 3) The building setback to Jackson Mills Road the purpose of that is to provide adequate proximity from the parking area to the residential areas. They think the location of that area is appropriate to have that setback. In the positive criteria they are going to advance multiple purposes of the municipal land use law to provide for adequate light, air and open space. The granting of these variances will not rise to the level of a substantial detriment to the public good and would be consistent with the intent and purpose of the zone plan and ordinance. Mr. Gatto asked Ms. Keller if she had any comments. Ms. Keller said regarding the setback variance was any effort made to comply with the ordinance requirement and if so, why that could not be completed. Mr. Aulenbach said on the original plan they had building #8 closer to building #7. When the Townships concern about the parking close proximity was brought to their attention, these two buildings were under parked with the proximity issue. They split the buildings off to put parking between the two so they could

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comply with the close proximity for parking. That is why they were spread apart. Ms. Keller said regarding the buffer she wants to confirm it complies with the ordinance just includes that other structure have a minimum height of 3' and thinks it should be a condition. Mr. Aulenbach said they will agree to that. Ms. Keller said in regard to the signage the ordinance does not contemplate residential signage in particular and she believes that is what the variance is for and thinks the proofs were met in this case. Mr. White said Mr. Popolizio mentioned colors. Mr. Gatto referred to P-43 and asked if anyone had an objection to the colors. There were no objections. Mr. Gatto asked Mr. McLaughlin if he is satisfied proofs were met. Mr. McLaughlin said yes. Mr. Gatto asked for clarification on comments in Mr. Phillips report. Mr. Aulenbach explained what is proposed for trash removal. Mr. Gatto asked how the property is maintained. Mr. Aulenbach said Edgewood Properties have never sold off any income producing property. This will be owned and maintained by Edgewood Properties. They will have support staff on site twenty-four hours a day about five or six office personnel and a minimum of four maintenance people on site at all times. Mr. Alfieri asked him to give the board an example of other similar rental units in New Jersey. Mr. Aulenbach described other locations. Mr. Shortmeyer asked about on site security. Mr. Aulenbach said yes, they have cameras throughout the site for security and have someone on site. They addressed comments in the reports. Mr. Gatto said they would like to see decorative lighting throughout the site and that there would be no light spillage. Mr. Feranda referred to comments in his report and they were addressed. Mr. Gatto said for the record they prefer bollards not a guard rail and they should match the façade of the building. There was a discussion regarding circulation. Mr. Aulenbach described the units. Mr. Gatto asked if there were any questions. Mr. Alfieri said at the technical review committee meeting the fire official asked for an exhibit and they have provided it to him. Mr. Gatto said they will need a clean letter. Mr. Aulenbach said for clarity there are no flat roofs they are gable roofs. Mr. Alfieri said that concludes their presentation. Mr. Gatto asked if there were any questions or comments from the board or public.

John Berky, 37 Jackson Mills Road appeared and was sworn. He pointed out where his property is and asked about privacy of his farm. He said many times his driveway is used as a turn around. Mr. Gatto said they will be able to make the left in so that should eliminate people turning around in your driveway. Mr. Berky said he is their neighbor and asked about a buffer. Mr. Aulenbach referred to an exhibit and said the buffer did not extend to Mr. Berky's property because it just went to the basin. He said they would agree to provide the same buffer to the most northern side of his property and along the western side of his property out to Jackson Mills Road. There is a sidewalk that meanders through there behind buildings 7 and 8 but they would agree to supplement the landscaping there to provide him with some privacy. Mr. Berky asked if they would consider a fence. Mr. Aulenbach said yes, they would propose a six foot high board on board fence. Mr. Salkin asked Mr. Berky the approximate length of his property line. Mr. Berky said about six hundred feet. Mr. Gatto said the applicant stipulated they will put a board on board fence the length of his property. Mr. White asked if that still includes the landscaping or is that in lieu of the landscaping. Mr. Aulenbach said he agreed to a double row there. Mr. Gatto said they agreed to a double row of landscaping on the easterly side and the northern side will be a board on board fence at the township engineer's discretion. Mr. Berky thanked them.

Donald Holly, 184 Elton Adelpia Road appeared and was sworn. He is unclear on the entrance from Jackson Mills Road this is a County road so they have jurisdiction over what occurs on it. Right now it's strictly in and strictly out. The proposed plan is to have entrance into it from the southbound lane. Mr. White said that is correct, full access. Mr. Gatto said it will be widened on their property. Mr. Pehnke explained to provide for left turns into that driveway, there is right-of-way available on the western side, so they will be widening the south bound side of Jackson Mills Road so you have ability to by-pass a vehicle that might be turning left into the driveway. So there is widening proposed to Jackson Mills Road in order to accommodate those movements. Mr. Salkin asked if there will be a left hand turn lane. Mr. Pehnke said no,

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the County has a detail for minor driveways like this where you don't have substantial turning movements and explained it.

Leah Viera, 31 Pittenger Avenue appeared and was sworn. She asked how far it is from the Jackson Mills Road shoulder to the Freehold Township elementary bus depot. Mr. Pehnke said there is a specific design detail in County standards in terms of how that widening is accomplished and how much width has to be put there in order for vehicles moving south to safely by pass. They will be working with the County to establish and meet that based upon the design of vehicles and utilization of the roadway so it will operate safely and meet all appropriate standards. Ms. Viera said for a school bus and commercial traffic as well. Mr. Pehnke said all vehicles that travel this road. Mr. Viera asked if the Saturday assessment was for the Route 9 traffic. Mr. Gatto said the Saturday assessment will be updated. Ms. Viera asked about the bulk garbage. Mr. Aulenbach said it's in their lease they are required to contact the leasing office to arrange for bulk disposal. Mr. Gatto asked if there were any other questions. A motion to close the public hearing was made by Mr. Kash, seconded Mayor Cook, all in favor aye. Mayor Cook asked if there is any plan for sidewalk along Jackson Mills Road. Mr. Aulenbach said they bonded with the County to put it in. Mr. Shortmeyer moved that a positive resolution be prepared, seconded by Mr. Kash, all in favor aye. Mr. Gatto asked about applications for the next meeting. A discussion followed.

Adjournment:

There being no further business, a motion was made to adjourn the meeting and passed unanimously. The meeting concluded at 8:45 p.m.

Respectfully Submitted,

Robert H. Shortmeyer
Secretary