

**FREEHOLD TOWNSHIP PLANNING BOARD
REGULAR MEETING
MINUTES
SEPTEMBER 3, 2015**

The Regular Meeting of the Planning Board was called to order by Chairman Gatto on Thursday, September 3, 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. Bazzurro, Mr. Gatto, Mr. Shortmeyer, Mr. Bruno, Mr. Kirk and Mr. Coburn.

Absent: Mr. Salkin and Mr. Kash.

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

There was the Pledge of Allegiance.

MINUTES:

A motion to approve the minutes of the June 4, 2015 meeting was made by Mr. Shortmeyer, seconded by Mayor Cook and passed with the following roll call vote: Aye: Mayor Cook, Mr. Gatto, Mr. Shortmeyer, Mr. Bruno and Mr. Kirk.

A motion to approve the minutes of the June 18, 2015 meeting was made by Mr. Shortmeyer, seconded by Mayor Cook and passed with the following roll call vote: Aye: Mayor Cook, Mr. Shortmeyer, Mr. Bruno and Mr. Coburn.

RESOLUTIONS:

Mr. Accisano said Mr. Kirk has listened to the recordings for the following applications Freehold Township Schools, Toys “R” Us and the County of Monmouth. Mr. Gatto said the record should reflect Mr. Kirk has listened to the tapes and signed a certification as such which has been notarized by Mr. Accisano.

Minor Subdivision #893-15
County of Monmouth
Youth Detention Center and John L. Montgomery Care Center
Block 28, Lot 19 – Dutch Lane 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. Shortmeyer, Mr. Bruno, Mr. Kirk and Mr. Coburn.

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Minor Site Plan with Waiver of Site Plan Detail #864-15
TRU 2005 RE 1, LLC (Applicant/Owner) Toys “R” Us, Inc.
Block 69.01, Lot 18.091 – 600 Trotters Way

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

Capital Project Review #308-2-15
Freehold Township Schools
Block 70, Lots 24, 26 & 27 – 384 West Main Street

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. Shortmeyer, Mr. Kirk and Mr. Coburn.

NEW APPLICATIONS:

Amended Preliminary & Final Major Site Plan #845-2-15
3561 Route 9 Realties, LLC (Applicant/Owner)
Block 72, Lot 96 – 3561 Route 9

Amended Preliminary and Final Major Site Plan approval to permit an above ground storage tank, pump and back-up generator equipment.

Mr. Gatto said the application will be carried to the September 17, 2015 without further notice. He said if anyone is here for this application they can check with the planning office to make sure it will be heard that night. A motion to carry Application #845-2-15 3561 Route 9 Realties, LLC to the September 17, 2015 meeting at 7:00 p.m. without further notice was made by Mayor Cook, seconded by Mr. Shortmeyer and passed with the following roll call vote, all in favor aye.

Preliminary & Final Major Site Plan with Waiver of Site Plan Detail #417-1-15
Irwin Lincoln Mercury Sales and Service Co., Inc. (T/A Irwin Lincoln and
T/A Irwin Mazda) (Applicant)

Irwin Holdings, LLC (Owner)

Block 67, Lot 1– 4000 US Highway Route 9

Preliminary and Final Major Site Plan with Waiver of Site Plan Detail and Variance approval for the construction of a tower with a new façade sign on Route 33 side, a new façade sign on the Route 9 side on the Lincoln portion of the building, modernization of the façade of the entire building and the addition of two small exterior walls for aesthetic purposes.

Mr. Bazzurro arrived at 7:02 p.m.

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William J. Mehr, Esq. 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. Mr. Mehr said they will comply with Mr. White's report. Mr. Gatto explained the procedure to the public. Exhibits were presented and marked.

Mr. Mehr explained the building that exists today was redone in 1986. The following year the NJDOT changed the highway and moved everything forward and that is how it's been since that period of time. This is a thirty year upgrade to bring the building, the exterior and signage to what will be shown. There is no change in the square footage of the building. The following witnesses were sworn. Carmine Cerminara, Cerminara Architect; Charles Carley, Delaware Raritan Engineering; Timothy P. White, Township Engineer.

Charles Carley, PE, PP, appeared his credentials were accepted. He said the property is located in the CMX-3A zone, has an area of approximately 2.20 acres and described it. It has been operating as an automobile dealership and currently houses Lincoln and Mazda dealerships. There are five existing garage bay doors in the rear of the building and the site is predominantly paved. The proposal is to remove an existing pylon sign and construct an entrance tower along the property frontage on Route 33. Some modifications to the concrete walk with some stairways to accommodate that. Mr. Mehr said that will have a sign. Mr. Carley said correct. He said there will also be some walls provided for brand logo purposes. They are losing some parking spaces as a result of the construction and pointed them out and are providing handicap accessible stalls. He said as noted in the reports seventy-five spaces are required and they have approximately ninety-two spaces after construction. He described the grading and stormwater. Mr. Mehr said there is public water and sewer. Mr. Carley said utilities remain the same. Mr. Mehr asked if there is any effect on circulation. Mr. Carley said he thinks the proposal improves vehicular and pedestrian circulation. There are no proposed changes to landscaping and lighting. The site is bound by the roadways and there is no opportunity to acquire property to mitigate the existing condition of variance situations. Over the past thirty years there have been no instances where those variances have caused any problems for the dealership or the public. He discussed setbacks. Mr. Gatto asked him to address Mr. Phillips review. He also said the sign committee reviewed the signage and is in favor of the layout. He asked if there were any questions or comments. There were none.

Carmine Cerminara, Architect appeared his credentials were accepted. He referred to exhibits P-21 and P-22 and described them. They have two distinct dealerships here inside one building and are trying to give each brand its own space. He said the existing Mazda dealership has a large blue band horizontally across atop the windows and it has been eliminated. They are keeping the Mazda blue color just replacing with a newer version of the existing signs. He described the canopies, signs, sizes and colors and that the signs are internally lit. The flag service sign will now be mounted to the building. There was a discussion regarding ground mounted lighting. Mr. White said Mr. Popolizio is looking for an inventory for annual sign permit renewals. Mr. Gatto asked if there will be a change in hours. Mr. Mehr said no. Mr. Gatto asked if there were any questions from the public.

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Eula Morris, 2 Bradley Drive appeared and asked when entering Janet Rhea Road sometimes they encounter problems with traffic coming out of the Lincoln dealership. Mr. Gatto asked if its customers leaving the site or employees working on the site. Ms. Morris said customers and employees. Mr. Gatto asked if there are illegal movements going on. Mr. Mehr said it is the primary exit from the site. Ms. Morris asked if that could be changed. Mr. Gatto said they need two ways of ingress and egress if we close that to exit they would have only one exit. He said they can have the township engineer take a look at it to see if there is a calming device they can use. Ms. Morris said sometimes they are stuck on Route 33 and then get the traffic coming off of Route 9 and it's a problem. A discussion followed. Ms. Morris asked who is responsible for the buffer.

Shelley LoCascio, President/Owner Irwin Lincoln/Irwin Mazda appeared and was sworn. She said go back fifty years Janet Rhea Road belonged to them and that landscaping was theirs. Through the years storms took it down. There came a time when the Township took the road back so the road and plowing became the issue of the town. The town does not maintain those trees and the past winter was particularly bad and destroyed some. Her landscaper was supposed to take them down last week because she had enough of nothing happening and it looks terrible on her site. She is having the trees cut down and will have to replace them because she is not getting any help from the town. Who is supposed to maintain it she can't say, originally it was them. Mayor Cook said he is writing it up now and it will be solved between today and tomorrow.

Ms. Morris said regarding the lights when the trees are bare they shine in their master bedroom. Mr. Gatto said if spillage exists let Mr. White or Mr. Kirk know it is a matter of adjusting them. Mrs. LoCasio said this is the first she is hearing about it.

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

Minor Site Plan with Waiver of Site Plan Detail and Variance #538-2-15

Georgetowne Restaurant Associates, Inc. (Applicant)

Adelphia Shopping Center Inc. (Owner)

Block 81, Lot 2 – 3269 Route 9 North

Site Plan Waiver and Variance approval for façade and signage changes and interior alterations

William J. Mehr, Esq. appeared on behalf of the applicant. Mr. Accisano said he reviewed the proof of notice which is correct in form, published and served in a timely fashion 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. Exhibits were presented and marked.

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Mr. Mehr said the last time Burger King was before the board was in 1996. There is no change to foot print or increase in size they are here for signage and colors. The following witnesses were sworn: Matthew Cronin, Matthew Cronin Architect and Timothy P. White, Township Engineer.

Matthew Cronin, Architect appeared his credentials were accepted. He referred to the existing survey to show the odd shape of the site and described it. Mr. Gatto asked if there are any changes to the drive thru configuration. Mr. Cronin said no. He said they will swap out the order confirmation unit, clearance sign and existing directional signs with new ones. The project will be done in two phases one is the interior alterations and the second is the exterior which is why they are here. He described the interior changes that are proposed and the elevations. Mr. Gatto asked him to discuss the signs. Mr. Cronin said three of the four signs are the same with the Burger King logo and name. The fourth sign is a refurbishment of the existing sign that is on their mansard roof that would stay in the same place it is. Mr. Gatto asked what the issues are with the number of signs on the façade do they comply or need relief. Mr. Mehr said they need a variance on the number of colors. Mr. Cronin described the variances required per the planners review. Mr. White asked about the dumpster enclosure. Mr. Cronin said the dumpster that is outside is cardboard recycling dumpster. They intend to get a smaller container and have more frequent cardboard pickups. They will provide a plan to prove that. Mr. Gatto asked if there were any other questions from the public. No one wished to speak. A motion to close the public hearing was made by Mr. Shortmeyer, seconded by Mayor Cook, all in favor aye. Mr. Shortmeyer moved that a positive resolution be prepared, seconded by Mayor Cook, all in favor aye.

There was a discussion regarding upcoming agendas.

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