

**FREEHOLD TOWNSHIP PLANNING BOARD
REGULAR MEETING
MINUTES
SEPTEMBER 17, 2015**

The Regular Meeting of the Planning Board was called to order by Chairman Gatto on Thursday, September 17, 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. Bazzurro, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno and Mr. Kirk.

Absent: Mr. Coburn.

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 August 6, 2015 meeting was made by Mr. Shortmeyer, seconded by Mayor Cook and passed with the following roll call vote: Aye: Mayor Cook, Mr. Salkin, Mr. Gatto and Mr. Shortmeyer.

RESOLUTIONS:

**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**

Mr. Gatto said Mr. White followed up regarding concerns of some of the residents. Mr. White said residents had concerns with Janet Rhea Road being a one way road in from Route 33. There were some conflicting movements with the dealership exiting at a location right at the corner with Janet Rhea Road. Initially he told the applicant that movement was in conflict with the one way. After he recently met with them in the field he understands it's really vital to the operation of the site. They need to have the ability to egress out that location because that is where tractor trailers and delivery trucks have to go out. The other two driveways are on Route 9 and with the building location, parking space locations and other features of the property it's very difficult for the vehicles to get out, so he told them he would work with them in that regard. Regarding landscaping and maintenance along Janet Rhea Road, they submitted a landscaping plan and agreed to fill in an area that needs to be buffered to prevent light glare as well as ongoing maintenance. He said the meeting went well and the concerns of the resident were addressed.

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

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

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

NEW APPLICATIONS:

Amended Preliminary & Final Major Site Plan #845-2-15
3561 Route 9 Realities, 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 again to the October 1, 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 Realities, LLC to the October 1, 2015 meeting at 7:00 p.m. without further notice was made by Mr. Shortmeyer, seconded by Mayor Cook and passed with the following vote, all in favor aye.

Preliminary & Final Major Subdivision and Variance #851-2-15
JDN Real Estate - Freehold L.P. (Owner/Applicant)
Block 70, Lot 20.07 – 290-308 W. Main Street (CR 537)

Preliminary and Final Major Subdivision and Variance approval for subdivision of NJDEP preserved historic area.

Kevin Moore, Esq., Sills, Cummis and Gross 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 is any objection to the exhibits marked. Mr. Moore said no. Mr. Gatto read reports. Mr. Moore said they agree to all Mr. White's comments with the exception of #3 with the lot number, they want that subject to the tax assessor improving that. Mr. White said since his report he discussed that matter with the assessor and he agrees with him, it was an oversight on his part. Mr. Moore said then they agree as long as the assessor does. Mr. Gatto said for the record you're stipulating you can comply with comments 1 through 10. Mr. Moore said yes.

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Mr. Gatto referred to the comments in the Historic Commissions report regarding the right to review site plans regarding the incorporation of the Henderson Park/Cincinnati Hall into the final drawings. Mr. Moore said they are site plan issues this is just to create the lots this evening. Mr. Gatto said it won't affect your application but will be in the record so you can relay it and they are aware of it when they go back to the Historic Commission as they will want to see that.

Exhibits were presented and marked. (Mr. Kash arrived at 7:13 p.m.). The following witnesses were sworn: Trevor Taylor, PE, PP, ESP Associates; Timothy P. White, Township Engineer.

Trevor Taylor, PE, PP, appeared his credentials were accepted. He referred to exhibits and described them. He said P-24 was provided to the DEP with the Administrative Consent Order which is the outparcel that is included in the ACO. This is the preserved area which is the subject of the subdivision that they are here for tonight, the area is 1.4113 acres (61,477 sq. ft.). He referred to P-23 the Final Plat for the Major Subdivision submitted for the application. The preserved area 1.41 acres proposed lot 20.09, and the remainder of existing lot 20.07 which is proposed as lot 20.08 proposed as 27.69 acres that makes up the remainder of existing lot 20.07 and the developable portion of the area they are subdividing. Mr. Moore asked him about the bulk variance. Mr. Taylor said they need a bulk variance for lot area where the required lot area is 100,000 square feet and they are providing 61,477 square feet or 1.41 acres. It is a flexible "c" variance and he gave the standards for the board to grant it. It is his opinion that the subdivision and variances promote purpose "A" of the municipal land use law which is to promote the public health, safety, morals and general welfare. This subdivision allows Freehold Township to own and preserve a valuable historic site, so the variance promotes general welfare. The benefits outweigh the detriments, it is a benefit to Freehold Township to own and preserve the Cincinnati Hall foundation site and there are no detriments to the smaller lot size because this is an historical site and not a retail or office building which the standard was intended for. Granting the variance does not create a substantial detriment to the public good or impair the intent and purpose of the zone plan and zoning ordinance. Mr. Gatto asked if there were any comments from the board or 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 Mr. Salkin, all in favor aye.

Mr. Gatto discussed upcoming applications.

Minor Site Plan with Waiver of Site Plan Detail and Variance #659-1-15
4 Paragon Realty, L.L.C. (Applicant/Owner)
Block 72.12, Lot 2– 4 Paragon Way
Minor Site Plan with Waiver of Site Plan Detail and Variance approval for a new freestanding 24 sq. ft. sign.

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Alan Trembulak, 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. Trembulak said this is an application for a Minor Site Plan approval with site plan waivers to permit the erection of a freestanding sign on the subject property which is owned by the applicant an affiliate of Mack-Cali Realty Corporation that owns the four buildings that comprise the office park. Mr. Gatto asked if there any objection to the exhibits marked. Mr. Trembulak said no. Mr. Gatto read reports. An exhibit was presented and marked. The following witnesses were sworn: Thomas Golden, Assistant Vice President of Development at Mack-Cali Realty Corporation and Timothy P. White, Township Engineer. Mr. Gatto asked Mr. Golden in what capacity will he be testifying in. Mr. Golden said as a professional planner.

Thomas Golden, PP appeared credentials were accepted. Mr. Trembulak asked him to describe his position with Mack-Cali. Mr. Golden said he is the Assistant VP of Development and handles permits and entitlements approvals for the company's land portfolio and projects like this that require variances or site plan approvals and has been with the company seventeen years. He said they applied for a new sign and were told they need variances for other signs on the property. He referred to the exhibit and described where the existing signs are and the location of the proposed sign. What signs are staying and which ones they're taking down? Mr. Accisano asked the message on the sign they're taking down. Mr. Golden said the by the street for the IRS and also the directional sign in the back for 3 and 4 Paragon Way. He explained what the ordinance allows and what is proposed. The sign they are proposing has four colors and described it. A discussion followed regarding tenant signs. Mr. Golden explained the sign only lists the principle tenants. Mr. Gatto asked the boards feelings regarding having the tenants on the sign. Mr. Salkin said he is familiar with Paragon and it is a very nice campus looking park. Having gone there looking for a physical therapist it is confusing back there. Having the names and directional signage is a good thing. The area is done in a rustic sort of way that these signs are not going to make it look visually unappealing; he thinks it's okay in this case. Mr. Bazzurro said he thinks they have to limit the number of tenants. Mr. Golden said if the board is suggesting they limit it to three or four they can live with that. Mr. Gatto polled the board as to the number of tenants on the sign. Mr. Kirk said he is okay with it by limiting the number of tenants to two or three. Mr. Bruno said he has been there many times and can never find anything. He thinks it's a vast improvement and limiting it is a great idea. Mr. Gatto asked if he is okay with three. Mr. Bruno said yes. Mr. Bazzurro said he goes there a few times a month and thinks it's a good idea but to limit it to three. What he is hearing from the witness's testimony is if they have another tenant that it's going to be more marketable if they put another sign on there and maybe they will come back. He said he doesn't know how to limit that if they can. He is in favor of limiting it to a certain number. Mr. Kash asked the size of the sign. Mr. Golden said the sign is twenty-four feet (6' x 4'). Mr. Gatto asked Mr. Kash if he is good with three. Mr. Kash said he is even good with four. Mr. Shortmeyer said he doesn't object to it but the only concern is if you have a 60,000 sq. ft. building and happen to have six tenants at 10,000 sq. ft. each everyone is a major in that building. Mr. Golden said nobody is guaranteed a sign in their leases. He said it is up to them as landlord to determine whether or not we want to give them a spot on the sign. If the board says its three or four tenant panels that is what it is going to be.

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Mr. Gatto asked the board if they are good with that. Mr. Salkin said he thinks four is a good number. Mayor Cook said he agrees with Mr. Salkin. Mr. Gatto asked if there were any comments 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. Salkin moved that a positive resolution be prepared, seconded by Mr. Kash, all in favor aye.

Adjournment:

There being no further business, a motion was made to adjourn the meeting and passed unanimously. The meeting concluded at 7:46 p.m.

Respectfully Submitted,

Robert H. Shortmeyer
Secretary