



Township of Freehold
OFFICE OF THE PLANNING BOARD
One Municipal Plaza, Freehold, NJ 07728

REGULAR MEETING MINUTES
April 7, 2016

The Regular Meeting of the Planning Board was called to order by Mr. Gatto on Thursday, April 7, 2016 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: Mr. Ammiano, Mr. Cook, Mr. Bazzurro, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno, Mr. Kirk, Mr. Coburn and Ms. Kurtz.

Absent: Mr. Asadi.

Also Present: Francis C. Accisano, Esq., Timothy P. White, Township Engineer, Paul Phillips, Township Planning Consultant and Danielle B. Sims, Administrative Officer.

There was the Pledge of Allegiance.

Mr. Gatto announces that the application for Sean and Christina Brown will be carried to April 21, 2016 due to the notice being delayed.

RESOLUTIONS:

Soil Removal Application # SR-01-16
JSM at Eaton, LLC –The Edge
Block 83, Lot 1.01 – Route 9/Elton-Adelphia Road

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

Water Resources Application # WRPA-01-16
Russell R. Weber
Block 97, Lot 60 – 229 Georgia Road

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

Preliminary and Final Site Plan Application 877-15/Var. #16-15 and “D” Variance
3690 Route 9, L.L.C. (Advanced Auto)
Block 70.05, Lot 12 – 3690 Route 9 South

Mr. Shortmeyer made a motion to approve the “D” (Use) variance, seconded by Mr. Kash to approve the resolution. The motion passed with the following roll call vote: Aye: Mr. Bazzurro, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno, Mr. Kirk and Mr. Coburn.

Mr. Shortmeyer made a motion to approve the Preliminary and Final Major Site Plan, seconded by Mr. Kash to approve the resolution. The motion passed with the following roll call vote: Aye: Mr. Bazzurro, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno, Mr. Kirk and Mr. Coburn.

**NEW APPLICATIONS:****“C” Variance Application # 001-16****Desimone, Joseph & Kathleen****Block 102, Lot 39 – 67 Francis Mill Road**

Bulk variance to construct a 25’7” high detached garage where 16’ is permitted in the RE Zone on a pre-existing non-conforming lot.

Joseph and Kathleen Desimone entered their appearance, representing themselves. 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. Accisano confirms that the applicants are prepared to move forward without an attorney, understanding that some things could be very technical in nature. Mr. Desimone stated that they would like to continue. Mr. Gatto asked if there was any objection to the exhibits marked. Mrs. Desimone said no. Mr. Gatto read reports into record. Exhibits were presented and marked. The following witnesses were sworn: Joseph and Kathleen Desimone, Applicant/Owners; Timothy P. White, Township Engineer; Paul Phillips, Phillips Preiss & Grygiel, Township Planning Consultant.

Mr. Desimone addresses the comments in Mr. Phillip’s review regarding the material of the proposed garage. He describes the current conditions are of a 150 year old, red, three car garage that does not match the existing, newly white vinyl sided house. The proposed garage would be consistent with the existing house. Mrs. Desimone states that the existing 2-story garage does not allow for them to stand up while on the second story and they are constantly hitting their head on the ceiling and that the proposed garage is only about five (5’) feet higher than what is existing. As to possibly moving the garage to another area of the property, it would not be feasible as there is an existing foundation, shown on the survey, that would have to be removed. Mr. Phillips and Mr. White do not take exception to this response. Mr. Gatto confirmed that the applicants understand that they need to update their survey to reflect the current conditions and calculate the impervious coverage. Mr. Desimone stated that there would not be any plumbing or bathrooms in the proposed garage and that no portion of the garage would be used for habitable space. The note on the plans regarding the windows will be removed from the plans. Mr. and Mrs. Desimone describe the photographs (grouped as P-9) showing that no neighbors would be able to see the proposed garage and would have no impact on them.

Mr. Gatto asked if there were any questions from the Board. Mr. Gatto asked if there were any questions from the public.

A motion to close the public hearing was made by Mr. Shortmeyer, seconded by Mr. Ammiano, all in favor, aye. Mr. Ammiano moved that a positive resolution be prepared, seconded by Mr. Cook, all in favor, aye.

Preliminary and Final Major Site Plan #685-1-15**Freehold Dodge Subaru Auto Dealership****Stanley Realty Holdings, LLC****Block 72, Lot 1 – 299 South Street**

Preliminary & Final Major Site Plan to construct an 11,000 sf addition with related infrastructure improvements to the existing Dodge - Subaru dealership.

Mr. William J. Mehr, Esq., Mehr, LaFrance and Williams, 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 starts to read the reviews into record. Mr. Gatto stated that he made a site visit early in the day and noted that he has some major concerns. Mr. Gatto explains that the site lacks landscaping, some landscaping is dead and suggests that they should submit a landscaping plan, that there are issues with the DOT right-of-way (r-o-w) area, there are ponding issues in the pavement, gravel is not permitted in public areas, pipes are exposed to Willowbrook Road and should be addressed. Mr. Mehr states that most of the issues will be addressed with the testimony. Mr. Gatto continues to read the reviews into record.

Mr. Mehr stated that they can comply with all comments from Hatch Mott MacDonald.

Mr. White adds that there was a Technical Review Committee meeting and site ponding was discussed but was not addressed on the plan resubmission and should have been noted as one of his review comments in his reports. He also noted that the gravel area appears to be located in the DOT r-o-w.

Mr. Mehr stated that he would work out these issues with Mr. White.

Mr. Gatto continues to read the reviews into record and states that there are many conflicts in the reports, many items left open in the review letters and some items he noted from his site visit were not noted in the reviews. He stated that the items need to be addressed and remedied.

The following witnesses were sworn: Richard Villano, Architect; Steven Boyce, Freehold Dodge; James Kennedy, (Planner and Engineer) Kennedy Consulting; Timothy P. White, Township Engineer, Paul Phillips, Phillips Preiss & Grygiel, Township Planning Consultant. Additional exhibits were introduced and marked into evidence.

James Kennedy had appeared before the Board and was accepted as a professional engineer and planner. Mr. Kennedy describes the existing surrounding area, noting that there is a 120' DOT right-of-way (r-o-w). Two pylon signs are present where only one (1) is permitted. Mr. Mehr described his interpretation of the sign ordinances as being that there are two business, two pylon signs would be permitted. Mr. Kennedy stated that there is a 12,305 s.f. mezzanine on the building and described the proposed site and circulation. Parking currently exists with 408 spaces (5 gravel spaces in DOT r-o-w Are not included in this calculation and would have to be removed). Forty nine (49) parking spaces would be lost with the building addition (all inventory stalls). Some spaces would be able to be relocated inside the new showroom. Parking on grass will cease except during snow removal The issue of employees parking on Willowbrook has been remedied. It is requested that inventory spaces remain smaller and they would restripe/increase the customer parking spaces to required size. Inventory would need to be reduced. Mr. Gatto confirmed that no customer would be affected by the proposed changes. The applicant explains that currently, 408 spaces exist (50 parking spaces are dedicated for employee, 70 for sales and service). The proposal reduces the spaces by 49, leaving 359 overall spaces. Keeping the 120 for employee, sales and service, leaving 239 for inventory. Mr. Kennedy stated that the curbing on the islands will be Belgian block. The three internal islands will be re-landscaped. They will add a tree to the Willowbrook side of the building, but are limited to a certain height due to wires. Mr. Gatto stated there is a discrepancy with the landscaping exhibits and what exists/proposed.

Mr. Ammiano has a concern with the PA system being a nuisance. The applicant offered to use a pager system instead.

Mr. Gatto stated that there are a lot of open issues and suggests that the applicant regroup/resubmit and carry the application to a later date with a better handle of the signs, address the architectural comments and right-of-way issues and landscape plan.



Mr. Mehr requests that the Board carry the application to May 5th, 2016 without any further notice.

A motion to carry the application was made by Mr. Shortmeyer, seconded by Mr. Cook, all in favor, aye.

Mr. Cook and Mr. Ammiano will be stepping down and Ms. Kurtz was seated for Mr. Ammiano.

“D” Variance Application # 003-16

Robert and Kristy Loff

178 Jackson Mills Road

Block 97, Lot 38.06

Proposal to increase the size of the existing house, while continuing to use an existing garage structure that contains living quarters on the second floor as a guest house.

Mr. William J. Mehr, Esq., Mehr, LaFrance and Williams, appeared on behalf of the applicant/owners. 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 explains that the applicant has requested to amend the application so that they may live in the secondary structure (farmhouse/apartment) while the construction occurs in the primary structure and subsequent to the c/o being issued for the primary structure, they would remove the kitchen area in the farmhouse/apartment space and a new c/o would need to be done to ensure the kitchen was removed.

Mr. Gatto read reports into record. There was discussion as to if removing the kitchen, it would still be a “D” variance. It was determined that since there is still habitable space, it would require a “D” variance. The following witnesses were sworn: Kristy Loff, Applicant/Owner; Allison Coffin, Planner; Paul Phillips, Phillips Preiss & Grygiel, Township Planning Consultant; Timothy P. White, Township Engineer. Exhibits were presented and marked.

Mr. Mehr and Mrs. Loff described the existing site, the subdivision that created the lot and the proposed addition. Mr. Accisano inquired about the façade of the farmhouse/barn. Mrs. Loff stated that the barn windows would be replaced and the building would be resided to match the residence.

The applicant stated that she would work out any issues regarding the driveway as noted in the Engineer’s review letter, with the Township Engineer.

Allison Coffin, Professional Planner, had previously appeared before the Board and was accepted as a professional planner. Ms. Coffin described all existing conditions, variances being sought and how the site was created by a previously approved subdivision. The site has had the two structures on the one lot for at least 48 years according to tax records. She continued to describe the aesthetics of the proposal and how access to the site would be improved. Also noted was that by eventually removing the kitchen, it would remove the previously rented apartment in the accessory structure (farmhouse/barn), eliminating a pre-existing non-conforming use. Ms. Coffin stated that she feels that special reasons exist for the granting of the variance without detriment to the health safety and welfare of the public as the property is more than 4x the minimum lot area required by the zone and would support the proposed density of the pre-existing two units. She added that she felt there would be no negative impact, but would be beneficial since the density would reduce from two to one, access due to installing the second driveway from Brandon Boulevard. The proposal would be a de-intensification of the use of site and offer improved aesthetics and access and would not impair the intent/purpose of the Master Plan.



Mr. Gatto asked if there were any questions from the Board. Mr. Gatto asked if there were any questions from the public.

Mr. Accisano clarified a time frame to remove the plumbing from the time the applicants would move into the renovated house would be thirty (30) days.

A motion to close the public hearing was made by Mr. Shortmeyer, seconded by Mr. Kash, all in favor, aye. Mr. Kash moved that a positive resolution be prepared, seconded by Mr. Shortmeyer, all in favor, aye.

DISCUSSION:

Mr. Gatto asked about upcoming applications. Mr. White described the upcoming meeting agenda.

ADJOURNMENT:

There being no further business, a motion was made to adjourn the meeting and passed unanimously. The meeting concluded at 8:44 p.m.

Respectfully Submitted,

Robert H. Shortmeyer
Secretary