



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

**REGULAR MEETING MINUTES**  
**September 15, 2016**

The Regular Meeting of the Planning Board was called to order by Mr. Gatto on Thursday, September 15, 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. Cook, Mr. Bazzurro, Mr. Gatto, Mr. Kash, Mr. Shortmeyer,  
Mr. Bruno, Mr. Kirk and Mr. Asadi.

**Absent:** Mr. Ammiano, Mr. Coburn and Ms. Kurtz.

**Also Present:** Francis Accisano, Esq., Kate Keller, Township Planning Consultant and  
Danielle B. Sims, Administrative Officer.

There was the Pledge of Allegiance.

**RESOLUTIONS:**

**“D” Use Variance Application # 017-15 (Resolution of Denial)**  
**New York SMSA Limited Partnership d/b/a Verizon Wireless**  
**Block 102, Lot 11 – 363 Monmouth Road**

Mr. Bazzurro made a motion, seconded by Mr. Kirk to approve the resolution of denial. The motion passed with the following roll call vote: Aye (2): Mr. Bazzurro and Mr. Kirk.

**Capital Review Project # 862-1-16**  
**Township of Freehold – DPW Vehicle Storage Building**  
**Block 84, Lot 3.01 – 66 Jackson Mills Road**

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

**NEW APPLICATIONS:**

**Variance Interpretation #013-16**  
**Final Major Subdivision and “D” Variance # 891-1-16**  
**Soil Removal/Fill Application # SR-04-16**  
**Legend Hollow at Freehold, LLC**  
**Yellowbrook Property Co. (Applicant & Owner)**  
**Block 86.01, Lot 20 – Gully Road**



Interpretation of determining FAR. Final subdivision approval for a 10 lot subdivision (9 residential lots and 1 detention basin lot) where preliminary approval was granted in 2015. Also requesting a “D” variance for FAR. See previous approval for SD # 891-14 and bifurcated use variance #008-14.

Mr. Accisano stated 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 would have jurisdiction to conduct a public hearing.

Mr. Vincent DeSimone, Esq. appeared on behalf of the applicant and requested that the Board accept jurisdiction and that the applications be carried to October 6, 2016, without further notice.

There was no objection by the Board to the request to carry without further notice. All in favor, aye.

**“C” Variance App. # 009-16**

**Grewal, Vaneet and Daljinder Kaur**

**Block 30, Lot 8.03 – 366 East Freehold Road**

Proposal for a 36’3” x 39’5” (1,431.15 sf) ground mounted solar array in the R-40 zone, non-permitted accessory structure.

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.

Eric Salant, Esq. appeared on behalf of the applicant. Mr. Salant had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. The following witnesses were sworn: James Nadel, MS Solar Development; Vaneet Grewal, homeowner/applicant; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultants; and Timothy P. White, Township Engineer.

Mr. Salant described that the applicant is seeking to install a ground mounted solar array on the rear area of the property, near a solar array on an adjacent property. It is a “C” variance application and no other variances are requested other than the stand-alone solar array (not permitted accessory structure). The house is in the R-40 zone.

Mr. Nadel described his solar experience as a solar developer, starting with the solar company in 1997, and was qualified by the Board. He explained the reasons for not putting solar panels on the roof of the home. In the industry, they try to zero out the consumers use. The applicant uses about 20 kW/year of power and in order to design a system to meet the demand they would need to have a 20 kW system. A solar panel should be southeasterly/southern direction and would only be able to use a portion of the applicant’s roof. This design would only cover about 1/3 of the applicant’s use. A ground mounted system would accommodate the full demand.

Mr. Salant stated that significant screening would be necessary given the current view lines and the adjacent existing solar array, no further view lines would be impeded. Mr. White said a 6’ high fence would be typical screening. Mr. Gatto asked if the applicant would have any issue with screening be at the determination of the Township Engineer. Mr. Salant stated that such a fence may lower the amount Mr. Nadel also stated that there would not be any glare from the panels. Concerned that there would still be an aesthetic issue, Mr. Gatto stated that they can come back with a landscaping plan for screening or any approvals could be conditioned upon approval of the Township Engineer.

Mr. Bazzurro stated he was concerned that more and more people are converting their yards into solar farms. In his opinion, this is something that the Board should look into and consider.



Mr. Gatto asked Ms. Keller if she/Paul Phillips could look into solar field array ordinances and compare to roof mounted systems.

Mr. Cook was comfortable with the proofs for this particular property only because it is such a huge piece of property and doesn't feel it will change the aesthetics.

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. Bazzurro, all in favor, aye. Mr. Shortmeyer moved that a positive resolution be prepared, understanding the condition of the landscaping to be approved by the Township Engineer, seconded by Mr. Kash, all in favor, aye.

**“C” Variance Application # 011-16**

**Pashkevitch, Oleg & Elena**

**Block 102, Lot 54 – 419 Ely Harmony Road**

Proposal to construct a covered patio on an existing home that is on a pre-existing non-conforming lot to the zone. Variance request for impervious coverage (12.83% where 5% allowed) on a lot with approximately 2.47 acres in the R-E zone, 10 acre minimum, and other pre-existing non-conforming bulk requirement conditions.

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.

Salvatore Alfieri, Esq. appeared on behalf of the applicant. Mr. Alfieri had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. The following witnesses were sworn: Mr. Oleg Pashkevitch, homeowner/applicant; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultants; and Timothy P. White, Township Engineer.

Ms. Keller confirmed the impervious coverage numbers as an increase with the proposed application, totaling 7% over the maximum allowed.

Mr. Alfieri explained that two (2) new variances are created as a result of this application, one being the patio is closer to the road (108 ft existing and 93 ft proposed) and the other variance is the impervious coverage goes up 4/10 %. This property is only about two (2) acres in a ten (10) acre zone which makes the owner required to come to the Board for any improvements on the property. Mr. Alfieri solicited the neighbors to try and obtain additional property for his client and only one neighbor responded – not interested, the others did not respond.

Mr. Pashkevitch said that he currently has no drainage issues on his property and feels that this application would not cause further issues and will not affect any of his neighbors as it would not be visible.

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. Kash, all in favor, aye. Mr. Bazzurro moved that a positive resolution be prepared, seconded by Mr. Kash, all in favor, aye.

**Amended Minor Site Plan and Variance # 698-1-16**

**Pediatric Health Care**

**Pediatric Health, PA**

**Block 70, Lot 28.01 – 470 Stillwells Corner Road**

Proposal to install a 20 kW standby generator at the existing Pediatric Health Care.



Ms. Donna Jennings, Esq. appeared on behalf of the applicant. She stated that the applicant is seeking Site Plan approval to install an emergency generator and a variance from 190-133(d) for impervious coverage for the 9 s.f. additional coverage from the emergency generator.

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

The following witnesses were sworn: Chester DiLorenzo, Planner and Engineer-MidState Engineering; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultants; and Timothy P. White, Township Engineer. Ms. Jennings had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. She agreed that they would be able to comply with Mr. White's review comments.

Mr. DiLorenzo was accepted as a professional Planner and licensed Engineer, he had testified before the Board before. He explained that the lot is approximately 1 acre and is contiguous with the school. The nearest residence to the southeast is approximately 160' from the proposed generator. The property was granted a "D" Variance approximately ten years ago. The property is heavily landscaped and the drainage is sufficient and will not change as a result of the generator. They are proposing a 20 kW generator, the noise will not negatively impact the neighbors. He stated that they propose to add additional screening/landscaping around the generator, to be approved by the Township Engineer. The purpose of the generator would be utilized to keep vaccines and medications refrigerated during a power outage. Patients are seen at the doctor's office seven (7) days a week. The applicant offered to landscape or fence as required by the Township Engineer. Tim White's review letter noted that the Township Ordinance now requires a masonry refuse enclosure and Mr. DiLorenzo stated that the applicant had no objection to installing this to the satisfaction of the Township Engineer.

Mr. Gatto said he felt they have addressed the planner's testimony. He expressed his concern for the generator being tested while the school arrival/dismissal time and should be restricted to be done between 9 am and 2 pm.

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. 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. Ms. Sims described the upcoming agendas.

#### **ADJOURNMENT:**

There being no further business, a motion was made to adjourn the meeting and passed unanimously. The meeting concluded at 7:43 pm.

Respectfully Submitted,

Robert H. Shortmeyer, Secretary