



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

REGULAR MEETING MINUTES
December 1, 2016

The Regular Meeting of the Planning Board was called to order by Mr. Gatto on Thursday, December 1, 2016 at 7:00 p.m. at the Freehold Township Municipal Building, One Municipal Plaza, Freehold, New Jersey. Mr. Gatto read the Notice of the Open Public Meetings Law: "In accordance with the Open Public Meetings Law, (c.231.P.L. 1975), this meeting was announced by posting the notice on the bulletin board reserved for that purpose; by mailing such notice on January 14, 2016 to the official newspapers of the Township and by filing such notice with the Township Clerk."

Present: Mr. Cook, Mr. Bazzurro, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno, Mr. Kirk, Mr. Coburn, Mr. Asadi and Ms. Kurtz.

Absent: Mr. Ammiano.

Also Present: Francis Accisano, Esq., Board Attorney; Timothy P. White, Township Engineer; Danielle B. Sims, Administrative Officer.

There was the Pledge of Allegiance. Ms. Kurtz was seated for Mr. Ammiano. Mr. Asadi arrived.

MINUTES:

A motion to approve the minutes of the June 16, 2016 was made by Mr. Shortmeyer and seconded by Mr. Gatto and passed with the following roll call vote: Aye: Mr. Bazzurro, Mr. Shortmeyer, Mr. Bruno, Mr. Kirk, Mr. Coburn, Mr. Asadi and Ms. Kurtz.

RESOLUTIONS:

Amended Preliminary and Final Major Site Plan w/ Waiver of Site Plan Details # 631-1-16
TD Bank, N.A.
Block 85.12, Lot 23 – 600 West Main Street

Mr. Shortmeyer made a motion, seconded by Mr. Cook 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, Mr. Coburn and Ms. Kurtz.

FIELD ADJUSTMENT CONSIDERATION:

Field Adjustment # 2 – Major Site Plan # 417-1-15
Irwin-Lincoln Mercury Company
Block 67, Lot 1

Proposal to remove the existing fabric canopy and install an 8' high prefab. metal canopy on the building over two existing doorways, which were not included as part of the original application/approvals.



William J. Mehr, Esq. appeared on behalf of the applicant. He explained that the awnings would be black or silver to match the building. Mr. Gatto explained that the Field Adjustment Committee reviewed the proposed field changes for the two wall canopy awnings and stated that since they were in the rear of the building, they had no issues with the improvements. The Field Adjustment Committee recommended that the Planning Board approve the field adjustment request. There was a motion to approve it by Mr. Cook, seconded by Mr. Kash, all in favor, Aye.

NEW APPLICATIONS:

Minor Subdivision # 896-16

E. Brock LTD, LLC (Applicant)

E. Brock LTD, LLC and Michael Katerinis (Owners)

Block 91, Lots 22, 23, 24 and p/o 25

Proposal to subdivide 5.27 acres from existing Block 91, Lot 25 (owned by Katerinis) and the consolidation of the subdivided portion with existing Lots 22, 23 and 24, into one lot, currently owned by E. Brock LTD, LLC. No development is proposed at this time

William J. Mehr, Esq. appeared on behalf of the applicant. 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, therefore, the Board has jurisdiction to conduct a public hearing. Mr. Mehr had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. Mr. Mehr stated they would be able to comply with Mr. White's review letter with the exception of #'s 9 & 10, where they will testify to. The following witnesses were sworn: John Ploskonka, PE, Concept Engineering; Timothy P. White, Township Engineer.

Mr. Mehr explained that they are proposing to remove approximately five (5) acres from Mr. Katerinis' property and append them to Mr. Brock's property. Additional Exhibits were marked into evidence.

John Ploskonka has previously appeared before the Board and he was accepted as a professional engineer and planner. Mr. Ploskonka described A-11 as an aerial of the lots showing an overlay of the proposed property lines. The Katerinis property will remain perfectly conforming, all variances are pre-existing with the exception of lot 23 whereas they have widened the road to comply with the County ROW and creates a new variance. All existing structures on the lots will remain. Mr. Ploskonka reviewed the discrepancies in the lot sizes and was asked to submit a letter clarifying the numbers to Mr. White for review.

Mr. Mehr addressed the comments regarding the greenhouses/structures that are crossing property lines, stating that all of the affected lots are under common ownership and are currently farmed. Mr. Accisano pointed out that any approvals would not grant approvals for existing structures on lot lines and no further structures would be permitted to be placed on property on the lot lines.

Mr. Ploskonka stated that in his opinion, there is no impairment to the Master Plan or with the general public with granting the approvals. He also testified that the rear line was drawn in this manner in order to keep the lot conforming.

Mr. Gatto opened the meeting to the public. There was no one there from the public and Mr. Shortmeyer made a motion to close the public portion and was seconded by Mr. Bazzurro, all in favor, aye. Mr. Shortmeyer moved that a positive resolution be prepared, this was seconded by Mr. Kash, all in favor, aye.

**Amended Preliminary and Final Major Site Plan # 679-2-16 and “D” Variance # 017-16****D & L Realty Associates, LLC****Block 69, Lot 47 – 341 West Main Street (Colonial Plaza)**

Change of use in the P-1 zone. Proposal to convert the vacant pharmacy into a restaurant (Salad Works). No signs are proposed as part of this application

(See previous apvls: SP# 679-01, Var. #019-01, Var. # 004-13/SD# 888-13 and Var. # 004-13/SP# 679-1-13)

Mr. Cook left the dias and the room for this application, as he is not eligible to hear “D” variance applications.

William J. Mehr, Esq. appeared on behalf of the applicant. 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, therefore, the Board has jurisdiction to conduct a public hearing. Mr. Mehr had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. Mr. Gatto stated that the sign for the new “Salad Works” restaurant should have been included as part of the application and the applicant will be required to come back to the Board for the sign. Mr. Gatto explained that the previous applications for this site were heard by the Township’s previous Zoning Board as the site is operating under a use variance. The following witnesses were sworn: Christine Nazzaro-Cofone, PP; Timothy P. White, Township Engineer. There were no additional exhibits marked.

Ms. Christine Nazzaro-Coffone described her qualifications as a licensed planner and was accepted by the Board as a professional planner. She described the application as re-purposing 1,910 s.f. of the existing strip mall in the P-1 zone. Restaurants are not permitted in this zone, even though restaurant use is predominant within the shopping center, and can be considered particularly suitable. She explained how retail and restaurants have great synergy within in a shopping center. Ms. Nazzaro-Coffone explained that the Township Ordinance calculates parking requirements by the size of the shopping center, and when applying the requirements, the site would require 146 parking spaces; whereas 171 exists, in her opinion, sufficiently parked.

The proposed tenant space can be considered sufficient space and appropriate location for the proposed use. Ms. Nazzaro-Coffone continued by stating that this applicant would be promoting the general welfare with healthy quick food options. She explained how this application would promote the efficient use of the land in keeping the tenant spaces within the shopping center full. The Township has recognized this area as a vibrant area and particularly suited as the applicant has been granted Board approvals for multiple expansion. Recognizing this, she does not feel that there are any detriments in allowing the restaurant to occupy the leased space.

Mr. Gatto inquired about the outstanding comments in Mr. White’s review letter and clarified that the applicant is seeking a waiver from providing various submission items, including the tenant plan for the multi-tenant building and from providing the architect’s certification, as they are not changing the existing tenant space or the size of the building. Mr. White explained that the need for this is because of the anticipated increase in parking need with the more intense use, now there is about 40% restaurant use within the shopping center, moving away from the intent of the ordinance and can alter the parking space requirements. Ms. Nazzaro-Coffone stated, despite this, the site is still adequately parked. Ms. Kurtz (was a member of the former Zoning Board of Adjustment) added that she recalled that part of the intent of the Zoning Board was to ensure that if there was a change in occupancy/type of business, that the site would still be adequately parked.



Mr. Bazzurro inquired about who the parking spaces in the rear of the site. Mr. White explained that the previously approved application indicated that the spaces would be used for employees and overflow customers.

Mr. Gatto opened the meeting to the public. There was no one there from the public and Mr. Shortmeyer made a motion to close the public portion and was seconded by Mr. Bazzurro, all in favor, aye. Mr. Shortmeyer moved that a positive resolution be prepared, this was seconded by Ms. Kurtz, all in favor, aye.

Mr. Cook returned to the meeting room and found his seat at the dais. Mr Asadi

**Amended Preliminary and Final Major Site Plan and Variance # 763-2-16
Ocean First Bank**

Block 70, Lot 20.07 – 308 West Main Street (Freehold Marketplace)

Proposal to change (reface the existing) signs at the Ocean First Bank to a new corporate logo.
Variances requested.

Peter Licata, Esq. appeared on behalf of the applicant. 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, therefore, the Board has jurisdiction to conduct a public hearing. Mr. Licata had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. The following witnesses were sworn: Doug Rohmeyer, ESP Associates; Christine Nazzaro-Cofone, PP; Timothy P. White, Township Engineer. Additional exhibits were marked.

Doug Rohmeyer explained that they are proposing ten (10) signs (8 were originally submitted and 2 were not included in the original submission). Mr. Gatto explained that the bank is changing their logo and is seeking to replace the signs on the site. Mr. Rohmeyer indicated that the applicant would agree to sealcoat and re-stripe the parking lot. He stated that eight of the ten signs are to be replaced in kind, including the signs containing four (4) colors and a logo, only replacing the face of the signs with the new sign logo, the other two signs would be changing the height to 5'2".

Mr. Gatto opened the meeting to the public. There was no one there from the public and no questions from the Board.

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

Christine Nazzarro-Coffone stated that there were no sight triangle issues or visibility issues and there were no negative impacts or detriments with the proposed change in signage.

Mr. Licata asked that the Board memorialize the application as they would like to move towards getting their building permit for the signs. Mr. Accisano took no exception, especially with this being the last meeting of the year and the memorialization would typically take place with the new Board. As such, Ms. Kurtz made a motion to memorialize the approval with the discussed conditions, this was seconded by Mr. Cook, all in favor, aye.

DISCUSSION:

Mr. Gatto explained that with the merger of the Planning and Zoning Boards this past year and the criteria applied by the different Boards, it is recognized that the requirements for some applications can



be overly burdensome. He explained that there is a letter from Mr. Accisano, introducing the concept of a (Sign &)* Waiver Review Committee to make recommendations in waiving submission requirements. Mr. Gatto asked the Board if they had any questions or comments and if there weren't any, they would be moving forward in implementing this in the New Year. Mr. Accisano explained that this (Sign &) Waiver Committee Review would be done with a formal application to the Board for their recommendation, similar to how the Sign Sub-Committee functions. Mr. White stated that many years ago, there was an application for Site Plan Waiver and there are many resolutions granted with the same. He suggested that there should be a separate application, that would not contain so many submission requirements and the fees would be less, making these minor applications much more streamlined. Mr. Accisano explained that the (Sign &) Waiver Review Committee cannot grant any approvals and can only recommend to the Board. He said that the application Mr. White described may be a good option, but he would have to look into it.

The Board had asked Paul Phillips/Kate Keller to prepare some information regarding Ground Mounted Solar Arrays in residential zones. Mr. Gatto asked the Board to review the summary provided to them and to send any comments to Danielle Sims. This subject would be included on the next Master Plan Committee Meeting agenda for their comments and consideration.

The Board set the date of Reorganization Meeting for January 19, 2017 at 7:00 pm with the regular meeting to immediately follow by Ms. Kurtz making a motion and was seconded by Mr. Cook, all in favor, aye.

Mr. Gatto reviewed the draft meeting dates for the upcoming year, including a Special Meeting for the Bellemead applications on January 26, 2017.

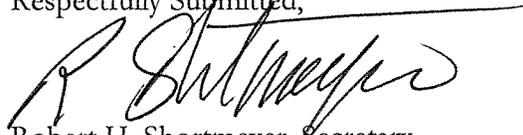
Mr. Gatto reviewed the upcoming applications.

There were several Board members that stated they would not be available for the meeting scheduled for December 15, 2016. Mr. Shortmeyer made a motion to cancel the December 15, 2016 meeting, was seconded by Ms. Kurtz, 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 8:08 pm.

Respectfully Submitted,



Robert H. Shortmeyer, Secretary

* Upon further review, it was realized that the Sign Committee could not be amended without an Ordinance Change since the Sign Committee was established by Ordinance. This later became the Submission Waiver Committee.