



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

REGULAR MEETING MINUTES
March 2, 2017

The Regular Meeting of the Planning Board was called to order by Mr. Gatto on Thursday, March 2, 2017 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.

Present: Mayor Preston, Mr. Ammiano, Mr. Bazzurro, Mr. Gatto, Mr. Kash, Mr. Bruno, Mr. Kirk, Mr. Asadi and Ms. Kurtz.

Absent: Robert Shortmeyer and Mr. Coburn.

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

Chairman Gatto called the meeting to order: "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 19, 2017 to the official newspapers of the Township and by filing such notice with the Township Clerk."

Mr. Gatto offered a recognition of accomplishments and services and a moment of silence in memory of Eugene Golub, former Mayor and Committeeman, who passed away on February 20, 2017. Mayor Preston added his thanks and blessings. Mr. Ammiano remembered "Gene" as an asset to the Planning Board and to Freehold Township.

There was the Pledge of Allegiance.

MINUTES:

A motion to approve the minutes of the September 15, 2016 meeting was made by Mr. Bazzurro, seconded by Mr. Kash and passed with the following roll call vote: Aye: Mr. Bazzurro, Mr. Gatto, Mr. Kash, Mr. Bruno, Mr. Kirk and Mr. Asadi.

A motion to approve the minutes of the February 16, 2017 meeting was made by Mr. Kash, seconded by Mr. Ammiano and passed with the following roll call vote: Aye: Mr. Ammiano, Mr. Bazzurro, Mr. Gatto, Mr. Kash, Mr. Bruno, Mr. Kirk and Ms. Kurtz.

RESOLUTION:

Interpretation/Appeal of Zoning Officer's Decision # 001-17
Open Minded, LLC – Ruthann Buccheri
Block 44, Lot 3 – 843 Route 33 East



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

BOARD PRESENTATION:

A presentation was made to the Planning Board regarding the Monmouth County Route 537 Corridor Roadway Improvements. Mr. Joseph Ettore and Daria Jakimowska appeared from Monmouth County Engineering to present the study. Daria Jakimowska is the chief traffic engineer and the project manager to the project. The project is federally funded and has four phases. The engineering plans are being developed at this time. From Hadersty & Hanover, LLC, Michael Swietanski, PE and Matthew Witkowski, PE appeared to present the project. They are currently in phase II of the project, preliminary engineering phase, more detailed engineering based on the previous plan and comments. Fifteen foot wide outside lanes and sidewalks will be provided throughout and on both sides of Route 537. At the Sentinel Road intersection, the length of left turn lane will be widened. At Hospital Drive and Iron Bridge intersection, the left turn lane will be increased. The Wells Fargo turn will become right in right out only. Access to Wells Fargo westbound will be from Iron Bridge Road. At Village Center Drive and Redwood Lane, the eastbound left turn has been extended. The TD Bank Driveway will become right in right out with access being made from Redwood Lane. Bus turnouts are being proposed with enhanced sidewalks. On Stillwells Corner & Wemrock Road they will have two left turn lanes east bound and west bound and eastbound will have a right turn and through lane. Route 537 westbound will have an exclusive right turn lane only. East of this intersection will be three lanes in each direction. Dual left turns and dedicated right turn lanes will be provided at Stillwells Corner Road and Wemrock Road. Left turns from Route 537 will be restricted where there are 6 lanes (3 each direction). At Mount's Corner and Moore's Tavern, there will be a restriction on the left turns across the roadway.

At Castronova Way/Walmart Drive intersection, the left turn to Castronova Way will have a double left turn lane used to head eastbound on Rt. 537. When exiting Walmart Drive, the right lane exiting to Rt. 537 will be widened to allow for the trucks to exit easier. At Route 33, a sidewalk will be added on the westbound side of the bridge for Route 537. Westbound will maintain 2 lanes, where the on-ramp will be converted from a yield to a stop before the merge. At Trotters Way, three through lanes will be maintained and merge down to two lane (currently at three to one). The southbound right turn lane will be a yield to the through traffic. The loop ramp will also be improved.

Stillwell's Corner intersection will have an increase of lanes and will result in property acquisitions, four parcels will have property taken heading west to the intersection. This will be due to the widening of the roadway. At the office building at the end of Stillwells Corner, there is a possibility of an entire acquisition of the property due to sight lines and access. In front of Moore's Tavern, they will be taking a strip for sidewalk (about 12-15 feet) and widening the lane. Mount's Corner will be able to keep the proposed R-O-W line to the curb line of the existing parking lot.

The project is scheduled to complete the phase II, planning/engineering design, around early 2018. Phase III will take about three (3) years. Construction is anticipated to start about 2020-21. Matt described the current level of service in these areas as rated a level E and F. Level of service with these changes would be D or better (based on growth through 2032). Mr. White added that there will be a traffic light that will be installed at Sentinel Drive that is not included as part of the County's obligations. It should be noted that the approved CVS at Redwood Lane is required to widen Redwood Lane, which is not included in this presentation as it is not part of the County's proposal.



Mr. Ettore added that this is one of the largest east/west corridors in Monmouth County. The project may be completed in phases as it includes some major bridge construction and preparation. Since it is a federally funded project, the County cannot guarantee when and if the phases would be advanced. There is no guarantee that the funding would be available as several major projects are depending on the same funding, including other major projects within the County. They are currently searching for a cohesive plan for the corridor and hope that the project would be fully funded.

Mr. Ammiano asked about the County's thoughts on the intersection of Route 524 and Route 537. Mr. Ettore explained that the County has evaluated several options and is currently looking to keep the intersection the same but add a traffic signal. Mr. Ettore added that any comments regarding the presentation can be submitted directly to the County, but will not be addressed until the public meeting late spring.

The Board thanked the County and the engineers for providing the presentation to the Board.

Mr. Bazzurro was appointed temporary secretary, with no objections.

NEW APPLICATIONS:

Amended Preliminary and Final Major Site Plan # 701-5-16 and Conditional Use

Variance # 020-16

Ray Catena – Mercedes

Block 4, Lot 44 – 4380-Route 9

Proposal for site plan & conditional use permit for 3,000 gallon gasoline AST, a 1,000 gallon diesel AST with pumping equipment on a 613 s.f. concrete pad and a 50' high flagpole within the 100' setback.

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 so 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: Sean Savage, PE, MatrixNewworld; Robert Gallagher, Christine Nazzarro-Cofone, Planner; Paul Phillips, Phillips Preiss and Grygiel, Township Planning Consultant; and Timothy P. White, Township Engineer. Additional exhibits were then marked into evidence.

Sean Savage had previously appeared and been qualified by the Board and was accepted again as a professional engineer. Mr. Savage described the proposed circulation to access the proposed fueling tanks. The area surrounding the fueling area is used for inventory storage cars. The adjacent commercial property building is about 350 feet from the building to the proposed tanks. The tanks would be at least 500 feet from the closest residential building. They would be protected and screened by existing trees and they have no intention to expand the footprint. The applicant will provide the load calculations for the proposed wall. Mr. Savage noted that if there are areas that need to be screened, they must do so. A wall is required per township ordinance and a variance is needed. The wall is needed to secure the tank and to screen it. There will also be bollards across the front to protect the tanks, approximately three (3) feet apart. The gate on the trash enclosure is being replaced. The flagpole is the other requested variance.

Mr. Robert Gallagher, Ray Catena Auto Group, appeared on behalf of the applicant. He noted that fuel deliveries are typically done mid mornings with a frequency of about twice a week. Garbage is also



picked up twice a week, but done mid-morning. This is expected to be done similar as the AST at their other dealership, Ray Catena Audi.

Ms. Nazzarro-Cofone was previously qualified and was accepted as a Professional Planner. She pointed out that this application is for a D-2 conditional use variance. The proposed fuel tank is approximately 471 to the property line and 224 nearest neighbor, which is non-residential in nature. The proposed tanks are sufficiently safe and screened. A "C" variance is requested on the northeast corner of the property for a flagpole within the setback requirements. In her opinion, this is an appropriate location for the flagpole. They are proposing the flagpole location at about 40 feet to property and about 67 feet to the traveled right-of-way of Route 9. This would be a C-2 variance due to the fact this is not a massive no structure, only a flagpole, and no substantial detriment in the location. There is no other practical location for this flagpole on the site that would conform to the setback requirements. It functions at the corner of the property. Ms. Cofone feels that they had met the burden of proof and that the Board could grant the requested variances.

Mr. Phillips, agreed that since it is a fully developed site and also that this location of the flagpole makes the most sense. The location of the fueling tanks would also be a good location and is sufficiently screened with the vegetation. The bollards will help secure the tanks and therefore meet the intent of the requirement for the masonry wall.

Mr. Gatto asked if there were any questions from the public. A motion to close the public hearing was made by Mr. Bazzurro, seconded by Mr. Kash, all in favor, aye. Mr. Ammiano moved that a positive resolution be prepared, seconded by Mr. Kash, all in favor, aye.

"C" Variance Application # 002-17

Michael Coma

Block 105, Lot 29 – 371 Jackson Mills Road

Proposal for a 57'3" x 13'9" ground mounted solar array in the R-40 zone, a non-permitted accessory structure on a property with non-conforming lot width.

Mr. Michael Coma appeared and stated he would be representing himself. 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 explained this is a technical exercise and asked the applicant if he was comfortable representing himself. Mr. Coma stated he was. Mr. Coma had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. Additional exhibits were marked. The following witnesses were sworn: Michael Coma, homeowner/applicant; Paul Phillips, Phillips Preiss and Grygiel, Township Planning Consultant; and Timothy P. White, Township Engineer.

Mr. Coma described that the location is approximately 330' from the street. It would be in the cleared area running alongside the chicken coup on his neighbor's property. He previously spoke to the Shade Tree Department who informed him that he is not required to get a permit to remove any trees within 100' from his house. He has slowly been doing this and presented photos showing the area. Mr. Coma described the visual impacts of the proposed solar array. Mr. Coma described the benefits of having this solar array would be to limit the electric use on the property and there would be no detriments.

Mr. Phillips stated that the applicant would meet the required setback for an accessory structure and due to the narrowness of the lot, w=it would be a good location. There is existing vegetation that is sufficient to screen the solar array, would meet the requirements of the Township. Mr. Coma stated



that he had no intention of removing the vegetation and agreed that he would continue to maintain the vegetative screening.

Mr. Gatto asked if there were any questions from the public. A motion to close the public hearing was made by Mr. Bazzurro, seconded by Mr. Ammiano, all in favor, aye. Mr. Kash, moved that a positive resolution be prepared, seconded by Mr. Ammiano, all in favor, aye.

“C” Variance Application # 022-16

Laspisa, Louis

Block 104, Lot 34.09 – 187 Nomoco Road

Proposal to convert an existing wood balcony into a 170 s.f. addition to the rear of the house and to construct a one-story three (3) car garage and storage area on an undersized lot in the RE-zone. New bulk variances are being requested.

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 so 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. The following witnesses were sworn: Alan Zimbler, Architect; Louis Laspisa, homeowner/applicant; Paul Ricci, Planner; Paul Phillips, Phillips Preiss and Grygiel, Township Planning Consultant; and Timothy P. White, Township Engineer. Additional Exhibits were marked.

Mr. Mehr stated that they would comply with the comments in Mr. White’s review letter.

Mr. Alan Zimbler had been previously qualified as an architect and was accepted by the Board. He explained that a wood deck at the rear of the home is to be taken down and a 170 s.f. bathroom addition with a crawl space is being added in its plan. The property is in the RE zone and the site is under sized and very restrictive. The 36’ x 30’ proposed garage can only be placed in this proposed location as the rear yard is already within the front yard setbacks. The proposed garage will be sided and will have a similar asphalt roof to the main structure. Due to the zoning, the ordinance requires any work on this property to request a variance.

Mr. Laspisa explained that he is looking to add a master bathroom because the existing master bath is small and outdated. The existing master bath will be converted to a walk in closet. The purpose of the three car garage is for his collectable cars and to store his property maintenance equipment. There are no other outside storage sheds on the property.

Paul Ricci described his qualifications as a planner and was accepted as a professional Planner. He described A-13 as the parcel map with the zone lines highlighted. This property is in the RE zone but is adjacent to the developed area in the R-80 zone. It is the last developed lot before the park area and is more particularly suited for the R-80 zone. If this lot was located in the R-80, the proposed accessory structure would fall within the setback requirements. The proposed garage would be placed in the side yard instead of the rear yard due to the sloped areas and the irregular shape of the lot. Mr. Ricci explained that the homeowner could have attached the garage; however it would be a long run on the house, and would not have a desirable look. The closest house to the proposed garage would be on the opposite side of the existing house, and would be about 300’. The areas surrounding the other sides of the property are undevelopable park land and utility land.

Mr. Phillips took no exception to the testimony provided.



Mr. Gatto asked if there were any questions from the public. A motion to close the public hearing was made by Mr. Kash, seconded by Mr. Bazzurro, all in favor, aye. Mr. Ammiano, moved that a positive resolution be prepared, seconded by Mayor Preston, all in favor, aye.

**Preliminary and Final Major Site Plan # 883-16 and Variance # 025-16
Soil Removal/Fill Application # SR-07-16**

AAA Club Alliance, Inc.

3478 Route 9 Automotive Realty, LLC

Block 71, Lot 14 – 3478 US Highway Route 9

Approval to retrofit and put an addition on the vacant car dealership and occupy it with a AAA facility to provide insurance and travel agency services and basic auto maintenance services in the CMX-3A zone. There is no proposed change for the portion of the property that is in the CMX-3 zone (currently a paved lot). The soil application is a proposal to import approximately 400 c.y. of fill onto site in conjunction with the site plan application.

Howard Geneslaw, 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 had jurisdiction to conduct a public hearing. Mr. Geneslaw had no objection to the exhibits that were marked in. Mr. Gatto read the review letters into record. The following witnesses were sworn: Christian Roche, Civil Engineer, Langan Engineering; Daniel Disario, Traffic Engineer, Langan Engineering; Ryan Doherty, Architect, ai Group; Greg Woodruff, Planner, Langan Engineering; Paul Phillips, Phillips Preiss and Grygiel, Township Planning Consultant; and Timothy P. White, Township Engineer. Additional exhibits were marked into evidence.

Ryan Doherty described his qualifications and was accepted as a professional licensed architect. Referring to the color elevations, Mr. Doherty explained that they propose to skim the façade and keep the existing masonry block, which will be painted. The façade will have an efface material. New overhead bay doors with glass windows will be installed. The awnings will be dark bronze. The entry feature will be a white metal material with the AAA logo sign centered over the entry feature. The parapets will hide all of the mechanical units. The side elevations will match the front in style and character. They would be painting the existing block on the rear elevation. Mr. Doherty stated that they are proposing a red accent color on an entry feature, a metal canopy structure, and has reduced the amount of red proposed. The colors were kept to a minimum but they are looking for variance since there are two shades of beige on the building. They have removed some of the colors originally proposed in order to more closely comply with Township ordinances and to tone down the contrast in colors. Wall sconces are proposed in the dark bronze color to match other features on the building.

Chairman Gatto explained that there are issues with the proposed red and the close proximity of it to Route 9. He explained that the red color can be softened and then would be more acceptable to the Board. He took no issue with the proposed metal feature. He also asked if more colonial features be added to the façade of the building to break it up. Mr. Gatto explained that the sign would be better if the base was wrapped in something complimentary to the building (not gray), or a planter feature be added at the base. Mr. Doherty offered that the sign could have a brick base added to it as long as the parking would not be affected. Mr. Gatto also stated that in the rear of the building, the vegetation is old and sparse. He requested that some landscaping features also be added to this area.

Christian Roche described his qualifications as an engineer and was accepted as a professional by the Board. He explained the proposed landscaping. With the exception of the area of the loading zone



(adjacent to Mr. Fence) and since the existing building is only approximately 14' from the property line, he feels they have proposed sufficient landscaping. There would be one way circulation around the building in this area. The pavement on the adjacent northern portion of the lot will be removed and grassed over. Mr. Roche stated that they would be able to add more landscaping in the corner, but not along the pinch point. Mr. Gatto was satisfied with this since the adjacent property owner is in the process of making an application and can be considered for that application since it cannot be accommodated on this site. Mr. Roche explained that there would be five new large trees added on the northern portion of the site.

There was a 10 minute break.

Mr. Geneslaw stated that they would be able to comply with the Board's recommendations, but may also have an issue with the color red. If so, they would offer to could come back and re-visit this, should they not be able to comply.

Mr. Gatto clarified the concerns of the Board and the outstanding issues in the review comments.

Mr. Geneslaw stated that they had no objection to Mr. White's comments. Sidewalks would be at the decision of the Township Engineer to install or to waive the requirement and make a contribution in lieu of installing same.

Mr. Gatto confirmed that the applicant would resubmit architectural plans to the satisfaction of the Board's architectural consultant, Speizle Architectural Group, in order to more closely comply with the ordinance and the Board's concerns. Mr. Geneslaw confirmed they would do this.

Mr. Phillips explained that the only issue he had is the side yard setback to Mr. Fence, which is existing and includes a buffer issue where the building is existing within the buffer area. The side setback will be exacerbated and they should provide testimony.

Greg Woodruff described his qualifications as a planner and was accepted as a professional by the Board. He described the side yard setback as an exacerbation and a hardship as it is existing. He is comfortable with the civil engineer's proposed width. Mr. Woodruff grouped together the reasons for the sideyard setback and the buffer as being existing. The second grouping is considered architectural and some of the requested variances would go away with the additional offerings made during the hearing. The façade would be given a new, fresh and updated (Purpose I under MLUL). The logo of the AAA sign would also include a variance as requested, as it is a registered logo, their trademark.

Daniel Disario described his qualifications as a traffic engineer and was accepted as a professional by the Board. He stated that he had no problem complying with the review comments, but noted that any changes to the driveway within the right-of-way would require them to close the driveway along the jug handle. He explained that the driveway is critical to the applicant and the project would be severely compromised if the jughandle was lost. They will instead be resurfacing the driveways to the curb cuts, and this would only require a maintenance permit from the NJDOT. The curbing would stop at the right-of-way. The width and location of the driveways cannot be changed under their existing permit.

Mr. Geneslaw stated that they would be able to comply with the report for the soil removal/fill application.

Mr. Gatto asked if there were any questions from the public. A motion to close the public hearing was made by Mr. Kash, seconded by Mr. Ammiano, all in favor, aye. Mr. Kash, moved that a positive resolution be prepared, seconded by Mr. Ammiano, all in favor, aye.



DISCUSSION:

Ms. Sims reviewed the upcoming agenda for March 16, 2017.

ADJOURNMENT:

There being no further business, a motion was made to adjourn the meeting and passed unanimously. The meeting concluded at 9:25 p.m.

Respectfully Submitted,

Robert H. Shortmeyer
Secretary