



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

REGULAR MEETING MINUTES
April 6, 2017

The Regular Meeting of the Planning Board was called to order by Chairman Gatto on Thursday, April 6, 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: "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."

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

Absent: Mr. Ammiano, Mr. Bazzurro and Mr. Coburn.

Also Present: Frank Accisano, Esq.; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultant; Matthew J. Bryant, Township Assistant Engineer and Danielle B. Sims, Administrative Officer.

There was the Pledge of Allegiance.

MINUTES:

A motion to approve the minutes of the March 16, 2017 meeting was made by Mr. Shortmeyer, seconded by Mr. Preston and passed with the following roll call vote: Aye: Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno, Mr. Kirk and Mr. Asadi.

RESOLUTIONS:

Preliminary and Final Major Site Plan # 883-16 and Variance # 025-16
AAA Club Alliance, Inc.
3478 Route 9 Automotive Realty, LLC
Block 71, Lot 14 – 3478 US Highway Route 9

This resolution was carried to the May 4, 2017 meeting. Frank Accisano noted that the applicant is still working on details regarding the resolution conditions and the matter will be carried to the May 4, 2017 hearing.

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

See Site Plan # 883-16: This resolution was also carried to the May 4, 2017 meeting.



“D” Use Variance Application (Bifurcated) # 006-17

JAT Associates (Applicant/Contract Purchaser)

Infiniti of Freehold (Project Name)

Block 80, Lots 6 & 7 – 3413-3415 Route 9

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

CARRIED APPLICATION:

Site Plan with Waiver of Site Plan Detail # 585-2-16 and “D” Variance #014-16

Freehold Shopping, LLC (Applicant/Owner) **(CARRIED from 2/2/17)**

Block 50, Lot 25 – 3691 US Highway Route 9

Proposal to renovate the shopping mall façade and replace the former Freehold Music Center with an Aldi’s Supermarket.

Mr. Gatto announced that the applicant had requested that the application be carried to a later date and that the hearing for this application will be heard on June 15, 2017 at 7:00 pm without further notice. He offered to anyone present for this application to contact the Planning Office before the new hearing date to confirm the application for that night.

NEW APPLICATION:

Preliminary Major Site Plan # 890-17

PIRHL Acquisitions, LLC

Wemrock Senior Living

Block 69.01, Lot 23 – 168 Route 33

Proposal to construct a three-story senior housing building containing 67 dwelling Units (58 one-bedroom and 9 two-bedroom), 68 parking spaces and related site improvements.

Clint Allen, 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. Allen had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. The following witnesses were sworn: Jay Kruse, PE; Lara Schwager, Vice President of the Applicant; S. Maurice Rached, Traffic Engineer; Jaquelin R. Camp, Architectural Consultant; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultant; and Matthew J. Bryant, Township Assistant Engineer. Additional exhibits were marked.

Mr. Allen described that the application is only for preliminary site plan approval and for some design waivers. This application is a result of a recent Ordinance amendment. The attorney for the applicant put on record that they have waived the right to build on preliminary approvals. He stated that the latest round of review comments are fairly clean. There are 67 age restricted dwelling units proposed in a three story building on Route 33 Business. The site is approximately 7.35 acres in size and is in Planned Adult Community Overlay Zone. The applicant is requesting a waiver from providing sidewalk and is willing to make the sidewalk contribution in lieu of the installation. They are seeking a waiver for parking from RSIS standards. Sixty-eight (68) parking spaces are being provided and is consistent with the Township’s Ordinance. There are more than three colors on the façade and two materials, this can



be addressed on final approval, but it appears that they should be able to make it conform. They will be meeting all of the age restricted and income restricted requirements for moderate and low income as part of the application.

Jay Kruse, PE, described his qualifications, has previously appeared before the Board and was accepted as a professional Engineer. He described the site as roughly a 7.35 acre parcel and is located near the Toll Brothers- Parkside (SD# 895-16) application, recently approved. He described the surrounding properties including the Freehold Raceway Mall and stated that the site is fairly isolated. The site was previously used primarily as a residential lot where the owner was a landscaper, who utilized the site for the business. The area was cleared for the purpose of the landscaping business. They are proposing 67 residential units within the three story, age-restricted and low-moderate income, building. There will be a paved drive area from Route 33 to a parking lot. The driveway will need to be reviewed and approved by the NJDOT as it is on a State highway. The traffic generated is considered insignificant per standards. 68 parking spaces will be provided with a loop circulation on site. They also propose pedestrian circulation, a gazebo and covered porch area to be provided on site. A stormwater detention basin is being provided. The site is in the 300' riparian buffer and must adhere to special, stricter standards. Landscaping and lighting will be provided and they propose to maintain as much existing vegetation as possible. They will also be required to install additional landscaping per NJDEP requirements and will be done using the NJDEP standards. Referencing A-24, Mr. Kruse described the proposed landscaping and planting schedule as shown on the prepared plan. Sanitary sewer service for PIRHL will be provided by connection to an off-site gravity sewer main to be connected to a regional sanitary sewer pump station that currently proposed as part of the Regency at Freehold development (SD#895-16). Decorative lighting will be provided as shown on the plan. Mr. Kruse stated that they would be able to comply with all of the comments in Mr. White's review letter. The applicant is seeking relief for the HDPE pipe proposed and the Township Engineering office takes no exception to this since this outside of any areas a car would traverse.

Mr. Allen described that they will comply 50%/50% with low and moderate income housing requirements. The proposal will meet all of the code requirements for the apartments.

Ms. Lara Schwager explained that they are working out the details regarding the secondary access to the site per the Board's professional's comments. This would possibly be gained from an agreement for emergency access to the site from the adjacent cemetery.

Mr. Kirk asked about the number of accessible spaces being provided. Mr. Kruse stated that they are providing 4 whereas 3 are required.

Mr. S. Maurice Rached had previously testified before this Board and was accepted as a professional traffic engineer. He stated that the trip generation is insignificant and will not have impact in the area. Parking will be provided on site with 68 parking spaces. He has worked with many other municipalities and though the number of parking spaces being proposed do not meet the RSIS standards, they will meet the Township's standards in excess of one. He stated that in his opinion, the Township's Ordinance for senior housing is appropriate and from working on other sites throughout the State, he has recognized many utilized spaces when they follow the RSIS standards. Ms. Schwager explained that most of their other communities are parked at .75/residence. This application would allow for approximately 1/residence.

Mr. Preston inquired about possibly providing bus/shuttle services. Ms. Schwager stated that they have a service person on site that would coordinate with the existing local services to provide bussing.



Jacquelin Camp, a licensed architect in PA but not in NJ, was introduced, but not as an expert witness. She would only testify about facts, not her opinion. Referring to A-25, the board depicts the proposed rendering. In response to the comments regarding the façade colors and materials, she stated that there is red brick and vinyl siding. There will be fiberglass structural columns as an additional color and material. Mr. Leone took no objection in the previous meeting regarding this, but it would still require a waiver. This will be reserved to final approval to wait for expert testimony.

Mr. Gatto explained that this application is unique as it enhances the master plan and help the Township to meet its affordable housing obligations. The applicant requested that they would request that the Board grant the waiver for the sidewalk.

The requirement to install 145 feet of sidewalk along Route 33 was waived by the Board, and a contribution in lieu of the installation would be required. They would still provide on-site sidewalk for circulation for the residents.

The application was opened to the public.

Glen Steinberg, representative of the Freehold Hebrew Society (cemetery adjacent to the site) appeared and was sworn in. He explained his concern with an entrance sign that currently exists and conflicts with the Hebrew Society sign. The applicant offered to remedy this and move their sign to the other side of the driveway, subject to approval to the NJDOT. The other concern he expressed is that the site is lacking in parking. He stated that they would like to see a provision that if it is realized that they need additional parking, that they be required to provide the same. Mr. Gatto explained that is typically considered “banked parking”, but that this site is environmentally sensitive. Mr. Kruse responded that they looked at the areas along the entrance driveway which is outside the riparian area and that they can widen the driveway to have lateral parking along the driveway and would be able to bank the parking in this area if required. Mr. Kruse stated that they would be able to bank 5-6 additional spaces if needed. The Board stated that the banked areas can be considered at the Township Engineer’s discretion.

Carl Steinberg, Freehold Hebrew Society, appeared and was sworn in. He stated that if the applicant provided only one way circulation, it would force any additional cars to park along the curbside. The additional banked parking would allow extra cars an area to park and would prevent accidental parking in the driveway of the Jewish Cemetery.

There were no other members of the public that came forward to speak.

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

“C” Variance Application # 003-17

Angelo Spargifiore

Block 85.04, Lot 14 – 52 Mulberry Lane

Proposal for a one-story 3,331.46 sf addition to a house on a non-conforming lot (lot frontage).

Mr. Angelo Spargifiore entered his appearance, 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 confirmed that the applicant was prepared to move forward without an attorney, understanding that some things could be very technical in nature. Mr. Spargifiore stated that he would like to continue, representing himself.



Mr. Spargifiore had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. The following witnesses were sworn: Mr. Angelo Spargifiore, applicant; Mr. Angelo Spargifiore, Jr., son of applicant; Dale Mason, applicant's son-in-law; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultant; and Matthew Bryant, Township Engineer.

Mr. Dale Mason explained that the house is being demolished with the exception of the foundation. He stated that they have removed many old and dead trees from the property. The existing house had not been properly maintained and his father-in-law intends on building a nice home. Mr. Mason explained that they intend to install some evergreen shrubs at the front of the new house. He stated that the house is in an existing fully developed neighborhood and the lot as it exists is non-conforming and "oddly shaped". Other than the existing variances on the lot, no new variances will be required as a result of this house.

Mr. Bryant stated that a neighboring resident came in to the Township offices to inquire about a tree that had fallen, which they claimed came from the applicant's property, and fell onto their property. Mr. Spargifiore stated he will look into this. There was also a concern from a neighbor over the water accumulating near the rear property line in a swaled area. It was noted by the Township Engineer in the review letter that a grading plan would be required if the Board approves the application. The drainage would be reviewed at this time.

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

"C" Variance Application # 005-17

Fabio & Rose Apolito

Block 37.07, Lot 3 – 375 Stirrup Drive

Proposal to construct a 550 sf open pavilion with a 6' x 6' storage area.

Mrs. Rose Apolito entered her appearance, representing herself. 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 confirmed that the applicant was prepared to move forward without an attorney, understanding that some things could be very technical in nature. Mrs. Apolito stated that she would like to continue, representing herself. Mrs. Apolito had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. The following witnesses were sworn: Mrs. Rose Apolito, applicant; Mr. Fabio Apolito, applicant; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultant; and Matthew Bryant, Township Engineer.

Mrs. Apolito explained that the reason they are before the Board is because they are over the allowed impervious coverage. This was a condition that existed when they purchased the home, but they were not aware of this at the time.

They have some existing accessories structures on site, including a sports court and pool patio. Mrs. Apolito explained that they are seeking a variance to allow for a pavilion with a covered patio, countertop grill and a storage closet.

Kate Keller noted that there is a discrepancy of the size of the proposed pavilion between the survey and the floor plans provided. Mr. Apolito stated that the columns supporting the structure measure



391 s.f., the 550 s.f. indicated on the survey includes the soffits (cantilever) and the gutters on the roof structure. Kate Keller is concerned with the amount of the overhang. Mr. Apolito explained that overhang is aesthetically pleasing.

Mr. Gatto asked about the impervious coverage area and if there is a way to make the project less impacting on the impervious coverage. Mr. Bryant answered that they could remove some existing impervious coverage outside of the proposed project area or provide infiltration to mitigate the increase in runoff. Mr. Bryant further stated that the applicant has proposed a dry well to capture and recharge 1,600 s.f. of roof runoff as a means of mitigating the amount of impervious coverage in excess of the maximum allowed. Mr. Gatto asked if they could provide infiltration off of the existing sports court. Mr. Bryant explained that this could be an option, however the applicant's proposed infiltration via new dry well at the primary residence will mitigate the concerns of the Board.

There were no comments from the Board. There were no comments from the public.

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

DISCUSSION:

Ms. Sims reviewed the upcoming agenda for April 20, 2017.

ADJOURNMENT:

There being no further business, a motion was made to adjourn the meeting and passed unanimously. The meeting concluded at 8:34 p.m.

Respectfully Submitted,

Robert H. Shortmeyer
Secretary