



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

REGULAR MEETING MINUTES
July 19, 2018

The Regular Meeting of the Planning Board was called to order by Chairman Gatto on Thursday, July 19, 2018 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 24, 2018 to the official newspapers of the Township and by filing such notice with the Township Clerk.”

Present: Mayor Ammiano, Mr. Bruno, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Asadi and Mr. Levy.

Absent: Mr. Bazzurro, Mr. Coburn, Ms. Jahn, Mr. Preston and Ms. Kurtz.

Also Present: Roger McLaughlin, Esq., Frank Accisano, Esq.; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultant, and Danielle B. Sims, Administrative Officer.

There was the Pledge of Allegiance.

MINUTES:

The approval of the minutes from November 9, 2017. Mayor Ammiano made a motion, seconded by Mr. Shortmeyer. The minutes were approved with the following roll call vote: Mr. Bruno, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Asadi and Mr. Levy.

RESOLUTIONS:

Minor Site Plan Application # 582-4-18
Chef’s International – Moore’s Tavern
Block 85.11, Lot 21 – 402 West Main Street

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

Minor Site Plan # 609-3-18 and Variance Application # 003-18
Tommy’s Tavern and Tap (Project)
Tommy’s at Freehold, LLC (Applicant)
Majestic Empire Holdings, LLC (Owner)
Block 71, Lot 18 – 3492 Route 9

Mr. Accisano explained that there are two minor adjustments to the draft resolution prepared for the Board, as requested by Mr. Sonnenblick. Mr. Accisano described one adjustment to the draft resolution is a clarification to the hours of operation. Resolution has been modified to reflect that the dining services provided by Tommy’s run from the hours indicated in the resolution do not apply to selling alcohol which goes until 2:00 am. The second adjustment is in regards to music. There will be no live



music outside of the building. Any music (“piped-in”) played outside to the patio area cannot have any spillage off-site.

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

NEW APPLICATION (To take jurisdiction only):

**Preliminary and Final Major Site Plan # 852-14 and Var.# 039-17 (To take jurisdiction only)
First Hartford Realty Corporation –Freehold Realty Associates
Block 85.12, Lot 25 – West Main Street**

Supplemental site plan application for signage at the previously approved CVS.

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. Gatto announced that the application for supplemental signage to the previously approved CVS which was scheduled for the agenda had been carried without further notice to August 2, 2018. Mr. Gatto stated that the applicant met with the Sign Sub-committee and would be amending their plans for a second review to be done only by the Zoning Officer.

CARRIED APPLICATION:

**Bifurcated Use Variance Application # 010-18 (Ref. # 439-2-18) (Took jurisdiction on 5/17/18,
Carried to 7/19/18 without further notice. To be rescheduled to a later date with re-notice.)
Raintree Associates
Kaplan Companies – Self Storage Building
Block 86, Lot 12.01 – 200 Village Center Drive (Rt. 537)**

Proposal for use and FAR variance relief to permit a two story self-storage facility containing 86,756 square feet – use is not permitted in the B-10 zone. The variance request is for the self-storage use and for the FAR variance relief only. All other relief will be requested under site plan approval subject to Board approval for the “D” Variances.

The Board previously accepted jurisdiction on this application and carried to this date, July 19th, 2018, without further notice. Mr. Sonnenblick, Esq. entered his appearance for the applicant. Mr. Sonnenblick explained that the Applicant has requested to carry the application to a later date and not be heard. The Board accepted this request and since a “carried to” date was not available at the time, the applicant was informed new notice would be required.

RESOLUTION DISCUSSION:

**Request to correct a resolution for a Second 1-year extension
Preliminary and Final Major Site Plan # 854-14
Land Bank Freehold, LLC as successor to K. Hovnanian Shore Acquisitions, LLC
Block 71, Lot 8**

The original approval expired on June 17, 2017 and there was a one-year extension granted by the Board, extending the approvals to June 17, 2018. On June 7, 2018, the Board approved a resolution to grant a second, one-year extension of the approvals to the applicant. This resolution stated that the extension was through June 16, 2019. The applicant is requesting to correct the resolution to be extended through June 17, 2019.



Mr. Accisano explained that the Board received a request to amend the resolution to reflect an extension through June 17, 2019, one day later than what was contained in the approved resolution.

The Board took no exception and suggested that the resolution to be amended to make the clerical change. Mr. Shortmeyer made a motion, and was seconded by Mayor Ammiano, to authorize the change. The motion was passed with the following roll call vote: Mayor Ammiano, Mr. Bruno, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Asadi, and Mr. Levy.

NEW APPLICATIONS:

Amended Preliminary and Final Major Site Plan # 824-3-18

The Edge at Freehold – JSM at Eaton, LLC

Block 83, Lot 1.01

(Previously referenced as a supplemental amendment to site plan # 824-2-16)

Request to amend resolution # 824-2-16 to increase the size of the clubhouse in Building #1 from 3,669 s.f. to 4,700 s.f.; whereas 3,669 s.f. was previously reviewed and approved by the Board. The increase would occur within the same footprint of approved building #1, using space previously allocated for retail space.

Salvatore Alfieri, Esq. appeared for the applicant. Mr. Alfieri stated that the Applicant will comply with all of the comments in Mr. White's review letter. He explained that the proposal would convert some previously approved retail space into clubhouse/leasing area, making the use less intense than what was previously approved and would not impact the site. Mr. Alfieri stated that the water/sewer flows and parking requirements would either remain the same or lessen as a result of the change. All outside agency approvals are still necessary.

Mr. Accisano explained that he has prepared a resolution and read it into record. Due to the minor nature of the requested change, he stated that if the Board chooses, the resolution can be adopted and memorialized at that time, with all conditions of any previous resolutions still in effect.

Mr. Accisano stated that it is in his opinion that due to the nature of the request, the application does not require public hearing and the protection under 40:55D(52) is not extended and that this was done with the previous noticed hearing. Mr. Alfieri agreed with Mr. Accisano's assessment and agreed that there would be no change to sanitary, water or parking demand.

Mayor Ammiano made a motion to authorize Mr. Accisano to approve the application and memorialize the resolution read into record by Mr. Accisano, which was seconded by Ms. Kash. The motion was passed with the following roll call vote: Mayor Ammiano, Mr. Bruno, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Asadi, and Mr. Levy.

Frank Accisano, Esq. left the dais as he had a conflict with the remaining application. Roger McLaughlin, Esq. arrived into the dais to represent the Board in the following matter.

Variance Application # 017-18

Polverino, Samuel and Cheryl

Block 19, Lots 59 – 124 Cannon Road

Proposed front porch addition within the pre-existing non-conforming front yard setback.

Samuel and Cheryl Cook-Polverino appeared as the applicant. Mr. McLaughlin 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. McLaughlin explained that a



variance application is very technical in nature and an Applicant must meet a certain burden of proof. He asked the Applicant if they were willing to continue with the hearing without being represented by an attorney. The Applicant agreed to move forward. The Polverinos had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. An additional Exhibit was marked.

Mr. Gatto asked the applicant to address each item one-by-one with regards to the Phillips, Preiss and Grygiel report (P-3). Mrs. Cook-Polverino explained that they are looking to construct a mahogany porch with mahogany skirting. They would be repurposing wrought iron rails for the steps, black shutters against red brick, and provide white vinyl siding across gable roof to match. Ms. Cook-Polverino presented a group of photos, marked as A-10, of the house and houses in the area, including one with a similar design and front porch. She stated that the proposed porch would enhance the aesthetics of the home, that there would be no detriment to the neighbors or public good.

Kate Keller, Phillips, Preiss and Grygiel had no objection, but asked if other homes in the neighborhood have similar porches and if so, did they impede into the setback? Applicant stated that there is a next door neighbor whose home is closer to the roadway than the subject home and the proposed encroachment would still be less than that of the neighbor.

Mr. Gatto opened the application to the public and no one came forward. A motion to close the public portion was made by Mr. Shortmeyer and was seconded by Mayor Ammiano. Mr. Kash made a motion to authorize Mr. McLaughlin to prepare a positive resolution, which was seconded by Mayor Ammiano, all in favor, Aye.

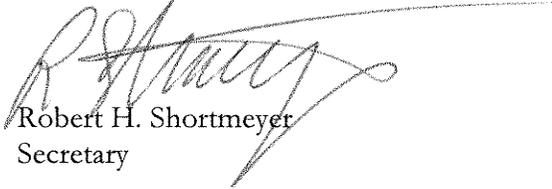
DISCUSSION:

Ms. Sims reviewed the upcoming agenda items. Mr. Sonnenblick confirmed he would re-send notice to those affected by the CVS signage application to be carried to August 2, 2018.

ADJOURNMENT:

There being no further business, a motion was made to adjourn the meeting and passed unanimously. The meeting concluded at 7:24 p.m.

Respectfully Submitted,



Robert H. Shortmeyer
Secretary