

**MILLSTONE TOWNSHIP
PLANNING BOARD
MEETING MINUTES
NOVEMBER 12, 2014**

At 7:30 p.m., Chairman Newman called the meeting to Order.

The Secretary read the Adequate Notice.

Salute to the Flag.

Roll Call: Present: Bailey, Beck, Grbelja, Kinsey, Kurzman, Pado, Pinney, Pepe, Ziner and Newman. Absent: Kocur

APPROVAL OF MINUTES: October 8, 2014

Committeewoman Grbelja made a Motion to approve the Meeting Minutes and Ms. Pinney offered a Second. Roll Call Vote: Grbelja, Pinney, Beck, Bailey, Kurzman and Newman voted yes to approve the meeting minutes.

PUBLIC COMMENT PORTION: 15-Minute Limit

At 7:32 p.m., Chairman Newman opened the public portion of the meeting for any public comment. Seeing none, he closed that portion at 7:32 p.m.

RESOLUTIONS:

P14-12 - 33 ASSOCIATES (RIVERSIDE CENTER) – Block 18, Lot 2.02. Located on Route 33. 57.7 acres located in the PCD Zone. Applicant received Preliminary Major Subdivision approval in Resolution Memorialized 1-10-07 and Final Major Subdivision Approval in Resolution Memorialized 7-11-07. Applicant received a fifth one-year extension of time pursuant to N.J.S.A. 40:55D-52b through 7-11-14. Applicant returned for a sixth one-year Extension of Time of Preliminary and Final Subdivision Approval. Extension granted through 7-11-15.

Ms. Pinney Made the Motion to memorialize the Resolution and Committeewoman Grbelja offered a Second. Roll Call Vote: Pinney, Grbelja, Kinsey, Pado, Beck, Bailey, Ziner and Newman

P14-13- 33 ASSOCIATES (RIVERSIDE CENTER)- Block 18, Lot 2.03 Located on Old Route 33 and Farrington Blvd. 14.93 Acres located in the PCD Zone. Applicant received Preliminary and Final Site Plan approval to construct a 94,500 s.f. warehouse/storage area, a 4,000 s.f. showroom and 4,000 s.f. administrative offices in Resolution memorialized 7-11-07. Applicant received a fifth one-year extension of time pursuant to N.J.S.A. 40:55D-52b through 7-11-14. Applicant returned for sixth one-year Extension of Time of Preliminary and Final Site Plan Approval. Extension granted through 7-11-15.

Committeewoman Grbelja made a Motion to memorailize the Resolution and Mayor Kinsey offered a Second. Roll Call Vote: Grbelja, Kinsey, Pinney, Beck, Bailey, Pado, Ziner and Newman voted yes to approve the meeting minutes.

EXTENSION OF TIME:

P14-11 PERL ACRES SOUTH – Block 55, Lot 2, - Located on Route 526. Previously Zoned R-130 consisting of 158.2 acres. Applicant received Preliminary Major Subdivision approval for a 43-residential lot subdivision and 2 lots for Township dedication received 6-25-03. Final

Approval granted and Resolution Memorialized 4-11-07. Applicant requested and received extension of time, pursuant to 40:55D-70, through 7-12-14. Applicant returns for additional extension of time. Zone is presently RU-P. Carried from 8-13-14; 9-10-14; 11-12-14. No additional noticing required.

Mr. Pape provided an update. He felt that all of the documents would be signed by all parties. Mr. Pape advised Ancillary documents were requested and that has been completed and they have been delivered to the State by Mr. Pape. Mr. Pape reported that if the State may require the applicant secure an extension and requested that the Board carry the request for an Extension of Time through the end of December.

Committeewoman Grbelja provided that Mrs. Butch was in contact with Renee Jones. Ms. Jones was ill and out of the office most recently. Ms. Jones was waiting for one of the documents from the applicant and at the time of her illness that had not been received. Committeewoman Grbelja announced that Ms. Jones is back in the office but we have no word as to the status of the approvals. Committeewoman Grbelja offered that it was prudent to carry the application to the December meeting at which time we may know if the State requires the Extension for the signing of the contracts or until the date of closing.

Attorney Steib advised that no formal vote needed to be taken just a consensus to carry the application to the December 10th meeting without the need of any further noticing. He stated that any person who has an interest in that application and is in the audience, they must be here at that date and time.

NEW APPLICATION:

P14-14 512 ROUTE 33, LLC - Block 22, Lots 7 & 8 - Located at 512 Route 33. Property consists of 9.940 Acres in the Highway Commercial Zoning District. Applicant seeks Minor Subdivision approval to reconfigure two existing lots. Applicant seeks Preliminary and Final Major Site Plan approval to construct a 12,740 s.f. retail building and a 3,200 s.f. bank. Variances requested. Noticing required. Deemed Complete:10-27-14. Date of Action:2-24-15.

Attorney Kenneth Pape appearing on behalf of the applicant.

Board Attorney Steib advised that he had reviewed the jurisdictional packet and finds same in order to accept jurisdiction over the application.

Attorney Steib read the following exhibits into evidence:

- A-1 Jurisdictional Packet
- A-2 Application dated 8-16-14
- A-3 Survey of Property, prepared by Crest Engineering dated 3-10-14
- A-4 Aerial of Property prepared by Crest Engineering dated 3-10-14
- A-5 Statement of Environmental Impact Assessment prepared by Crest Engineering dated 3-2010

- A-6 Stormwater Management Report prepared by Crest Engineering dated 3-10-14
- A-7 Minor Subdivision Plan prepared by Crest Engineering dated 3-10-14
- A-8 Preliminary and Final Major Site Plan - Phase One prepared by Crest engineering dated 3-10-14
- A-9 Architecturals prepared by Perez & Radosti dated 1-4-13
- PB-1 Report of Board Engineer dated 10-27-14

Mr. Pape advised the Board that application is for Preliminary and Final Site Plan approval to construct a 12,740 s.f. retail building and a 3,200 s.f. bank with drive thru. The purposes of the Minor Subdivision would be to more appropriately subdivide the lot to allow this application.

Mr. Pape explained that the building size changed from the first application due to a 2,000 gallon per day rule for the entire holdings. The best way of addressing this was to reconfigure the lot and make the main building smaller.

Mr. Pape explained how the traffic can move within the parking lot so that patrons would not have to exit onto Route 33 and then reenter the parking lot.

There is a single stormwater management basin which is now larger.

Mr. Pape advised that the project has a new architect and the architectural plan had changed.

Attorney Steib swore in Peter Strong, P.E. Chairman Newman stated that Mr. Strong has appeared before the Board many times and that his credentials are known and he is accepted as an engineering expert.

Entered into Evidence:

Exhibit A-10 Aerial.

Exhibit A-11 proposed improvements on the property.

Exhibit A-12 reflecting two or more proposed retail buildings on the premises to the rear and near the bank.

Mr. Strong stated that the property is located on north side of Route 33 (Exhibit A-10) across from Show Place Farms. It is wooded in the back. The lots are less than 10 acres, lot 7 is the larger parcel and lot 8 a smaller property.

Referring to Exhibit A-11, Mr. Strong described the proposed improvements on the property.

Referring to Exhibit A-12, Mr. Strong states that the exhibit illustrates the two proposed buildings. He stated that each building would have its own septic system on the site. He stated

that the previously approved site plan had an "L" shaped building which has been removed from this application.

Mr. Strong provided updates on outside approvals of the project. He stated that the septic systems are fully designed and the Monmouth County Board of Health has approved the system subject to a permit from the NJDEP. The Monmouth County Planning Board approval has been reaffirmed.

Mr. Strong explained that the stormwater management would be shared with the neighbor in maintenance and usage.

The parking is located in between the two buildings. Additional parking is located by the bank. The loading area is located in the back of the retail building along with additional employee parking.

Mr. Strong explained that there is considerable landscaping around the bank and he explained the scheme including street shade trees along Route 33, numerous shade trees and low lying shrubbery scattered through the site. He explained that there is a plaza in the front of the building decorated with ornamental trees and benches for seating.

The lighting is shoe box focused downwards not larger than 16 feet in height and similar to a shopping center. The driveway is right in and right out.

Mr. Strong explained that the Minor Subdivision is for the purposes of obtaining financing for the construction of the bank. Easements on the site include cross-access, drainage and parking.

Mr. Pape advised the Board that the applicant is seeking Preliminary Site Plan approval for the Bank. They are requesting Preliminary and Final Site Plan approval for the retail building.

Mr. Strong described the Minor Subdivision plan to re-subdivide the two lots leaving the smaller lot, Lot 8, just under one acre and the larger lot, Lot 7, would be reduced in size. Two driveways will be amended to become one driveway with right in and right out. The smaller lot would forfeit any access rights to the highway. Applicant would agree to an imposed restriction no route access to Route 33.

The Board asked about signage for the site. Mr. Pape stated that there will be one sign located at the center. The sign will be a monument sign incorporating the architectural scape from the buildings.

Mr. Strong advised that he has reviewed Board Engineer Shafai's report and would comply with the report.

Engineer Shafai referenced page three of four, item D, lot depth variance stating that that four (4) variances are required with the Minor Subdivision.

Engineer Shafai stated that the variances are not shown in the Minor Subdivision plan and the plans must be revised to reflect those variances. Cross easements between the commercial site next door, drainage and access must be shown on the revised plans.

Engineer Shafai stated that he did not have the signage to review on this application. Board Planner Richard Coppola Rich advised that he had issued nine (9) separate memorandums on this file. The last report was a final sign off dealing with cross easements. There is nothing else that they would add to Engineer Shafai's report. Mr. Coppola stated that the landscaping has been enhanced and that the Board would review the architectural drawings this evening.

Attorney Steib swore in Steven Radosti, Architect who resides in Cranbury, New Jersey. He presents his credentials and he is accepted by the Board as an expert witness.

Entered into evidence are the following Exhibits:

Exhibit A-13, Color Rendering of the CS2 of A-9.

Exhibit A-14 Rear and Side Elevations of CS3 of A-9.

Exhibit A-15 Proposed Sign.

Mr. Radosti explained that he had read the Township's architectural ordinance in preparing this project. He advised the Board that the retail center is a 12,740 square foot one-story building with combination of gable and hip roof, 184 feet x 77 feet. The roof is a standing seam roof.

Mr. Radosti stated that the building front façade is reddish brown brick with a 7 foot overhang and the main façade is mostly glass. There is water table case concrete. The front canopy is a stucco material. He stated that the main focal tower is decorative and 12.8 feet x 12.8 feet in size and located in the center of the hip roof. Mr. Radosti stated that the front facade would have signage.

He explained that three sides of the building are finished and handed out a smaller drawing of the proposed signage to the Board for their review. The sign face in the monument is 40 s.f. There are 7 store fronts shown on the floor plan.

Chairman Newman asked if there are any prospective tenants for the building. Attorney Pape advised there were not.

Planner Coppola commented that the rear elevation is facing the north and facing the wetlands. He noted that the west elevation on the opposite side had glass and some architectural interest and asked the applicant why not dress up the east elevation.

Both the Board Planner and Engineer recommended that the applicant dress up the building except for the side that faces the wetlands. Mr. Radosti explained how they could dress it up. The Board agreed. The applicant agreed to add some windows and architectural treatments.

Mayor Kinsey asked why the need for the inter-connectivity between the sites.

Mr. Pape advised that the NJDOT has a policy that if you can create connectivity, you should. Committeewoman Grbelja stated that the NJDOT would rather have people moving within the strip instead of coming out onto the highway and going back in.

At 8:20 p.m., Chairman Newman opened the application to the public. Seeing no public comment, he closed the application to the public at the same time.

The applicant is seeking approval for Preliminary and Final with respect to the retail building and Preliminary Approval with respect to the bank. The Minor Subdivision would be for the entire property.

Ms. Pinney asked about conditions that must be met and the applicant agreed to comply with those conditions.

Committeewoman Grbelja Made a Motion to grant Minor Subdivision approval, Preliminary and Final Major Site Plan approval as to the retail center, Preliminary Major Site Plan approval as to the Bank and Mr. Pado offered a Second. Roll Call Vote: Grbelja, Pado, Pepe, Bailey, Kinsey, Pinney, Beck, Kurzman and Newman voted yes to the approval.

EXTENSION OF TIME:

P14-15 MILLSTONE COMMONS WEST (Bridar West) – Block 17, Lot 8.04. Located on Route 33 consisting of 3.00 acres in the HC zone. Applicant received Preliminary Major Site Plan approval to construct two (2) one-story retail/office buildings; the main building consisting of 13,560 s.f. and the second building consisting of 2,400 s.f. Approval granted and Resolution memorialized on 11-23-09. Applicant second one-year extension of time through 11-13-14. Applicant returns for third one-year extension of time. No Zone Change.

The applicant's Request for Extension of Time on Bridar East maxed on number of extensions and the applicant advised he will amend the application.

NEW APPLICATION:

P14-12 33 ASSOCIATES (RIVERSIDE CENTER) – Block 18, Lot 2.02. Located on Route 33. 57.7 acres located in the PCD Zone. Applicant received Preliminary Major Subdivision approval in Resolution Memorialized 1-10-07 and Final Major Subdivision Approval in Resolution Memorialized 7-11-07. Applicant received a 6th one-year extension of time pursuant to N.J.S.A. 40:55D-52b through 7-11-15. Applicant returns for new Preliminary and Final Subdivision Approval. No Zone change. Application carried from 9-10-14 Meeting; no further noticing required.

Mr. Kurzman stepped down for the application.

Board Attorney Michael Steib read into the record the following Exhibits:

- A-1 Jurisdictional Packet
- A-2 Application Dated 7/22/14
- A-3 Web Notice
- A-4 Amended Preliminary and Final Major Subdivision - prepared by Crest Engineering 1/16/06; last revised 6/20/14
- A-5 Final Plat Major Subdivision prepared by Crest Engineering dated

3/1/07; last revised 5/19/14

- A-6 Stormwater Management Plan prepared by Crest Engineering dated 1/16/06; last revised 6/20/14
- A-7 NJDEP Final NJPDES permit effective 2/1/2014 expiring 1/31/19
- A-8 Stormwater Management Plan prepared by Crest Engineering dated 1/16/07; last rev. 10/10/14
- A-9 Stormwater Management Operation Manual prepared by Crest Engineering dated 2/9/07; last rev. 10/10/14
- A-10 Amended Preliminary and Final Major Subdivision Plan prepared by Crest Engineering, dated 1/16/06; last rev. 10/9/14
- A-11 Modified Construction Sequence Exhibit prepared by Crest Engineering dated 4/8/09; last rev. 10/9/14
- PB-1 Report of Board Engineer dated 8/27/14
- PB-2 Report from Planner dated 9/3/14

Engineer Lorali Totten explained that the NJDEP approvals and the JCP&L easement have brought them back to the Board. She advised that they made a modification to the plans accordingly.

She Attorney Steib advised that Engineer Lorali Totten is still under oath from the last meeting in September.

Referring to Exhibit A-11, Ms. Totten advised the Board that the lines of subdivision are unchanged. She stated that the Monroe portion had changed. A single basin designed resulting in a vertical change in Farrington Blvd. She offered that one larger basin is preferred to several smaller ones.

The NJPDES permit has been issued for a community septic system located in the center which would be connected together via a piping system.

She explained that the last change that occurred to project was JCP&L installing an extra high, large electrical system which effected the landscaping of the project. Ms. Totten stated that Rich Wiener would describe the landscaping in more detail.

The applicant addressed Board Engineer Matt Shafai's letter report. They stated that a minor change requested was made in the spillway. Crest Engineering was of the opinion that the changes to the fencing around the basins was not necessarily required as they are set away from most of the lots but she left this to the discretion of the Board.

Mr. Pado asked about a food chain occupying a building. He asked if that parking lot would be intermingled with other lots. Mr. Mehr advised that they may and explained that the parking lots from the front property will be interconnected. He explained that the Board would see this when the time comes for individual site plan approval.

Rick Wiener, is sworn in as an expert landscape architect. Mr. Wiener presented that he has been a licensed landscape architect for the past 30 years. The Board noted his credentials and accepted him as an expert witness.

Mr. Wiener had prepared Exhibit A-11 and explained the plan to the Board. He stated that the prior proposal was to install shade trees along the highway because no business was in place to water the landscaping at that time. Their thinking was to come back to the Board for individual site plan approvals and deal with the landscaping then.

Mr. Wiener stated that the plans have been revised to add back all of shrubbery to go along with shade trees and ornamental grasses. Mr. Wiener explained that he had to move things back due to the JCP&L easement.

Mr. Wiener added all of the landscaping back in and advised that the sequences of the plantings had been modified slightly. Red is the first sequence, the entrance at DeBaun and then the shade tree buffer. He advised that there is no building in place or well to water. When a building is built then other landscaping can be planted.

Phase one is construction of the basin outfall. The NJDEP permit expires next year.

Referring to the Exhibit, Phase Two would be the tenants in the blue area lots along DeBaun Road. Mr. Mehr advised that anytime a site plan comes in on either the east or west side of the site, the rest of the landscaping would be planted and visa-versa.

Mr. Mehr went through the sequences for the Board.

Engineer Shafai add that all roads and basins are to be maintained by the Association even though it is a public road.

Chairman Newman opened the application to the members of the public at 8:40 p.m.

Attorney Steib swore in Dottie Sluzas, 7 Arrowhead Way in Millstone.

Ms. Sluzas had a question about the new portion of Farrington Blvd. and how it affects Millstone Road. She voiced her concerns over the traffic that would be created and the improvements planned.

Mr. Wiener stated that per NJDOT instruction, at the bend of road, there is a 20 foot separation jersey barrier and a 5-6 foot high shrub mass. There has to be a flow for people east bound. There will be more traffic generated.

Vice-Chairman Pepe agrees that Ms. Sluzas' comments are warranted. There will be a different kind of traffic flow from someone who patronizes a restaurant at 6:00 p.m. compared to a person patronizing the tile store. Concerns about the back up of traffic are discussed.

Mr. Mehr explained this is why it was essential to the project to utilize DeBaun Road otherwise everything would be on Farrington Blvd.

Mr. Mehr advised there needs to be further discussions with NJDOT. A traffic light at the end of DeBaun would ease up traffic and they are pursuing this. The NJDOT did approve this. They have to wait for a few site plans to come through before the NJDOT approves this. Engineer Shafai stated that the NJDOT reviews each site plan that comes in.

Mr. Pado asked if the total gallons could be distributed among the nine lots. Ms. Totten stated that the usage is metered out. She explained that with the community system, lots are not limited to a specific amount of water usage on each lot.

Regarding traffic, Chairman Newman stated that the applicants consulting expert would have to satisfy both the Board and the public that the traffic flow would work for the use. The level of service must satisfy the Board. The applicant would be working with the NJDOT to move ahead for some specific time they would install the traffic light.

Mr. Mehr stated that while they had applied for Amended Preliminary and Final Site plan approval but they are looking for new approvals in order for them to finance the site. He stated that the infrastructure alone would cost several millions. New approvals with two years on Final and then the possibility of time Extensions if needed would help them with financing

Seeing no further questions from the Board, Chairman Newman asked for a Motion. Vice-Chairman Pepe made a Motion to approve Preliminary and Final Subdivision carrying forth all prior conditions. Committeewoman Grbelja offered a Second. Roll Call Vote: Pepe, Grbelja, Bailey, Beck, Kinsey, Pado Pinney, Ziner and Newman voted yes to approve.

NEW APPLICATION:

P14-13 33 ASSOCIATES (RIVERSIDE CENTER)- Block 18, Lot 2.03 Located on Old Route 33 and Farrington Blvd. 14.93 Acres located in the PCD Zone. Applicant received Preliminary and Final Site Plan approval to construct a 94,500 s.f. warehouse/storage area, a 4,000 s.f. showroom and 4,000 s.f. administrative offices in Resolution memorialized 7-11-07. Applicant received a 6th one-year Extension of Time granted through 7-11-15. Applicant returns for New Preliminary and Final Site Plan Approval. No Zone change. Application carried from 9-10-14 Meeting; no further noticing required.

Mr. Kurzman had stepped down for the application.

Mr. Mehr explained that Lot 2.03 known as the Ideal Tile Site Plan, was approved by the Board seven (7) years ago. He advised that there has been no change to the site plan and it is exactly the same as previously approved and consistent with the prior approval.

Chairman Newman opened the application to the members of the public at 9:00 p.m.

Seeing no comment on the application from the public, Chairman Newman closed that portion at the same time.

The Board having no further questions, Chairman Newman asked for a Motion. Ms. Pinney made the Motion to approve the application carrying forth all prior conditions and Mayor Kinsey offered a Second. Roll Call Vote: Pinney, Kinsey, Bailey, Grbelja, Beck, Pado, Ziner, Pepe and Newman voted to approve the application.

NEW BUSINESS:

Ms. Pinney reported that the County Master Plan has not been updated for 30 years and they are in the process of doing so now. Small work groups have been formed to work on specific portions of the Plan. Ms. Pinney was on the Environmental portion of the Plan. She advised that they had met several times over the summer and discussed their portion. Ms. Pinney advised that the portion was pre-written and the work groups comments and recommendations were forwarded onto the County for consideration in preparing the Final Plan but for the most part, the environmental portion would stay the same except for a few revisions.

Committeewoman Grbelja asked if there was an opportunity to address the Township's 4B status. Ms. Pinney advised that it did not.

The Board appreciated Ms. Pinney's time and efforts in participating on behalf of the Township.

Seeing no further business, Chairman Newman asked for a Motion to Adjourn and a Second. Vice-Chairman Pepe made the Motion and Mr. Bailey offered a Second and by unanimous vote, the meeting adjourned at 9:05 p.m.

Respectfully submitted,

Pamela D'Andrea