

**MILLSTONE TOWNSHIP  
PLANNING BOARD  
MEETING MINUTES  
JUNE 11, 2008**

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

The Secretary read the Adequate Notice.

Salute to the Flag.

Mr. Steib swore in Robert Bailey who had been appointed as the Mayor's designee and will act as such for this evening's meeting.

Roll Call: Bailey, Kurzman, Newman, Pado, Pinney, Pepe, Beck, Weintraub and Rundella.  
Absent: Blanco, Sico and Grbelja.

**Approval of May 14, 2008.** Ms. Pinney made a Motion to approve the May 14<sup>th</sup> Minutes and Mr. Pepe offered a Second. Roll Call Vote: Pinney, Pepe, Kurzman, Newman, Pado and Beck voted yes to approve.

**Open Public Comment Portion.** Chairman Newman opened the Public comment portion of the meeting to the public at 7:37. Seeing no public comment, he closed same at 7:37 p.m.

**RESOLUTION:**

**P08-04 BOYKEN, DIANNE LEE** – Block 46, Lot 4.01. Located at 320 Stagecoach Road in the RU-P Zone. Property consists of 37.353 acres. Applicant seeks Minor Subdivision approval to subdivide the existing lot into two lots; Lot 4.01 containing 35.326 acres and Lot 4.10 consisting of 2.027 acres. Lot 4.01 is to be preserved as farmland and Lot 4.10 shall be the applicant's homestead piece in accordance with Ord.06-29. No new bulk variances are being created. Approval granted 5-14-08.

Mr. Pepe made a Motion to memorialize and Ms. Pinney offered a Second. Roll Call Vote: Pepe, Pinney, Kurzman, Pado, Newman and Beck voted yes to memorialize.

**EXTENSION OF TIME:**

**P05-17 FIRST CHOICE** – Block 16, Lot 9.10. Located on Rike Drive. 3.26 acres in the BP Zone. Applicant Received Preliminary and Final Major Site plan approval to construct a 20,843

s.f. building consisting of 8,000 s.f. office space and 12,483 s.f. warehouse. Resolution Memorialized 4-6-06. Applicant seeks an extension of time to complete Resolution compliance. Mr. Pado advises he must step down for the application. Attorney Kenneth Pape advised that the applicant has withdrawn their request for the extension due to pending legislation that could impact this application.

**REVIEW AND RECOMMEND:**

**ORDINANCE NO. 08-15 – AMENDING CHAPTER XXXV (LANDUSE AND DEVELOPMENT REGULATIONS FEES AND FEE SCHEDULES.**

Engineer Shafai advised that there were modest changes made to the application mostly to increase the Township’s application fees.

Attorney Michael Steib advised that the fee ordinance is established pursuant to the land use ordinance in order to recover our costs. The Master Plan does not discuss fee structure. However, the fee schedule is in our zoning ordinance and is within our jurisdiction, we can send the ordinance report back to the Governing Body advising that the fee ordinance is not inconsistent with the Master Plan.

Mr. Pepe made a Motion that the Ordinance is not inconsistent with the Master Plan and Mr. Kurzman offered a Second. Roll Call Vote: Pepe, Kurzman, Pado, Bailey, Pinney, Weintraub, Newman and Beck voted finding the Ordinance is not inconsistent with the Master Plan.

**P07-16 KEY INVESTMENTS (BURNT TAVERN) –** Block 57, Lot 14. Located on Burnt Tavern Road consisting of 7.0 acres in the BP-Zone. Applicant seeks preliminary and final major subdivision approval to create 3 lots, one to be dedicated to the Township.

Attorney Kenneth Pape provided some background regarding the application. He stated that the applicant began with a 2-lot subdivision two months ago. They presented the application with two alternate plans for the Board’s consideration.

Mr. Pape explained why Plan “B” was a better plan. Board Planner Richard Coppola developed on the record that the property appeared to have the ability to handle a third lot that the Township could use. The applicant worked with Crest Engineering and generated that plan.

The applicant is before the Board with a plan for a 2-lot subdivision for business purposes and a third lot for COAH.

There is limited bulk variance relief for rear yard setback to 50 ft. The land located to the rear of the property is encumbered by wetlands. No encroachment of those wetlands would occur. Between the two lots the side yard setback would be reduced to 20 yards each. There will be a common driveway.

Mr. Steib advised that the applicant had re-noticed for the meeting for the Board to consider the major subdivision. Jurisdiction was accepted.

Attorney Steib read the following exhibits into evidence:

- A-10 Jurisdictional Packet
- A-11 Letter amendment to application for subdivision approval dated 03/31/08
- A-12 Major Subdivision prepared by Crest Engineering dated 9/27/07 last revised 3/20/08
- PB-5 Millstone Township Environmental Commission Report dated 1/29/08
- PB-6 MCBH letter of Soil Suitability dated 04/04/08
- PB-7 Amended report from the Planner dated 04/17/08 (6 pages)
- PB-8 Amended report from the Engineer dated 04/18/08 (4 pages)

Mr. Pepe asked Engineer Matt Shafai about the application. Mr. Shafai recommended that the driveway be a shared driveway. The property consists of 6-acres that are encumbrance free. Planner Lori Savron worked with the applicant on his configuration and they are comfortable with it.

Mr. Pado asked about the proposed building. The applicant proposes 15,000 s.f. consisting of a small office with a steel fabricated building. Engineer Peter Strong is working with 55% impervious coverage.

Mr. Pape stated that the property is located in the BP Zone and was in serious disrepair and full of debris. The Applicant has cleaned the site and removed the buildings. The Applicant is coming in to create two business park lots and create a third lot for an affordable housing opportunity for the municipality.

Mr. Pado stated that he had visited the site and had concerns regarding the residential properties across the street. He asked about a buffer or tree line at the site plan stage.

Mr. Pape advised that the applicant will have a central driveway and can save the peninsula of trees.

Vice-Chairman Pepe opened the application to the public at 7:55 p.m. Seeing no comment from the public, he closed same at 7:55 p.m.

The Board discussed the conditions of approval, including but not limited to the applicant comply with the technical comments of the Board Professionals, dedication of Lot 14.03 to the Township, the applicant's contribution of the third lot shall be accepted by the Township in full satisfaction of the Applicant's, or Applicant's successors in interest, of all Affordable Housing obligations which would otherwise arise as a result of the application of municipal ordinances for the development of Lots 14.01 and 14.02, etc.

Mr. Kurzman made a Motion to approve as conditioned and Mr. Pado offered a Second. Roll Call Vote: Kurzman, Pado, Weintraub, Pinney, Pepe, Beck and Rundella voted yes to approve.

**NEW APPLICATION:**

**P08-05 BENTON FIBRE AND DRUM** – Block 16, Lot 9.12 – Located on Rike Drive in the Moto Industrial Park in the BP Zone. The Lot consists of 10.04 Acres of property. The applicant seeks Preliminary and Final Major Site Plan approval to construct an additional one-story 8,435 s.f. building for office space.

Both Chairman Newman and Mr. Pado stepped down for the application due to conflicts.

Mr. Steib advised that he had reviewed the noticing packet and found same to be in order to accept jurisdiction over the application.

Mr. Steib entered the following exhibits into evidence.

- A-1 Jurisdictional Packet
- A-2 Application dated 04/03/08
- A-3 Web Notice posted 06/04/08
- A-4 EIA prepared by Crest Engineering dated 11-06-08
- A-5 Storm Water Management Report prepared by Crest Engineering dated 11-26-08
- A-6 Prelim & Final Site Plan prepared by Crest Engineering dated 05-15-08
- A-7 Architecturals prepared by Roy Quakenbush dated 01-07-07
- A-8 Report prepared by Oracle Engineering, Inc. dated 04-02-08
- A-9 Declarations of Covenants & Restrictions for Moto Industrial Park Assoc. dated 04-14-01

- A-10 Color rendered landscape plan prepared by Crest Engineering
- A-11 Color Architectural Elevation rendering.
- PB-1 Report of Board Engineer dated 05/28/08
- PB-2 Report from Planner dated 05/28/08
- PB-3 MCPB letter of exemption dated 04-14-08
- PB-4 Environmental Commission Report dated 04/29/08

Attorney Ken Pape representing the applicant.

The applicant is operating as Grief Bros. The facility fabricates cardboard drums. Mr. Pape explained that when the industrial park was built, this lot was the large prominent lot. He explained that buildings are located on the easterly side of Rike Drive. Mr. Pape explained that in order to create an attractive entrance to the park, office buildings should be located at the entrance. Mr. Pape explains the entrance. The industrial building was there when the industrial park was built. The office building would be in the front yard of the fabrication business and make it more attractive and give the park a finished look.

Peter Strong was sworn in as the applicant's expert professional engineer. He has testified before the Board and he is accepted as an expert witness. He described the property as lot 9.12 in block 16 that sits on corner of Prodelin Way and Rike Drive. The property has three frontages. For the past forty years, there has been a one-story, 60,000 s.f. manufacturing plant/warehouse on the property. Mr. Strong explained the existing property. The applicant proposed to develop in the front of the present building. Referring to Exhibit A-10, color rendering of the landscaping plan for the site, he explained the proposal to construct a building with parking. The front of the building would face Rike Drive. Access into the site would be off of Rike Drive. Landscaping is proposed around the proposed building and parking lot.

Mr. Strong explained the signage and stated that it would be similar to most of the signs in the Park. The Greif Bros. sign would be moved away from the Right-Of-Way pursuant to the comments of Engineer Shafai and Planner Coppola. The septic system has been approved by the Monmouth County Board of Health. Asphalt is significant for stormwater management and Mr. Strong advised that would be reduced by the smaller parking lot. It will allow stormwater to flow away from the site. The enclosed trash refuse bin is located in the back end of the site.

Mr. Strong advised that in the landscaping plan, Mr. Coppola had asked for additional plantings. Mr. Strong showed the location of those plantings referring to Exhibit A-10 to include double rows of evergreens to be extended and include additional landscaping. Applicant agrees to the additional plantings.

Banked parking will be constructed pursuant to the recommendations of the professionals. The applicant revisited the lighting. The fixtures are at 15', which the ordinance intends. They have the right height and right intensity, they could move them in closer. They feel the later is more efficient. Planner Lori Savron offered that the lighting is an aesthetic issue. Mr. Shafai advised to place one light on each side of the center island (16) in total. Shoe box lighting is to be used.

Regarding stormwater management, the applicant would be able to reduce the impervious coverage and stormwater. Mr. Shafai asked the applicant to retro fit the stormwater on the present lot with a filter system to collect sediment. Additional curbing is to be added per Engineer Shafai's request.

Planner Coppola's report asked that the dumpster enclosure be designed to match the building and the applicant will comply with that request.

Mr. Strong advised that the site has been tested 14 times and found to below State of New Jersey standards. Crest Engineering found trace elements and none exceeded the standards. Mr. Strong reminded the Board that the Poole property had some arsenic which had been remediated.

Entered into evidence as Exhibit A-11 is a Colored Rendering of the architectural plan showing stucco with stone veneer with all of the highlights.

The building had been designed to complement the Crest Building on the other side. Windows are different both building. Residential roof lines are used.

Mary Pinney asked about the traffic in the area and she voiced her concerns for the Montessori school that is nearby. Peter Strong stated that this building is not going to interfere with such uses such as the Montessori School and children orientated businesses.

Matt Shafia had asked if the island on the existing parking lot would be landscaped. He stated that he would like to see landscaping around the flag pole.

The applicant will comply with Mr. Shafai's report comments 3F and 3I concerning erosion areas make this a condition prior to obtaining a certificate of occupancy. Mr. Pape advised crown vetch is to be used and explain it has a root structure and planted on hills. This is acceptable to Mr. Shafai.

Truck parking is a concern. There is space in the back. The Board does not want to see trucks parking on the road. No trailers are to be parked in the front. There is some unloading in the front but no parking in the front.

Planner Lori Savron stated that the receiving area and existing parking lot needed curbing to protect passengers and their vehicles. Mr. Strong would explore where the curbing would be necessary.

The Board discussed that the existing Greif Bros. sign cannot exceed 96 s.f. combined.

Vice-Chairman Pepe opened the application to the public at 8:30 p.m. Seeing no public comment on the application, the public portion was closed at 8:30 p.m.

Attorney Steib read the conditions of approval including but not limited to: Signage to be moved and combined signage not to exceed 96 f.t., the applicant will address landscape comments in Mr. Coppola's letter, compliance with ordinance requirement of a light to be located at each end of the center islands, compliance with Mr. Shafai's comments regarding stormwater management, additional curbing to be installed, construction of a trash enclosure made of material to match the building material, the new building will be 100% office, compliance with Mr. Shafai's comments 3F and 3I concerning stabilization of slopes, no trailer parking on the front of the site which is the northeast quadrant of the parcel, etc.

Mr. Kurzman offered a Motion to approve as conditioned and Mr. Pado offered a second. Roll Call Vote: Kurzman, Pado, Pinney, Bailey, Pepe, Weintraub, Beck and Rundella voted yes to approve.

Seeing no further business, the meeting adjourned at 8:38 by Motion of Mr. Kurzman and a Second offered by Mr. Weintraub and by unanimous vote.

Respectfully submitted,

Pamela D'Andrea