

**MILLSTONE TOWNSHIP  
PLANNING BOARD  
MEETING MINUTES  
JANUARY 14, 2009**

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

The Secretary read the Adequate Notice.

Attorney Steib swore in the following member: Robert Bailey as the Mayor's Designee.

Salute to the Flag.

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

Election of Officers: Nominations for the Chairman were open. Mr. Pepe made a Motion to nominate Mr. Newman as the Chairman and Ms. Grbelja offered a Second. Seeing no other nominations for Chairman, by unanimous vote, the nominations for Chairman were closed. Roll Call Vote: Pepe, Grbelja, Blanco, Pinney, Kurzman, Weintraub and Beck voted yes to nominate Mr. Newman.

Mr. Newman thanked the Board.

Nominations for Vice-Chairman were open. Ms. Grbelja made a Motion to nominate Mr. Pepe as the Vice-Chairman and Mr. Newman offered a Second. Seeing no other nominations for Vice-Chairman, by unanimous vote, the nominations for Vice-Chairman were closed. Roll Call Vote: Grbelja, Newman, Kurzman, Blanco, Pinney, Weintraub and Beck voted yes to the nomination.

Mr. Pepe thanked the Board.

Nominations for Secretary were open. Mr. Pepe made a Motion to nominate Pam D'Andrea as Secretary and Ms. Pinney offered a Second. Seeing no other nominations for Secretary, by unanimous vote, the nominations for Secretary were closed. Roll Call Vote: Pepe, Pinney, Blanco, Kurzman, Beck, Weintraub and Newman vote yes to the nomination.

Ms. D'Andrea thanked the Board.

The Board next considered nominations for its professionals.

Mr. Pepe made a Motion to nominate Michael B. Steib as Board Attorney and Mr. Kurzman offered a Second. Seeing no other nominations for Board Attorney, by unanimous vote, the nominations for Board Attorney were closed. Roll Call Vote: Pepe, Kurzman, Blanco, Grbelja, Pinney, Beck, Weintraub and Newman voted yes to the nomination.

Mr. Steib thanked the Board.

Mr. Blanco made a Motion to Nominate the Engineering firm of Leon S. Avakian, Inc. with Matt Shafai as the principal engineer for the Board Engineer and Ms. Pinney offered a Second. Seeing no other nominations for Board Engineer, by unanimous vote, the nominations for Board Engineer were closed. Roll Call Vote: Blanco, Pinney, Grbelja, Pepe, Kurzman, Weintraub, Beck and Newman voted yes to the nomination.

Mr. Shafai thanked the Board.

Mr. Pepe made a Motion to nominate the firm of Coppola and Coppola with Richard T. Coppola as the primary Planner to the Board and Ms. Grbelja offered a Second. Seeing no other nominations for Board Planner, by unanimous vote, the nominations for Board Planner were closed. Roll Call Vote: Pepe, Grbelja, Blanco, Pinney, Kurzman, Weintraub, Beck and Newman voted yes to the nomination.

Mr. Coppola thanked the Board.

Ms. Grbelja made a Motion to nominate Angela Buonantuono as the Board Court Reporter and Mr. Pepe offered a Second. Seeing no other nominations for Board Court Reporter, by unanimous vote, the nominations for Board Court Reporter were closed. Roll Call Vote: Grbelja, Pepe, Pinney, Blanco, Kurzman, Weintraub, Beck and Newman voted yes to the nomination.

Ms. Buonantuono thanked the Board.

Mr. Pepe made a Motion to nominate the Asbury Park Press and The Messenger Press as the official Board Newspapers and Ms. Pinney offered a Second. Seeing no other nominations for official newspaper designations, by unanimous vote, the nominations were closed. Roll Call Vote: Pepe, Pinney, Blanco, Grbelja, Kurzman, Weintraub, Beck and Newman voted yes to the nominations.

Ms. Pinney made a Motion to adopt the regular monthly meeting schedule and Mr. Blanco offered a second. The dates were read into the record. Roll Call Vote: Pinney, Blanco, Grbelja, Pepe, Kurzman, Weintraub, Beck and Newman voted yes to adopt that Regular Monthly Meeting Schedule to be held on the following dates in 2009 and the first meeting date in 2010 at 7:30 p.m. in the Municipal Building located at 215 Millstone Road, Millstone Township, New Jersey as follows:

January 14, 2009	July 8, 2009
February 11, 2009	August 12, 2009
March 11, 2009	September 9, 2009
April 22, 2009	October 14, 2009
May 13, 2009	November 23, 2009 (Monday)
June 10, 2009	December 9, 2009
	January 13, 2010

Approval of Meeting Minutes: October 22, 2008

Ms. Pinney made a Motion to approve the October 22, 2008 Meeting Minutes and Mr. Beck offered a Second. Roll Call Vote: Pinney, Beck, Blanco and Pepe voted yes to approve.

Approval of Meeting Minutes: November 12, 2008

Mr. Kurzman made a Motion to approve the November 12, 2008 Meeting Minutes and Ms. Pinney offered a Second. Roll Call Vote: Kurzman, Pinney, Grbelja, Weintraub, Beck and Newman voted yes.

Approval of Meeting Minutes: December 10, 2008

Ms. Pinney made a Motion to approve the December 10, 2008 Meeting Minutes and Ms. Grbelja offered a Second. Roll Call Vote: Pinney, Grbelja, Weintraub, Beck and Newman voted yes. Abstain: Blanco, Pepe and Kurzman.

Approval of Meeting Minutes: December 16, 2008

Ms. Grbelja made a Motion to approve the December 16, 2008 Meeting Minutes and Ms. Pinney offered a Second. Roll Call Vote: Grbelja, Pinney, Weintraub, Beck and Newman voted yes. Abstain: Blanco, Pepe and Kurzman.

Public Comment Portion:

Brian Loranko, 12 Arrowhead Way.

Mr. Loranka had a question for Mr. Coppola regarding the COAH plan that we had submitted to the State. His question was as it stands with the DEP regulations, is it correct that they do not allow for water sewage treatment planning areas 3, 4 and 5 so we would need an exception from the current DEP regulations for the State.

Mr. Coppola provided clarification that a wastewater treatment unit would be approved by the NJDEP. He explained that you can have town center areas designated on your plan in areas 3, 4 and 5. Approval would come from the Department of Smart Growth as well. Mr. Coppola advised that he could not speak for the other agencies. He stated that the plan we have is viable. COAH will review the plan and if something has to be changed, then COAH would ask us to take another look at it. He discussed the center of town designation. Mr. Coppola offered that COAH looks for a particular piece of land that has a compatibility of uses that go there. He offered that the area is more of a commerce center with a residential component.

Mr. Loranko asked for clarification that if we are submitting this plan in order to avoid the builders' remedy lawsuit, he asked if a builder looks at this plan could he possibly feel that it does not have all of the elements needed and bring this challenge to Smart Growth.

There was discussion as to what designates a town center.

Mr. Coppola advised that the amount of units and amount of land and amount of funds needed should be put together to see if it is realistic.

Close public portion at 8:00 p.m.

**RESOLUTION:**

**P08-07 ST. JOSEPH'S CHURCH** – Block 41, Lot 1. Property located on Sweetman's Lane and Stillhouse Road, consisting of 30.38 acres located in the RU-P zone.

Applicant seeks Preliminary and Final Major Subdivision approval to create two lots and a public street. No variance requested. Deemed Complete 7-11-08. Date of Action: 11-08-08. Heard in part on 8-13-08 and 9-10-08. Carried to 11-12-08. Subdivision granted. Resolution to be Memorialized.

Attorney Steib explained that when the Board voted to approve the application, the two adjacent property owners submitted testimony that they had reached an accord with the applicant but that accord has not been in the form of a written agreement. The Board asked that the agreement be in place prior to the memorialization of the Resolution. Attorney Steib advised that he has received the agreement and paperwork concerning the resident Marquez. The documentation is comprehensive and is acceptable in form and will be finalized. The applicant has not received the information back from Mr. Hershafft. Mr. Pape advised that the documentation for Mr. Hershafft is similar to the documentation provide to Mr. Marquez. Mr. Pape explained that the property owners were precise in what they wanted and wanted to be certain and the process has taken a lengthy time. Mr. Pape explained that the applicant has been actively pursuing and complying with the Board's request for the written agreements.

Mr. Pape advised that they have reached an accord with the neighbors. The property was surveyed and the applicant has prepared a detailed landscape plan. The agreements are detailed and lengthy. He feels that within 90 days the deeds, metes and bounds, legal descriptions, etc. will be ready.

A condition to memorialize the resolution is that the written agreements would be submitted to Attorney Steib within 90 days of the date of the memorialization of the Resolution. Mr. Beck asked if this impacts the sale of the homes since they now have landscape berms of the side. Mr. Pape advised that is in the agreement.

A condition of approval is that the obligation to provide the documents to the two neighbors at the entrance will be done within 90 days and if applicant cannot achieve this, the approval is not perfected.

Mr. Kurzman made a Motion to memorialize as conditioned and Ms. Pinney offered a second. Roll Call Vote: Kurzman, Pinney, Grbelja, Weintraub, Beck and Newman voted yes.

**P08-14 GATTO, GEORGETTE** – Block 31.05, Lot 16 and block 31.01, Lot 16. Located at One Elm Street. The Property is located in R-130 Zone and the R-80 Zone. Applicant seeks a lot line adjustment of the two properties. Minor Subdivision without variances. No new construction is proposed. Deemed Complete: 12-17-08. Date of Action 1-30-09.

Mr. Steib advised that no variances are being requested so no noticing is required for the minor subdivision. The Board has jurisdiction

Attorney Michael Steib read the exhibits into the record as follows:

- A-1            Application dated 1/24/08
- A-2            Survey Prepared by Daniel Hundley of Crest Engineering dated 11/3/08
- A-3            Minor Subdivision Lot Line Adjustment Map prepared by Crest Engineering dated 11/11/08
- A-4            Highlighted version of Minor Subdivision Lot Line Adjustment Map prepared by Crest Engineering dated 11/14/09
- PB-1           Report of Board Engineer dated 12/22/08
- PB-2           Report from Planner dated 01/08/09
- PB-3           Monmouth County Planning Board Exemption Report dated 12/08/08

Attorney Kenneth Pape representing the applicant.

Mr. Pape offered a brief background of the property. The lot can be reduced to 2 acres without creating any variances. There was a recommendation by Board Planner Richard Coppola that no further subdivision occur. The applicant would place a deed restriction on that subdivision.

Peter Strong of Crest Engineering is sworn in by Attorney Steib. His credentials are known as he has testified before the Board many times in the past. He is accepted as applicant's professional engineer.

Mr. Strong gave a brief description of the property. The subject subdivision contains two lots. Block 16, Lot 31.05, consists of 4.9 acres which fronts on Agress Road. Block

16, Lot 31.01, consists of 8.95 acres fronting on Elm Court. The applicant seeks to subdivide the property so that there are two (2) acres located on Agress.

Mr. Strong stated that there would be no change to the existing driveways and garages. No variances exist nor would any be created and there would be no construction. This application is for a lot line adjustment.

The area to be added to the larger lot is mostly wooded. There was an informal path created between the two homes so that the families could traverse back and forth.

Engineer Shafai stated that the applicant has asked for certain waivers from the checklist requirements such as provision of topography survey, benchmarks, location of dry well and letters from utilities companies. He advised that this is acceptable.

Attorney Steib stated that the larger lot has a split zone and the applicant will stipulate that the larger lot will come under the R-130 zoning. Attorney Steib would review the deed restriction for the property.

The application was opened to the public and seeing no public comment on the application, Chairman Newman closed the public portion.

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

**P08-13 SVEDOVA PROPERTIES** – Block 57, Lot 14.01 – Located at Burnt Tavern Road in the BP zone consisting of 1.79 acres. Applicant seeks Preliminary and final site Plan approval to construct a one-story, 11,250 s.f. office/warehouse building. Bulk variance relief granted at the time of subdivision approval. Deemed complete 11-12-08. Date of Action: 12-26-08 Extension of time granted through 1-31-09.

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

Attorney Steib reads the following exhibits into evidence:

- A-1 Jurisdictional Packet
- A-2 Application dated 09/10/08
- A-3 Web Notice 12/31/08
- A-4 Stormwater Management Report prepared by Crest Engineering dated 10/15/08; last revised 11/18/08

- A-5 Stormwater Manual for the Operation & Maintenance prepared by Crest Engineering dated 08/08; last revised 10/08
- A-6 Survey prepared by Crest Engineering dated 9/27/08; last revised 10/17/08
- A-7 Preliminary Site Plan prepared by Crest Engineering dated 8/20/08; last revised 11/12/08
- A-8 Traffic Impact Study prepared by Maser Consulting dated 12/11/09
- A-9 Additional Traffic Report prepared by Maser Consulting dated 11/5/08
- A-10 Historic Pesticide & Soil Contamination Report prepared by Crest Engineering dated 09/27/07
- A-11 EIS prepared by Crest Engineering dated 08/08
- A-12 Color Rendering of the Site Plan prepared by Crest Engineering dated 01/14/09
- A-13 Major Subdivision Plan approved by PB prepared by Crest Engineering dated 03/20/08
- A-14 Offsite Wetlands Location Map prepared by Crest Engineering dated 06/10/08
- PB-1 Report of Board Engineer dated 11/12/08, Revised 12/22/08
- PB-2 Report from Planner dated 01/08/09
- PB-3 Monmouth County Planning Board Final Approval dated 10/27/08
- PB-4 Freehold Soil Conservation Certification dated 12/30/08
- PB-5 Fire Prevention Bureau Report dated 01/12/09

Attorney Kenneth Pape representing the applicant. He explained the application is to develop a building in the BP zone that is specifically designed for the applicant, Mr. Litecky, who manufactures cranes and has operated in South Brunswick for the past 40 years. Mr. Pape explained that this lot was recently created as a result of a three lot subdivision with one lot for COAH. The variances created as a result of this major subdivision were granted at that time. He explained that the northern most edge of the property has a steep slope. The property has been designed to be in compliance with the Township ordinances. The driveway was originally entirely on the property. Mr.

Pape explained that Engineer Shafai asked that the driveway be moved due to the impact on the neighbors. The driveway has been relocated and will be a common driveway to the next lot and they have the approvals of that property owner to do that.

Peter Strong of Crest Engineering is sworn in by Attorney Steib. His credentials are known as he has testified before the board many times in the past. He is accepted as applicant's professional engineer and professional planner. He advised that the NJDEP application for stormwater discharge was filed on 11-21-08 and is still being reviewed. He explained that the LOI was approved with the Key Investment three (3) lot subdivision.

Mr. Strong provided a brief overview of the property and project.

Marked into evidence: Exhibit A-12, color rendering of the landscape plan (Key Investments Major Subdivision Plan approved by the Board).

Exhibit A-13, Major Subdivision Plan prepared by Crest Engineering, 9/27/07, last revised 3/20/08.

Exhibit A-14, Off-site wetlands location map.

Mr. Strong explained the wetlands that surround the site that buffer this site from others.

Mr. Strong referred to Exhibit A-12 and advised that the lot contains 1.79 acres in the BP zone. Variances were granted previously. The property is to be developed for the Shupper Brickle Company who manufactures and assembles cranes. He explained that the lot next door (14.02) is owned by Key Investments.

Mr. Strong stated that there are two truck accesses to the rear of the building. He explained how trucks traverse the property and where they unload. The building is designed so that trucks can access inside of the building. Landscaping is located along Burnt Tavern Road, and a row of plantings will be in place to screen the headlights to the neighbors. He explained the stormwater management is located to the rear of the building. Mr. Strong explained that the building will discharge water into the wetlands and that application is before the NJDEP presently. Stormwater management has been designed to comply with both the NJDEP and Millstone regulations. The office is located in the front at the main access.

Mr. Strong advised that they would comply with Mr. Shafai's report.

Road widening would be in accordance with the Township Ordinances.

Lighting was discussed and would consist of 16-foot high shoebox lighting fixtures facing downward with house side shields. The lights would be recessed. Only security lights would be on at night. Mr. Strong explained that although the zone is in the BP

zone, there is a residential element across the street on Burnt Tavern Road and the lighting has been shielded for those purposes.

Natural vegetation is a mix of deciduous and evergreens that would act as a buffer to the neighbors across the street. Mr. Strong explained how the inter-disbursement of the natural vegetation with the additional plantings would be located in front of the parking spaces.

Mr. Pape advised that on 10-29-08, he wrote to the neighbors across the street to meet and discuss enhancing the landscaping on their property. Mr. Pape advised that they have not met with him yet but he stated that the offer is still in place. Regarding the buffering requirements, Ms. Grbelja read the ordinance as it relates to the BP zone. Mr. Litecky's goal is to follow the zone requirements. They will enhance the landscaping and work with the neighbors.

Board Planner Coppola asked that the existing vegetation be supplemented. He is concerned that road widening and parking may damage the existing vegetation. Mr. Coppola is concerned about the vehicles traversing over the septic in its present location. There was a question if the applicant considers raising the retaining wall to block the headlights and the trucks.

Mr. Strong advised that he can address any outstanding engineering issues.

On site, there are twenty-one (21) parking spaces. Mr. Coppola advised that the site plan indicates warehouse and office. His concern is that manufacturing operations require different parking space provisions. Warehousing works, manufacturing requires eight (8) additional parking spaces.

Attorney Steib swears in applicant, Andrew T. Litecky of Svedova properties LLC.

Mr. Litecky advised that the Shupper Brickle Equipment Company is 40-years old. He bought the company from Mr. Brickle. The company does overhead material handling. They presently occupy 6,000 s.f. The company has 16 full-time employees consisting of salesman, technicians and mechanics. They have 11 employees that work periodically. Mr. Litecky explained how the business runs. In the office, 80% of their business is conducted via phone, internet and fax orders. The warehouse portion consists of the parts department, where they store and ship, via UPS, the inventory on a daily basis. There is a small fabrication area and inventory area. Ten (10%) percent of the business is providing service where mechanics go out in the field and fix hoists and cranes. The cranes are poser electric, air and manual.

Mr. Litecky and his wife own the company and he and his daughter run the company. Traffic in and out of site is extremely minimal. They use gear case oils that

are stored in a fireproof cabinet that is the size of a refrigerator. The building would be an 11,250 s.f. building. All employees would back into their parking spaces to avoid the headlight issue to the neighbor.

Mr. Litecky arrives at 6:00 a.m. and employees trickle in until 8:30. All employees are out of the building by 6:00 p.m. There is no public traffic on the premises. UPS makes daily trips and occasionally Fed Ex will be on the premises and one tractor trailer delivery is made weekly.

Regarding the lighting, Mr. Coppola asked that they lower the lighting to one (1) candle. They will have security lights with shields.

Mr. Pepe asked about the noise that may be generated from the business. Mr. Litecky advised that it is less noisy than the noise generated by a tractor trailer going by. He recommends that his employees wear ear, eye and foot protection. No fabrication or storage shall take place outside of the building. Weekend work is minimal. The doors would be closed except when it is hot during the summer.

Chairman Newman wants to keep noise level as low as possible. He is concerned about the noise factor and the neighbors. Mr. Litecky feels the way the building is situated, it will not bother the neighbors. He had confirmed that no vats of chemicals shall be on the premises.

Mr. Coppola advised that the applicant does do manufacturing but they do not need more parking than what is required for the warehouse use. That is sufficient. This will require a waiver action if the Board grants the application. Mr. Coppola advised that if the application is to be approved, the Board should stipulate that they are approving a warehousing type of operation and find that the manufacturing element is relatively minor.

Mr. Pape advised that the Developer's Agreement has specific language in it and that an agreement follows the property. If the property changes hands, and the new owner would come back to the Board should the plan need to be changed.

Maurice Rached is sworn in. He is an engineer with Maser Engineering and is the applicant's traffic expert. The Board accepts his credentials since he has testified before the Board in the past.

Mr. Rached explained that this use has been classified in the report as warehousing. A manufacturing use usually involves an assembly line. It is Mr. Rached's understanding that in the warehouse, 3-4 employees would be working. To analyze the traffic, he explained that he used the figures for a warehouse. Mr. Rached explained how he figured the trips made. He did an extensive site distance analysis. For this speed limit,

he explained that a person would need 300 feet stopping distance. In this location, cars are slowing down. In terms of the truck need, there would be two or three trucks per week. The improvements to the frontage of the property will improve the site distance on the property.

Mr. Rached prepared the templates in great detail for all types of vehicles including a fire truck. He explained how he is able to show that the truck will maneuver around the site and building safely. He stated that by moving the driveway location, the site distance improved. It is his opinion that the parking proposed is adequate for the use of the property.

At 9:30 p.m., the Board took a break returning at 9:40 p.m.

Signage was discussed and the sign is to be moved back 5 feet so that no variance is needed. There will be no illumination on the sign.

Mr. Gaffney, the applicant's architect is sworn in. He presented his credentials to the Board. He received his bachelor's degree from Clemson University. He obtained his professional license in New Jersey in 1994 and in 1996 started his own business. He is accepted as an expert.

Mr. Gaffney explained that the rear portion of the building contains the shop/warehouse. Mr. Gaffney explained the materials to be used in the project including metal wall panels and an embossed design for texture along the office front, sides and entire front of the shop area. Light stone would be used on the lower portion of the building. The roof panels are standing seam metal panels in a rustic red color. A 6 ft. canopy cantilever will be over the entrance area. Two (2) non-structural columns are located in front of the building. Mr. Gaffney stated that the windows are aluminum frame windows of one-inch insulated glass. Four windows are located in the front, two on each side and two upper windows allow light into shop area.

Wainscoting will be around the perimeter on the entire front and on two sides of the office there will be shall be of split block is a blush color. Mr. Coppola offered that the block should be of a darker color to add dimension. Mr. Gaffney feels the present color chosen complements it well. The architect would work with Mr. Coppola regarding the block color. The edges of the building will be defined with the same rustic color of the roof.

The HVAC is to be screened or located inside of the building.

No signage shall be located on the building except the number "11". The name of business will be in gold on the front doors.

Mr. Coppola asked about moving the location of the dumpster. The applicant will work with professionals as to the location of the dumpster. The dumpster enclosure would be made of the same material as the building.

Mr. Pepe asked to restrict the hours of trash pick-up to be sometime after 8:00 a.m.

Chairman Newman opened the application to the public at 10:00 p.m.

Shirley Palmeri, of Burnt Tavern Road is sworn in. She asked how trucks enter and traverse the property.

Mr. Litecky advised that the hours of operation are 6:00 a.m. to 6:00 p.m. UPS drops off at 10:00 a.m. and picks-up at 4: 00 p.m. Tractor trailers would arrive at midday. He advised that the truck pick-up that arrived today was loaded in one hour.

The extra speed limit signs to be posted were discussed.

She is concerned about the noise. Mr. Coppola advised that if the outside wall is 8-10 feet, it serves as a sound barrier when the doors are open.

She has concerns that the property is kept up. Mr. Litecky advised that his door is open as to any concerns.

Mr. Litecky's suppliers are to enter his property via the Route 537 end.

Maria Melendez lives across the street on Burnt Tavern Road. She has a concern that trucks may use her driveway to turn around. She is concerned about the trucks that speed down the road. She explained that she has lived in her home for 46 years. She has had problems with trucks entering her property to turn around. She explained that is why she has placed a barrier at the driveway entrance to deter trucks from using her driveway.

Mr. Melendez of Burnt Tavern Road voiced his concerns about headlights coming into his windows. He is concerned about buffering so that he does not see the trucks and the building.

Mr. Pape was authorized by the applicant to meet with the Melendez to discuss buffering on their property. They will make any arrangements outside of the Board.

Public portion was closed at 10:20 p.m.

Mr. Pape offered a summarization of the project.

Ms. Pinney advised that the Environmental Commission is to look at the proposed project at their January Meeting. They did not have a December meeting and could not address this project until January.

Mr. Steib went over conditions of approval including but not limited to:

- Hours of operation are from 6:00 a.m. to 6:00 p.m. with lights out one hour after close of business with only security lights to come on thereafter,
- The applicant shall work with the Board professionals as to septic location,
- No outdoor storage activities are allowed,
- The Board granted parking variances subject to the condition that any subsequent use the applicant would have, would require him to return to the Board for reassessment of the application,
- The sign is to be relocated to eliminate the need for a variance,
- An unlit, triad monument sign shall be in place,
- The application is subject to the applicant addressing any comments from the EC
- The architectural shall be in accord with the rendering shown and alternate colors to be worked out with Board Planner Coppola
- Only the numeral "11" shall be located on the building and the company name in gold lettering on the front door,
- The applicant shall work with the Board Planner and Engineer to replace the trash dumpster and enclosure material and color shall match those chosen for the building,
- No trash pick-up before 8:00 a.m.,
- Applicant agrees to provide additional speed limit signage pursuant to the recommendations of the Board Engineer,
- Light candle shall be reduced to 1 candle,
- Additional landscaping shall be provided around the perimeter of the septic system,
- Deliveries shall take place along Route 537, etc.

Mr. Pepe Made a Motion to approve as conditioned and Mr. Weintraub offered a Second. Roll Call Vote: Pepe, Weintraub, Kurzman, Blanco, Grbelja, Pinney, Beck and Newman voted yes to the approval.

**NEW BUSINESS:** Discussion of New Regulation (39NJR 3624) effective 10/08/08, allowing Planning and Zoning Boards to amend their checklists to require a Letter of Interpretation as a condition of completeness for development regulations.

Mr. Steib addressed that a new regulation in New Jersey allows the Boards to amend their application checklist to ask applicants to proceed to secure a Letter of Interpretation (LOI) as a requirement of the application process.

Mr. Steib discussed the conditions when an LOI is appropriate. The Board discussed what checklist it is appropriate for. Mayor Grbelja and Engineer Shafai would look into this matter, discussing what is appropriate. The Township is concerned for its buffers for stream corridors. Mr. Coppola discussed that on the 100-year flood plain the need for an LOI may become more relevant. Further research shall be done.

Gary Mangino, Beechwood Lane. His concern is often times the NJDEP is not staffed enough for them to provide information in a timely manner. The result of that LOI could dramatically change a project.

The Board will take a harder look at this matter.

At 10:40 p.m., Mr. Beck made a Motion to Adjourn and Mr. Pepe offered a second and by unanimous vote, the meeting adjourned.

Respectfully Submitted,

Pamela D'Andrea