



**MILLSTONE TOWNSHIP PLANNING BOARD
MINUTES
March 9, 2022**

The Millstone Township Planning Board regular meeting was called to order by Chairman Newman on Wednesday, March 9, 2022 at 7:30 p.m. at the Wagner Farm Park Facility, 4 Baird Road, Millstone Township, NJ 08535. Notice of this meeting was provided in accordance with the Open Public Meetings Law, including a notice for change of venue from being held virtually, to be held at the Wagner Farm Park Facility, in person.

Ms. Sims read the Open Public Meetings Act Statement.

There was a salute to the Flag.

Roll call for the below members was called:

Present: Chairman Newman, Vice-Chairman Pepe, Mr. Lambros, C/W Zabrosky, Ms. Balint, Mr. Beck, Ms. Curtis, Mr. Pado and Mr. Ziner.

Absent: Mr. Youngs (Alt. II), with one vacant seat.

Attending: Michael Steib, Esq.; Matt Shafai, PE, PP, Board Engineer; M. McKinley Mertz, AICP, PP, Board Planner; Danielle B. Sims, Board Secretary; Angela Buonantuono, Board Court Reporter.

PUBLIC COMMENTS:

Chairman Newman opened the meeting up to members of the public for comments on matters not before the Board. With no members coming forward, Chairman Newman closed the public comments session.

RESOLUTION(S):

1. Election of a Secretary – Danielle B. Sims

Chairman Newman made a motion to nominate Danielle Sims as Board Secretary of the Planning Board, which was seconded by Mr. Pepe.

The motion passed with the following roll call vote: Chairman Newman, Vice-Chairman Pepe, Mr. Lambros, C/W Zabrosky, Ms. Balint, Mr. Beck, Ms. Curtis, Mr. Pado and Mr. Ziner. Approved: 9 - 0

**2. 515 State Route 33, LLC (D/B/A DeMoro Funeral Home)
Block 25, Lots 5.01, 6 & 7 – 515 State Highway 33**

Resolution of Approval, Preliminary and Final Major Site Plan Application # P21-12

Chairman Newman abstained from the hearing for this application and was not eligible to vote on the resolution. Mr. Lambros made a motion to adopt Resolution P21-12, which was seconded by Vice-Chairman Pepe. The resolution was memorialized with the following roll call vote: Vice-Chairman Pepe, Mr. Lambros, C/W Zabrosky, Ms. Balint, Mr. Beck, Ms. Curtis, Mr. Pado and Mr. Ziner. Approved: 8 - 0

NEW APPLICATION:

Hexa Builders, LLC

**Block 9, Lot 7 and Block 11, Lot 19 – 710 and 711 Perrineville Road
Preliminary and Final Major Site Plan # P21-05**



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Proposal to develop two properties located across Perrineville Road from one another in the R-MF (Multi-Family) Zone. Block 11, Lot 19 consists of 36.5-acres, where the applicant proposes 122 market-rate townhouses across 16 buildings and 48 affordable units within two apartment buildings. Block 9, Lot consists of approximately 8.4-acres and there are no improvements proposed on this lot. A variance is required for parking setback of 30'; whereas 50' is required. *(During the meeting, the applicant changed the request to remove Block 19, Lot 11 from the application, changing some aspects of this project description).*

Mr. Steib, Esq. confirmed that the proof of notice was correct in form, published and properly served, so the Board has jurisdiction to hear the application.

The following witnesses were sworn in:

Matt Shafai, PE, PP – Board Engineer
M. McKinley Mertz, AICP, PE – Board Planner
Chester DiLorenzo – Applicant's Engineer
Scott Nicholl – Applicant's Architect

The following exhibits were marked in advance of the hearing, as follows:

- Exhibit A-1: Jurisdictional Notice (Proof of Service)
- Exhibit A-2: Application, Checklist and Administrative Forms
- Exhibit A-3: Traffic Impact Analysis, prepared by McDonough & Rea Associates, dated 11/21/21
- Exhibit A-4: Environmental Impact Statement, prepared by Trident Environmental, dated 11/11/21
- Exhibit A-5: Drainage Study prepared by Midstate Engineering, dated 11/21/21
- Exhibit A-6(a): Survey of Property, prepared by Midstate Engineering, 1 sheet, dated 1/29/21
- Exhibit A-6(b): Survey of Property, prepared by Midstate Engineering, 1 sheet, revised 8/9/21
- Exhibit A-7: Aerial Display, undated, source unknown
- Exhibit A-8: Arch. Floor Plans/Elevations-Townhouses, prepared by Tekton Architecture Studio, LLC, 2 sheets, dated 6/22/21
- Exhibit A-9: Arch. Floor Plans/Elevations-Apartments Buildings, prepared by Tekton Architecture Studio, LLC, 2 sheets, revised 9/30/21
- Exhibit A-10: Site Plan, prepared by Midstate Engineering, 22 sheets, revised 10/11/21
- Exhibit A-11: Color Rendering of Proposed Apartment Buildings, dated 9/30/21
- Exhibit A-12: Extension of Time to Act through 5/31/22
- Exhibit PB-1: Completeness Determination dated 12/8/21
- Exhibit PB-2: Engineer's Report dated 1/11/22
- Exhibit PB-3: Planner's Report dated 2/17/22
- Exhibit PB-4: Environmental Commission review dated 3/2/22
- Exhibit PB-5: Shade Tree Commission review dated 11/18/21

Mr. John Guinco, Esq. appeared behalf of the applicant, providing a summary of the application before the Board.

Scott Nicholl, Architect for the Applicant, was sworn in and provided his credentials and was accepted by the Board as a professional licensed architect. He stated that there will be 122 townhomes within 16 clusters on the site, as well as two apartment buildings with 48 apartment



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units. They have provided natural colors and grey tones, as well as stone, and clap board to create both horizontal and vertical lines to meet the design requirements. The townhomes are two to three-bedroom units. The garage doors will have windows. Mr. Nicholl confirmed that the market rate units will be the townhomes and the affordable units will be contained in the two apartment buildings. The affordable units will be between 1200 and 1600 square feet. The stairways will be interior to the units. The Board requested that the Fire Department review the plans to determine if they would have appropriate access to service the buildings. There is some concern that the fire department may not be able to gain access to a three-story residential unit. Mr. Guinco stated that they have requested a review from the fire department, but has not yet received their comments. He stated that they would comply with the State requirements and the Township Committee has already approved the plan design. All units will have a fire suppression system including the stairwell and the attic (wet system). The Board inquired if there would be handicap access to the upper-level units.

McKinley Mertz, Board Planner inquired about attic space. There will be some units that will be able to have some garages, some will have a pull-down attic storage area and others will be able to use the loft space as habitable space with an operable staircase and may be considered a 3rd or 4th bedroom. Mr. Pepe inquired if the septic design is designed to accommodate the maximum number of bedrooms, assuming that the attic space is used. The applicant confirmed that they mis-spoke and the third floor will not be used as bedroom space.

Ms. Mertz inquired if there was any common public space proposed. Ms. Mertz inquired about mail and package services. Mr. Guinco stated that they will have a locker system for parcel pick up. Mail boxes will be outside to the service the apartment complex. Townhouses will have all the A/C units in the attics and the apartments will have exterior units. There will be emergency lighting for emergency egress. There is a pump house on site for the wastewater, which will have a generator. Ms. Mertz stated that the units should provide laundry units for the apartment units, either communal or within the individual units. Should the septic system not be able to handle the additional septic from the laundry units, Ms. Mertz said she would withdraw the request for laundry units.

Ms. Mertz requested that the townhouses are articulated with a push and pull façade. Mr. Nicholl stated that the units fronting on Perrineville Road will have articulation on the front and back and the other townhome units will be articulated in just the front of the units. He clarified that the architectural plans show this design, but the site plan is not consistent with this articulation. This would need to be updated on the site plan. The HVAC units will be behind each townhome, including about 30 units that back up to Perrineville Road. The Board is concerned that the HVAC units will affect the sound levels on Perrineville Road and would like to minimize the effect. Mr. Guinco stated that the standards are regulated by the NJDEP and are measured at the property line. The Board requested that the applicant would prepare a noise study based on the design of the proposed HVAC units.

The Board inquired about the installation of an elevator to access the second and third floor. Mr. Guinco stated that the installation of elevators would not allow them to make the units "affordable." The Board inquired about any proposed outdoor living space, noting the "park" area shown on the site plan. Mr. Guinco stated that they are not proposing any patios or fences and will not have any designated outdoor space. He stated that they will have contract and agreement with the HOA, which would require any fencing to be approved by the HOA and also through Township permitting. Lawn maintenance would be included as part of the HOA for the townhomes and the owner of the apartment building would be responsible for the affordable



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apartment units. The plan is to provide similar maintenance between the townhomes and the apartments.

The Board temporarily diverted to the second application on the agenda:

Total Stone, LLC

Block 53, Lot 4.02 – 4 Wren Haven Drive

(Amended) Preliminary and Final Major Site Plan # P21-04

The 5.27-acre property is located in the BP Zoning District on a private road, with frontage on, but no access to, CR 526 and I-195. The applicant proposes to add outdoor storage to an existing site to store cultured stone that is sold and distributed from the existing 44,687 +/- square foot warehouse building. The applicant does not request any expansion of the building footprint or size or any modification of the existing use of the building. A variance is required for outdoor storage within the required front yard area of the lot.

Mr. Steib, Esq. confirmed that the proof of notice was correct in form, published and properly served, so the Board has jurisdiction to hear the application.

Mr. Ken Pape, Esq. appeared on behalf of the applicant and requested that due to the current application still ongoing, that the Board take jurisdiction of Total Stone, LLC application and carry the matter to a subsequent meeting. The Board considered the upcoming meeting schedule and the meeting venue, suggesting the matter be carried to the April 13, 2022 meeting, which will be held at 7:30 pm at the Municipal Meeting Room at 215 Millstone Road, Millstone Township, NJ 08535.

In response to the request of the Applicant, Chairman Newman made a motion to carry Application PB21-04, Total Stone, LLC, to the April 13, 2022 meeting, which will be held in person at 7:30 pm at the Municipal Meeting Room at 215 Millstone Road, Millstone Township, NJ 08535, which was seconded by Vice-Chairman Pepe, with all Board members voting in favor.

Mr. Steib, Esq. confirmed the application has been carried to April 13, 2022 Planning Board meeting, at 7:30 pm at the Municipal Meeting room, without further notice, saying anyone interested in the application should attend. Ms. Sims confirmed the address of the Municipal Meeting room for the members of the public.

The Board returned to the ongoing hearing for:

Hexa Builders, LLC

Block 9, Lot 7 and Block 11, Lot 19 – 710 and 711 Perrineville Road

Preliminary and Final Major Site Plan # P21-05

Chester DiLorenzo, PE, PLS, PP, Engineer and Surveyor for the Applicant, was sworn in and provided his credentials and was accepted by the Board as a professional licensed engineer (not appearing as the planner for the applicant). He stated that they have worked with the Township since 2017 to design a sketch plan, which was settled on by the Township and the Courts. The applicant decided to build larger, higher end townhome units and 48 apartment units, providing 96 affordable housing credits.

Referring to a rendered copy of sheet 3 of the site plan (Exhibit A-10), Mr. DiLorenzo reviewed the overall site plan. He reviewed the stormwater detention basin systems provided on site,



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which was designed in accordance with the Township's new Stormwater regulations. There will be a retention pond (not a wet basin), which may hold up to 5-feet of water, but is designed to perk to a dry area within 72 hours. It will be able to be used when it is dry. A similar design has been built by this applicant in nearby Robbinsville Township and the residents keep soccer nets on this portion of land.

The Applicant has not yet applied to the DEP, as they require approvals from the town, before reviewing an application. They have submitted to the DEP for wetland buffers, and it appears they will need to provide 50' buffers. He reviewed the open areas as 15+ acres that will remain wooded. The only visibility of the property will be along Perrineville Road. He would provide a sound study and would buffer the area using appropriate plantings, including deciduous plantings. Mr. Pado inquired about the possibility of turning around the units along Perrineville Road to allow the "front" of the homes to face the roadway and the rear, where residents would use as their backyard living space, instead face to the interior of the site. Mr. DiLorenzo suggested that a landscaping berm with plantings would be built to screen the view. Chairman asked if the applicant would design it to the satisfaction of the Township Engineer. The parking will be flipped with the Stormwater basin in order to alleviate the need for a variance from parking provided within 50' of Perrineville Road. Parking will be restricted on the main roads. The applicant would give Title 39 to the Township, but the Board noted that the State Police covers Millstone Township and will not likely come out for parking issues. The Board inquired about the number of overflow/common parking spaces.

Committeewoman Zabrosky stated that the potable wells for the schools failed in the past and the schools have closed due to this issue. The applicant noted there will be generators for the wells and septic system which will be contained in noise/sound abatement containers.

The Board inquired about electric vehicle (EV) parking/charging area. Mr. Guinco stated that they will be providing "make ready spaces" at the townhomes and would comply with the State requirements.

There was a five-minute break.

Mr. Shafai went through his review memo. The applicant is not proposing any outdoor patios, but there are doors opening to the back of the townhomes. Mr. DiLorenzo will revise the plan to show patios at the rear of the townhomes. There is a park area shown on top of the septic and will be used as open play area. He suggested that the Board members visit the site in Robbinsville Township to see this in operation. The Board requested photos be provided of the similar facility in Robbinsville.

The applicant will need to provide a habitat study, as required per ordinance (appendix), which is a field verification study. The NJDEP has not requested a Phase I Environmental Study. DuBois Environmental will provide information that there are no cultural resource issues. The applicant will provide soil testing. Mr. Shafai stated that the applicant should review Ordinance 11-40 for the requirements.

Mr. DiLorenzo will supplement the plantings on the plan to address the comments from the Shade Tree Commission. He stated that he will be making an appearance before the Shade Tree Commission, the Environmental Commission and would like to meet with the Fire Commissioners.



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Ms. Mertz stated that the driveways are designed for double parking. The architectural plans and civil plans are not consistent with the width of the driveways as some only provide single garages. These should be revised to not be in conflict.

Ms. Mertz suggested that there should be some type of sidewalk connectivity throughout the site. Crosswalks should be shown in any necessary areas. Illumination levels will need to be shown on the plan and should detail sensitive areas.

The affordable units must be built in accordance with the required standards to ensure that the affordable units are built. Mr. Guinco stated that they are permitted to build more, but not occupy more than 30% of the market rate units before the affordable units would be required. Ms. Mertz will provide a spreadsheet describing the phasing/timing of this requirement for the Board.

The Board recognized the time, noting the applicant has follow up items to complete/submit; therefore, Chairman Newman opened the application to the public.

Brad Graves of 731 Perrineville Road appeared and was sworn in. He inquired about the proposed septic system for the site and asked for the location of the similar site the applicant built in nearby Robbinsville Township. Mr. Guinco corrected him, advising that it is an on-site community treatment, not a septic system and would provide the Board office with the address of their other facility. Mr. Graves lives a couple houses from the proposed site. He stated his property has seven acres of wetlands and expressed concern about the wetlands in the area of the site. Mr. Guinco said they would address the wetlands at the next meeting.

Steve Rodriguez of 14 Cranbury Road Drive appeared and was sworn in. He inquired about the Township's first responders' ability to service the additional development. He is also concerned about the environmental impact of the additional traffic and inquired about mass transit to the proposed site. Chairman Newman inquired if the applicant would reach out to transit to inquire about bus service to the site (New Jersey Transit and Suburban Transit) and copy the Board with the letter requesting bus service. The applicant will have their traffic engineer address the school bus access for the site. Mr. Rodriguez also inquired about the impact to the schools and if there is a study on the impact.

Vice-Chairman Pepe agreed and requested information about the possible impact on the school system. Mr. Steib stated that this application was reviewed during the Fair Share Plan and was considered by the school, but the Board would still like information on whether the school has evaluated this particular development and requested that they provide a response for the Board. Ms. Zabrosky stated that she is the liaison to the School Board and would need to know the exact number of bedrooms in order to provide a calculation for impact to the school system. The Board asked that Ms. Sims provide the School Board a copy of the plan and send to the School Board. The Board would request that a representative from the Board of Education attend the next hearing, and if not available, provide a written response.

Mike Pisauo, Policy Director for The Watershed Institute, inquired about a procedural issue of the NJDEP being listed on the plan as the owner of a particular lot, however, the list provided by East Windsor indicated that the applicant is the owner of the particular note. The applicant will address this discrepancy at the next meeting. The applicant will also make an extra copy of the plan available for Mr. Pisauo to pick up, so he may review the proposed stormwater means.

Eric Sinha, 42 Rising Sun Tavern Road, appeared. He inquired about the association fees to be incurred. He is concerned that the HOA would not be sustainable enough to maintain the



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utilities. Mr. Guinco stated that the apartment owner will pay a proportionate share to the HOA to cover their costs of the utilities. In order to address these concerns, the Board requested that the applicant provide an estimated annual cost to operate the proposed facilities.

No other members came forward and the Board closed the public session, noting the applicant will have additional witnesses and members of the public will have another opportunity to speak on this application at the continued hearing.

Mr. Shafai noted that the application also refers to the lot across the street (Block 9 Lot 7). The applicant withdrew this lot from the application as it was no longer being considered as part of this application. Mr. Shafai noted that the applicant should revise the application and any references to this lot from the application and submission documents, the applicant agreed.

Mr. Guinco, Esq. requested that the application be carried to a night where they would be the only application on the agenda and would like to be heard as soon as possible, noting it would take approximately two-weeks to submit the revised application, plans and documents. The Board reviewed their upcoming agenda and offered the Applicant to be heard on May 11, 2022. This matter would be the only application on the agenda. The Board requested that the Applicant file any revised plans as a complete resubmission, no later than April 15, 2022, in order for the Board's consultants to properly review the revised submissions and provide a revised memo back to the Board.


Chairman Newman announced that the Board will carry Application PB21-05, Hexa Builders, LLC, to the Wednesday, May 11, 2022 meeting, which will be held in person at 7:30 pm at Wagner Farm Park Facility, 4 Baird Road, Millstone Township, NJ 08535, which was seconded by Vice-Chairman Pepe, with all Board members in favor.

Members of the public will have the opportunity to be heard again at the May 11, 2022 meeting. It was confirmed that the application was carried without further notice. Ms. Sims will provide any necessary notices for the Board.

BOARD DISCUSSION:

With no further business, Chairman Newman closed the meeting.

Respectfully submitted,


Daniëlle B. Sims, Board Secretary

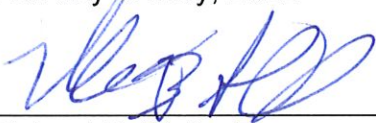
**CERTIFICATION BY ABSENT MEMBER THAT HE HAS
EXAMINED THE RECORD AND IS ELIGIBLE TO VOTE**

I, Kevin Youngs, do hereby certify that I listened to the recording of the hearing and/or reviewed the transcript of the Planning Board meeting held on March 9, 2022, regarding the matter of Hexa Builders, LLC, Application number P21-05, and that I am familiar with and have examined the exhibits submitted in said proceeding, so that I am eligible to vote on the decision of said matters.



Kevin Youngs, Alternate II

Sworn and subscribed to before me this
11th day of May, 2022



Michael B. Steib, Esq.
Attorney-At- Law
State of New Jersey