



**MILLSTONE TOWNSHIP PLANNING BOARD
MINUTES
May 11, 2022**

The Millstone Township Planning Board regular meeting was called to order by Chairman Newman on Wednesday, May 11, 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 Municipal Meeting Room, 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, Mr. Lambros, Mr. Beck, Mr. Pado, Mr. Ziner and Mr. Youngs (Alt. II).

Absent: Vice-Chairman Pepe, C/W Zabrosky, Ms. Balint and with two vacant seats.

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.

Mr. Youngs was seated for Ms. Balint. Mr. Youngs also reviewed the record and exhibits from March 9, 2022 regarding the Hexa Builders, LLC application (P21-05) and has signed the certification to be eligible to participate and act on the hearing for this application.

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.

MINUTES:

Minutes from March 9, 2022

Chairman Newman asked the Board if they had any comments on the minutes that were prepared. With no comments from the Board, Mr. Ziner made a motion to adopt the Minutes from March 9, 2022, which was seconded by Mr. Pado. The Minutes were adopted on a roll call vote: Chairman Newman, Mr. Lambros, Mr. Beck, Mr. Pado and Mr. Ziner.

Minutes from April 13, 2022

Chairman Newman asked the Board if they had any comments on the minutes that were prepared. With no comments from the Board, Chairman Newman made a motion to adopt the Minutes from April 13, 2022, which was seconded by Mr. Ziner. The Minutes were adopted on a roll call vote: Chairman Newman, Mr. Pado and Mr. Ziner.

RESOLUTION(S):

GREEN, GEORGE

**Block 62, Lot 16.02 (proposed lots 16.03 & 16.04) – 97 & 103 Stage Coach Road
Extension Request for Approval granted for Minor Subdivision Application # P19-11**



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With no comments from the Board, Chairman Newman made a motion to memorialize the resolution for the extension of the approvals for Application P19-11(Ext.), which was seconded by Mr. Beck. The motion passed with the following roll call vote: Chairman Newman, Mr. Beck Mr. Pado and Mr. Ziner.

**TOTALSTONE, LLC, c/o Robert McKay
Block 53, Lot 4.02 – 4 Wren Haven Drive
(Amended) Preliminary and Final Major Site Plan Application # P21-04**

With no comments from the Board, Chairman Newman made a motion to memorialize the resolution for approval of Application P21-04 which was seconded by Mr. Pado. The motion passed with the following roll call vote: Chairman Newman, Mr. Pado and Mr. Ziner.

CONTINUED/CARRIED APPLICATION(S):

**REQUEST TO ADJOURN WITHOUT FURTHER NOTICE TO JUNE 8, 2022
XXXIII ASSOCIATES/RIVERSIDE CENTER, LLC
Block 18.01, Lots 1, 2, 3 & 4 – Farrington Blvd. & Debaun Road (future Lots 1.01 and 1.02)
Minor Subdivision and Preliminary & Final Major Site Plan and Variance Application # P21-13
(Carried without further notice from 3/9/22 meeting)**

The Board took no exception to the request to adjourn the meeting and carried the matter to the June 8, 2022 meeting, to be held in person at the Municipal Meeting Room, 215 Millstone Road, Millstone, NJ 08535, at 7:30 pm, without any further notice.

**Hexa Builders, LLC
Block 9, Lot 7 – 711 Perrineville Road
Preliminary and Final Major Site Plan Application # P21-05
(Carried without further notice from 3/9/22 meeting)**

The following witnesses were sworn in or still under oath:

Matt Shafai, PE, PP – Board Engineer
M. McKinley Mertz, AICP, PE – Board Planner
Chester DiLorenzo – Applicant's Engineer
Scott Nicholl – Applicant's Architect
Dr. Christopher Huss – Superintendent of Schools
John Rea – Applicant's Traffic Engineer

Mr. Steib, Esq., reviewed the additional exhibits provided to the Board since the hearing held on March 9, 2022:

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



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- 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 A-13: Site Plan, prepared by Midstate Engineering, 23 sheets, revised 4/2/22
- Exhibit A-14: Analytical Report-Environment Testing America, prepared by Eurofins Edison, released 4/18/22
- Exhibit A-15: Hydrogeologic Evaluation for Wastewater Discharge, prepared by Dwyer Geosciences, Inc., dated January 2022
- Exhibit A-16: Monmouth County Planning Board, Development Review, "Incomplete Application" dated 3/17/22
- Exhibit A-17: Notice (CRR) of NJPDES-DGW Permit is being submitted to the NJDEP, prepared by G Barkley Engineering, dated 2/4/22, received 2/7/22
- Exhibit A-18: Stormwater Management Report, prepared by Midstate Engineering, revised 4/25/22
- Exhibit A-19: Rendered Site Plan
- Exhibit A-20: Aerial Photo w/ proposed development shown
- Exhibit PB-1: Completeness Determination dated 12/8/21
- Exhibit PB-2: Engineer's Report dated 1/11/22
- Exhibit PB-2(b): Engineer's Report dated 5/3/22
- Exhibit PB-3: Planner's Report dated 2/17/22
- Exhibit PB-3(b): Planner's Report dated 5/5/22
- Exhibit PB-4: Environmental Commission review dated 3/2/22
- Exhibit PB-4(b): Environmental Commission review dated 5/5/22
- Exhibit PB-5: Shade Tree Commission review dated 11/18/21
- Exhibit PB-5(b): Shade Tree Commission review dated 4/27/22

Mr. Guinco, Esq. again appeared on behalf of the applicant. He stated the application is as a result of a permitted use and the proposal is less intense than what is permitted.

Chairman Newman asked that the Board hear from Dr. Huss, before providing any new testimony.

Dr. Christopher Huss, Superintendent of Schools appeared and was sworn in. He thanked the Board and members of the public for reaching out to evaluate the proposed number of dwelling units. As a result of the proposed development, he estimates an additional 50-60 students would be added to the schools, on a low end, and about 120 on the higher end. A few years back, he noted, the school system had over 300 additional students than what is currently enrolled. The school anticipates that they would be able to absorb the additional projected number of students. He noted that the numbers is not a total way to analyze it because they cannot predict the ages of the children or any special needs or ways to predict other special requests.



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Dr. Huss suggested that the Township review the width of roads within the proposed development. Due to the rural nature of the town, without having sidewalks, bus stops, etc., Millstone Township is a complete door to door bussing town and the school policy is K-8 does not walk more than $\frac{1}{4}$ mile to a bus stop and for the high school, no more than $\frac{1}{2}$ a mile walk. He would request that road width be acceptable for busses and for a proper turn-around or exit. If there is a special needs student that may need door-to-door service, they would need to have direct access to the student's house. It is against the "best practices" to go in reverse when a bus is carrying children. Thru streets or a turn-around would be a better scenario. Enrollment for one project such as this would not have such an impact on the schools, but several of these types of developments may have an impact.

Mr. Pado inquired how the additional students would affect classroom space. Dr. Huss stated that spacing would not be affected. Depending on the students or specific needs, there may be an impact on the staffing. If there is additional need for student aides, then it may require additional staff.

Chairman Newman opened to the public for questions of the witness.

Raymond Dothard appeared and asked if the students were accounted for the increase of students. Dr. Huss stated that there is room for rapid enrollment and the increase in students as a result of the proposed development.

Marita Thuku, resident of Millstone, appeared. With a possible 120 additional students, she inquired how the school would affect the classes.

Mr. Steib explained that the proposed development as a result of the permitted zoning as determined by a settlement agreement. The potential enrollment was considered in the zoning.

Dr. Huss noted that there is a waitlist for kindergarten, pending enough additional students to create a full-sized class. They would not have to build any additional facilities for the anticipated additional students. The current busses can handle the additional students.

Kathryn Lugo would like to know if the applicant would build a school if this development requires additional space in the schools.

Mr. Steib stated reminded the Board that the application is a permitted use.

Mario Krawack inquired how the anticipated number of students was calculated. He asked how this project would affect the budget. Dr. Huss stated it would be evaluated.

John Rea, Traffic Engineer, was sworn in and provided his credentials as a licensed traffic engineer. The Board accepted him as a licensed professional traffic engineer. He has prepared a Traffic Impact Study for the proposed application. He reviewed the study he prepared and the anticipated level of service. He explained how the counts have been calculated using formulas from the Residential Site Improvements Standards (RSIS) and the NJDOT. The roads are designed at 24' wide, and no parking is going to be permitted on the roadway. The site design follows the RSIS in order to handle garbage trucks, school busses, emergency services, etc. There are two points of access and would not require any school vehicle to back up in the roadway. Mr. Shafai stated has not seen a report from the fire department.



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Exhibit A-19, a color rendered site plan, was marked into evidence. Mr. Rea used exhibit A-19 to demonstrate how a school bus would navigate the site. Mr. Ziner inquired about how a school bus would be able to navigate through the rear parking and drive aisle areas. Mr. Rea stated that the schools typically used the smaller, accessible busses, typically using an extended van. Mr. Rea stated that the analysis shows that the site intersections will operate at a level "B", which is acceptable. They will be meeting with the county about the off-site intersection. He anticipates that they may be able to clear the brush and the site triangles. Chairman Newman would like to have the Board's Engineer participate in the meeting with the county. Mr. Guinco does not feel it is necessary as it is not part of the Board's jurisdiction, but noted it is a low-income project and they should not be assessed. Mr. Pado would like to make sure that the residents of Millstone are safe. Mr. Pado also inquired if Roosevelt Township was notified of this public hearing and is concerned on the impact of the neighboring town. Mr. Shafai stated that the traffic report does not reflect any traffic anticipated to go through Roosevelt. Mr. Rea stated this was done on purpose to reflect the worst-case impact on the intersections of Millstone.

Mr. Rea addressed the parking requirements for the site, noting they meet or exceed the parking requirement. Mr. Ziner inquired about the site meeting the EV (Electric Vehicles) requirement. Mr. Guinco will address this later. Mr. Lambros inquired if the major subdivisions in this area were included in his calculations. Mr. Rea confirmed that this was included in his study and there is no possible scenario with the proposed development where the level of service would be at a failing level of service. Mr. Lambros is concerned with the safety of the intersection. Chairman Newman suggested that in addition to Mr. Shafai, Board Engineer, attending the county review meeting, a member of the Board may also want to be present at the meeting. Mr. Rea stated he has not investigated whether the site triangle easements exist at the County intersection. The Board asked if the Board Secretary, Ms. Sims, would provide notice to the neighboring Roosevelt.

Mr. David Mooney, 723 Perrineville Road, appeared and inquired about the proposed roadway. Mr. Chet DiLorenzo, previously sworn in and still under oath, stated that the county has requested a specific design.

Caitlyn Fastiggi, 9 Van Hise, asked if the applicant has reached out to Mercer County Planning Board since the Township is adjacent to the Township. The applicant represented that public notice was provided to East Windsor but was not provided to Mercer County (later determined that Mercer County Planning Board was notified).

Mr. Lugo inquired if Mr. Rea took into consideration the farming activities on the site. Mr. Rea stated he has

Kathy Witt appeared and inquired about the traffic study and whether he took into consideration the ongoing construction at the Jackson outlets. Mr. Rea stated his firm is working on the traffic study for Great Adventure and is very aware of this. He stated he has followed the accepted standard in calculating the proposed counts.

Tony Cacciotti, 9 Cheryl Lane, appeared. He asked if the application meets or if it exceeds the industry standards. He stated they have gone be above the industry standards and studied



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beyond the required limits. Mr. Rea stated he has reviewed the appropriate growth rate provided by the NJDOT.

Mr. Youngs inquired if the county could require a traffic signal. Mr. Rea stated he does not believe the counts may reach the level of requiring a traffic signal, although a 4-way intersection may be warranted.

Mr. Cacciotti inquired about bicycle traffic on the roadway. He inquired about the night time traffic potential. Mr. Rea acknowledged that Millstone is a rural area and likely would not want to have any traffic signals and the potential volume does not warrant any signals.

Mario Krawec inquired about the projected added counts. Mr. Rea stated he studied the peak hours, based on the ITE (International Transportation standards). The assumption is if the peak hours work, then the off-peak hours should work.

Charles Boris, 60 Red Valley Road, appeared and asked if the growth rates were based on historical trends or do they reflect business in and around town. Mr. Rea noted the both are taken into consideration.

The Board took a short break.

Mr. Chester DiLorenzo, still under oath, appeared to address the comments from the previous hearing and explain the changes made to the plans.

He stated that the plans will be revised to reflect 15 electric vehicles (EV) charging stations at the apartments. They will be installed in phases. The handicap EV units will be installed first. He noted that the site and the application will fulfill 96 units from the obligation to provide low/moderate income (48 units, doubled since it is rental units).

Mr. DiLorenzo introduced Exhibit A-20, an aerial photo of the site and representing the proposed development. The proposed detention basin area (basin #5) is heavily wooded, with dense vegetation. The applicant suggested to off-set the landscape buffering elsewhere on site. Mr. Shafai noted that if it is not provided at the basin, it may require a waiver or a variance if they do not meet the buffer requirement. Chairman Newman inquired if it is a functional or an aesthetic function. Mr. DiLorenzo noted it is only aesthetic and may cause more issues if provided as it would be harder to access for maintenance. Mr. Shafai noted that it is something that he would have to report back to the NJDEP in his annual report and explain why the waiver was granted. He suggested that they may want to cut back the amount of landscaping. The applicant will also have to obtain DRR approval, which is a branch of the NDJEP. The basin is proposed to be pervious, maybe having some gravel.

Mr. DiLorenzo designed the site with 24' roadways and has provided additional driveway width to accommodate the maximum amount of parking. Mr. DiLorenzo stated that they will be able to satisfy the comments remaining in the Board's Engineer's review memo.

Mr. Shafai inquired if the contaminants found in the soil test reports have been reported to the NJDEP. Mr. DiLorenzo stated that it has been reported to the Monmouth County Environmental Commission. The site has recently been treated to be farmed for corn and may account for the levels.



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The applicant will need to obtain a response and approval from the fire official. The applicant is required to provide a report on threatened and endangered species. The NJDEP received the application for wetlands delineation on this application on November 21, 2022.

Regarding the soil report, Mr. Shafai stated it is incomplete and does not provide a narrative, summary or conclusion. Mr. DiLorenzo stated that they would comply. Mr. Lambros inquired about the soil testing location map. Mr. DiLorenzo stated it was not provided in error and should have been provided. Chairman Newman asked if the applicant would be providing remediation to address the soil testing results that exceed the permitted quantities.

Mr. Shafai noted that the revised drainage plan and stormwater management report will need to be provided. Mr. Lambros noted that this is also requested by the Environmental Commission. The Environmental Commission made a recommendation to have a more naturalized drainage, whereas the plan shows a concrete low-flow channel.

Ms. Mertz asked that the applicant be sure to include any additional sidewalk, patio or otherwise in the coverage calculations. For aesthetic purposes, she noted that a landscape strip would be preferred over the 40' driveways at the proposed townhomes.

The applicant indicated that they should be able to resubmit the supplemental and revisions requested within two weeks. The Board considered a possible date for a continued hearing. The applicant requested an expedited hearing. Mr. Steib reviewed the Board's obligations for this application.

Mr. Lambros expressed his concern that there are so many outstanding items and that the Board requested additional information at the previous meeting, that has not been addressed.

Mr. Mike Sorrow, Policy Director of the Watershed Institute and is an Attorney. He does not believe that the stormwater management plan meets the current stormwater regulations.

Due to the late hour, the Board carried the meeting to the June 8, 2022 Planning Board meeting. The matter would not be heard on this date and any member of the public may also contact the Board Secretary or refer to the Planning Board webpage for information on the next meeting date.

Mr. Steib, Esq. confirmed that the Board will carry Application PB21-05, Hexa Builders, LLC to the Wednesday, June 8, 2022 meeting, which will be held in person at 7:30 pm at the Municipal Meeting Room, 215 Millstone Road, Millstone Township, NJ 08535 for the purpose of scheduling a new meeting date. There will be no further notice of this meeting.

BOARD DISCUSSION:

With no further business, Chairman Newman closed the meeting.

Respectfully submitted,

Danielle B. Sims, Board Secretary