

**HOWELL TOWNSHIP PLANNING BOARD
REGULAR MEETING**

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May 14, 2020**

The meeting was called to order by Chairman Tannenhaus and the opening statement was read by the Administrative Officer. This meeting was held remotely using electronic means due to the COVID19 closure of the Municipal Building to the public.

ROLL CALL: Showed the following members were present: Michael Bozicevic, Paul Dorato, Chief Andrew Kudrick, Robert Nicastro, Robert Seaman, David Everett, and Chairman Tannenhaus. Nicholas Huszar, John Leggio and Deputy Mayor O'Donnell were excused.

Also in attendance were: Ron Cucchiaro, Board Attorney, Laura Neumann, Board Engineer, Peter Van den Kooy, Board Planner, Shari Spero, Board Certified Tree Expert, James Winckowski and Eileen Rubano, Board Secretary.

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: There were no minutes to approve at this meeting.

VOUCHERS: None

CORRESPONDENCE: There was no correspondence.

RESOLUTIONS: There were no resolutions to memorialize at this meeting.

SUBMISSION WAIVERS BEFORE THE BOARD:

a. Case No. SP-1018A / Joseph Fazzio Holdings, LLC

Todd Cohen, Attorney for the Applicant, appeared and said they were seeking submission waivers. Laura Neumann, Board Engineer, was duly sworn and testified that the waivers were listed in her March 26, 2020 report on page 4, Item 4, a through g. Ms. Neumann said the application is minor in nature as it is an amended application and she took no exception to the granting of the waivers for the purposes of deeming the application complete.

Mr. Nicastro made a motion to grant the submission waivers. Motion was seconded by Mr. Everett and carried with Mr. Bozicevic, Mr. Dorato, Chief Kudrick, Mr. Nicastro, Mr. Seaman, Mr. Everett and Chairman Tannenhaus voting for the motion.

b. Case No. SP-1072 / 1 Industrial Court LLC

Todd Cohen, Attorney for the Applicant, appeared and Ms. Neumann said the submission waivers were listed in her March 25, 2020 report. Ms. Neumann testified that item d for conditional use standards did not apply and she took no exception of the granting of the other waivers for the purposes of deeming the application complete.

Mr. Nicastro made a motion to approve the submission waivers. Motion was seconded by Chief Kudrick and carried with Mr. Bozicevic, Mr. Dorato, Chief Kudrick, Mr. Nicastro, Mr. Seaman, Mr. Everett and Chairman Tannenhaus voting to grant the waivers.

a. Case No. SD-2958CI-A / Township of Howell and Charles & Irma Van Schoick

Justin Yost, Deputy Director of Community Development, representing the Township of Howell, was duly sworn and testified that they are seeking a lot line adjustment between two existing lots. The Township is looking to purchase 4 acres for open space. This land is adjacent to the Bear Swamp Natural Area and most of the surrounding properties are residential, farmland or Bear Swamp. Back in 2013 a minor subdivision was approved to create the two lots, 36.04 and 36.05 with the Van Schoicks retaining ownership and residing on ten acres and the township purchasing the remaining 7.27 acres for Open Space. Now they are looking to do a lot line adjustment to shift the line to the west and purchase 4 additional acres for Open space. They hired consultants to prepare a preliminary assessment, aerial photos and topographic history. There are no structures currently on the four acres the township is looking to purchase. Both lots are in the ARE-6 zone and after the subdivision lot 36.07 would be 11.27 acres with 62 feet of frontage on Maxim Road, 700 feet depth and would meet all the bulk requirements. The Van Schoick's would own lot 36.06 which has a residence and garage currently built and would be 6.01 acres. The only change would be a reduced setback on the eastern side of the residence but it still meets the bulk standards.

Ms. Neumann said her only comments were how the subdivision would be filed and she took no exception to the granting of the subdivision as it enhances the Open Space for Howell Township.

Chairman Tannenhaus opened the hearing up for members of the public to call in with questions or comments but since no one called, the public portion was closed.

Mr. Nicastro made a motion to approve the minor subdivision and capital review. Motion was seconded by Mr. Seaman and carried with Mr. Bozicevic, Mr. Dorato, Chief Kudrick, Mr. Nicastro, Mr. Seaman, Mr. Everett and Chairman Tannenhaus voting to approve.

b. Case No. SD-2989 / Roland and Anne Willuweit

Dennis Galvin, Attorney for the Applicants, appeared and said this was a relatively simple application for a readjustment of lot lines for two lots on Merrick Road. At the present time the lots are 1 acre and 3 acres in size and this subdivision would make two conforming lots, both two acres in size.

Walter Hopkin, PE, PP, was duly sworn, gave his credentials to the Board and was accepted as an expert. Mr. Hopkin said the property is on the east side of Merrick Road and they are proposing to do a lot line adjustment to create two lots, 2.0 and 2.1 acres in size, which would remain vacant and wooded at this time. They are also proposing a 5 foot wide Right-of-Way dedication as part of the subdivision. Once the subdivision is perfected they would come back with the grading plans for each lot. He said that due to the rural nature of the area they were also seeking a waiver for sidewalks and they have already received exemptions from Freehold Soils and Monmouth County. He also said he would comply with the comments in Ms. Neumann's January 31, 2020 report.

Chairman Tannenhaus asked if they had to contribute to the sidewalk fund in lieu of sidewalks and Mr. Galvin said they would like to do whatever is less expensive and they want relief. The Board had some discussion on the sidewalks.

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Chairman Tannenhaus opened the hearing up for members of the public and Lisa Doud, Merrick Road called in to say she would like the area kept rural and asked that they not put sidewalks in. She also said there is one street light now and she doesn't want to see any more added as they would like the area kept as rural as possible.

Since no other members of the public called in to comment on this application, Chairman Tannenhaus closed the public portion of the hearing.

Mr. Nicastro made a motion to approve the minor subdivision application for Roland and Anne Willuweit. Motion was seconded by Chief Kudrick and carried with Mr. Bozicevic, Mr. Dorato, Chief Kudrick, Mr. Nicastro, Mr. Seaman, Mr. Everett and Chairman Tannenhaus voting to approve.

c. Case No. SP-1041 / Smith Family Properties, LLC

Before the start of the testimony on this application, Chairman Tannenhaus recused himself and left the dais. Since the Vice-Chairman was also absent this evening, Mr. Seaman made a motion to nominate Mr. Nicastro as the Chairman for this application. Motion was seconded by Mr. Bozicevic and carried with Mr. Bozicevic, Mr. Dorato, Chief Kudrick, Mr. Nicastro, Mr. Seaman and Mr. Everett voting for the motion.

Frank Accisano, Attorney for the Applicant, appeared and reminded the Board that this was a continued hearing and his witnesses were sworn and remain under oath.

Jason Fitcher, PE, PP, testified on the revisions to the plans since the March meeting. They are proposing separate ingress and egress driveways with a sight triangle on the right of way line. He also testified on the parking and they added more buffering along lot 8.02. Other revisions include a 6' board on board fence extended to enhance the buffer, shade trees were added between the fence and curb and they swapped out some trees for more deer resistant type plants.

Mr. Fitcher also put planning testimony on the record for the granting of the variances which relate to the buffer. He said 22% of the site is environmentally constrained and they are meeting the intent of the ordinance and the Master Plan. The property is in the SED zone and the buffer is for the residential properties on either side of the applicant's property both of which are also in the SED zone.

The Board had a long discussion on the parking and variances requested.

Betsy Dolan, Traffic Expert, was previously sworn and testified on the peak hour trip generations for different uses and said there is no change from no build to build conditions. She also testified on the site access and circulation.

Chairman Nicastro said he understands their ability to develop the site but there are a lot of variables. He said they need to compromise or narrow it down until they find out who the users are going to be, by perhaps going for preliminary approval only.

Gary Smith, Owner, testified that he was going to take the entire building in the back, building three is for an aluminum company and the front is for whoever needs it. The most he can see is two tractor trailers in a month and they would have no problems getting in or out of the site.

Mr. Accisano asked for a short recess to speak to his client and the Board granted his request and took a recess from 9:25 to 9:30 p.m.

Mr. Accisano said they were seeking preliminary for the entire site and final only for the back building. They would leave final on the first building until a later date.

Ms. Neumann said that was not consistent with the plans so as a condition of approval the site distances would need to be shown and the phasing plans revised. She had no other issues since the Engineer agreed to comply with all comments in the review letters.

Mr. Cucchiaro clarified that the applicant was seeking Preliminary and Final approval for warehouse and light industrial use for the two buildings in the rear (buildings 3 and 4) and also building 2 which would be light manufacturing with a similar use. There would be single users in buildings 2, 3 and 4. The applicant was also seeking Preliminary only for building 1 and when they get tenants they would come back for final.

The Board took a vote on the new phasing plan and all agreed.

Chairman Nicastro opened the hearing up for members of the public but since no one called in to comment or ask questions about the application the public portion was closed.

Chief Kudrick made a motion to grant preliminary and final approval for Phase 1 and Preliminary approval only for Phase II. Motion was seconded by Mr. Everett and carried with Mr. Bozicevic, Mr. Dorato, Chief Kudrick, Mr. Seaman, Mr. Everett and Chairman Nicastro voting for the motion.

MASTER PLAN STATUS REPORT: There was no update this evening.

Since there was no other business, Mr. Seaman made a motion to adjourn. Motion was seconded by Chief Kudrick and carried.

Meeting adjourned at 9:40 p.m.

Respectfully submitted,



Eileen Rubano
Recording Secretary

NOTE: A CD or DVD of this meeting is available on request.