The meeting was called to order by Chairman Robert Nash and the opening statement was read by the Administrative Officer.

ROLL CALL: Showed the following members were present: Paul Dorato, Nicholas Huszar, Robert Nicastro, Paul Schneider, Robert Seaman, David Everett, Deputy Mayor O’Donnell and Chairman Robert Nash. Thomas Boyle, Chief Andrew Kudrick, Brian Tannenhaus were excused.

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

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: None

VOUCHERS: None

CORRESPONDENCE: There was no correspondence to discuss.

RESOLUTIONS:

a. Ordinance O-19-28 Land Use, Chapter 188, Article X, Zone Map

Mr. Schneider made a motion to memorialize the resolution for the review of the proposed ordinance and deeming it substantially consistent with the Master Plan. Motion was seconded by Mr. Seaman and carried with Mr. Huszar, Mr. Nicastro, Mr. Schneider, Mr. Seaman, Deputy Mayor O’Donnell and Chairman Nash voting for the motion.

b. Ordinance O-19-29 Land Use, Chapter 188, Article XIV, Residential Design Standards

Mr. Schneider made a motion to memorialize the resolution for the review of the proposed ordinance and deeming it substantially consistent with the Master Plan. Motion was seconded by Mr. Huszar and carried with Mr. Huszar, Mr. Nicastro, Mr. Schneider, Mr. Seaman, Deputy Mayor O’Donnell and Chairman Nash voting for the motion.

c. Ordinance O-19-30 Land Use, Chapter 188, Article XIV, Non-Residential Community Design Standards

Mr. Nicastro made a motion to memorialize the resolution for the review of the proposed ordinance and deeming it substantially consistent with the Master Plan. Motion was seconded by Mr. Huszar and carried with Mr. Huszar, Mr. Nicastro, Mr. Schneider, Mr. Seaman, Deputy Mayor O’Donnell and Chairman Nash voting for the motion.

SUBMISSION WAIVERS BEFORE THE BOARD: There were no submission waivers to review.

APPLICATIONS BEFORE THE BOARD:

a. Case No. SP-1052 / Monmouth Commerce Center

Meryl Gonchar, Attorney for the applicant, appeared and stated that this is a continued hearing and they will continue with the engineer’s testimony.
Craig Bossong, Objecting Attorney, representing HOPE, also made an appearance. Mr. Bossong said he has provided a list of current clients to the Board and the Applicant’s Attorney. Board Attorney Cucchiaro announced that it will be marked into evidence and asked if any had conflicts with the Board Members. Mr. Bossong said he did not know but he would check into it and would update the list if needed. Mr. Bossong had no objection on jurisdiction.

Ms. Gonchar requested the Board consider a special meeting and the Chairman said that the Master Plan Hearing scheduled for June 20, 2019 has been rescheduled so if it meets with her schedule, we would like to carry this application to June 20, 2019.

Steve Cattani, PE, who remains under oath, testified on the trash and the refuse/recycling statement that he prepared and he will revise the plans to reference 4 cubic yard dumpsters. He said that the refuse and recycling will be adequate and consistent with the ordinance. He also testified on the snow storage plans and areas have been identified on the plans for the piling of excess snow. Mr. Cattani believes that there is space within the parking areas for snow storage and it would not impact the operations of the site. When the Chairman asked how many inches of snow the report equates to Mr. Cattani said that was hard to predict as it would depend on whether it was a wet or dry snow. He said he could give us assumed parameters and Chairman Nash said he would like a general number. Deputy Mayor O’Donnell asked about melting snow and the measures they would take to prevent the runoff from icing and Mr. Cattani said it would not be an issue as those areas are lower than the drive aisles. HE also said that he would work with the applicant to make certain the site lines were not impacted and Ms. Neumann said she will work with them as well.

Mr. Cattani testified on the phasing of construction for the site and said that offsite water and sewer, the three buildings on the east side and the full water main loop would be installed in phase 1 along with the gravity sewer main on Randolph and the sanitary sewer and water for the three buildings. They don’t want to clear the entire site unnecessarily so they will clear as they do each section and will disturb a minimum amount of landscaping for each phase. Phase II will consist of the next two buildings and one driveway. Phase III would be two more buildings, and the 4th driveway and Phase IV would be the last two buildings and the fifth driveway. He said he anticipates approximately 4 to 5 years to complete all phases.

Mr. Cattani said the stormwater basin, which is a large infiltration basin with a sand bottom will be done in phase I as well and it meets all New Jersey stormwater management regulations.

Chairman Nash mentioned that Chief had mentioned at the last meeting that 5 driveways were excessive and they discussed a concept plan reducing the access drives. Ms. Gonchar said they are not prepared to do that but they had taken it under advisement. She said the proposed plans are fully compliant with our ordinance and she defers this to her traffic consultant.

Mr. Cattani showed a video simulation of driving easterly down Randolph Road and how the landscaping would appear. Ms. Spero said they are keeping a lot of the existing trees on Oak Glen Road and Brook Road and keeping a 60’ vegetative strip along Randolph Road. She doesn’t think the landscaping is as full as shown in the video.

Chairman Nash said he was concerned with traffic backing up on Randolph Road and he would like to see access points offset from the drive aisles but Mr. Cattani thinks there is enough room. Chairman Nash also asked about the possibility of someone like Amazon coming to the site and wanting a larger building. Board Attorney Cucchiaro said they would have to come back and Ms. Gonchar agreed.

Objecting Attorney, Craig Bossong, had some questions for Mr. Cattani relative to the widening of Randolph Road, the number of travel lanes in each direction, which direction the tractor trailers would come from and if
they could make the right turn into the site. He also questioned the trailers that were being parked on site, wanting to know if they were for storage and how long they would be there. Mr. Bossong also questioned the amount of office space allocated or anticipated to be office space per building. When Mr. Bossong asked about the condo association Ms. Gonchar said this witness would not be answering those questions. Mr. Bossong felt the Board has a right to know the makeup of the condo board so they would know who they are going to be dealing with.

Chairman Nash opened the hearing up for members of the public, not represented by Counsel, who would like to ask questions of the Engineer and the following appeared:

Brandon Reo, 3 Brook Street who was concerned about the stormwater basin which is proposed to be within 300 feet of his well. Since the engineer could not answer his question about protecting his well from being contaminated, Mr. Cucchiaro asked Ms. Gonchar if she could bring in someone who could answer the question and she said she will review.

Joan Osborne, 28 Bronia Street had questions on solar roof tops, snow melt locations, buffer areas and parking requirements.

Seeing no other members of the public wishing to come forward, Chairman Nash closed the public portion of the hearing.

Board Attorney, Ron Cucchiaro announced that the application of Monmouth Commerce Center would be carried to June 20, 2019 with no further notice.

b. Case No. SP-1058 / New Jersey Natural Gas Company

Nancy Skidmore, Attorney for the Applicant, appeared and said they are seeking Preliminary and Final Major Site Plan for a 30,000 two-story training facility that is federally mandated. It is a permitted use in the zone, there are no variances associated with the application but they do need several design waivers.

Brian DeCina, PE, was duly sworn, gave his credentials to the Board and was accepted as an expert. He testified on the location, surrounding uses and the proposed site plan improvements including the lighting, trash enclosure and the stormwater management for the site. He also testified on the landscaping and signage which complies with the ordinance. Mr. DeCina said they need waivers for the lighting and woodlands management as they cannot plant all the trees required.

Ms. Spero, Board Certified Tree Expert, said they met in the field and a lot of the trees are in poor condition and they would be short 1,176 trees as they need to replace 1,356 and they are only planting 180. Chairman Nash asked if they could plant anymore and Shari said that there are some open areas and they could also supplement the buffer plantings but Mr. DeCina said the open areas are for training and they can’t plant there. Chairman Nash asked if the application would be willing to work with Ms. Spero to see where they could add some additional landscaping and Ms. Skidmore said they would.

Mr. DeCina also gave testimony on the design waiver items. He said that the private walkway to the public right-of-way is not required as this is a private facility with no pedestrian traffic. The Chairman asked if he was seeking a waiver for sidewalks along the frontage or sidewalks from the road into the site. Ms. Neumann, Board Engineer said it was an operational question since this is a training facility do we want to encourage people to walk into this site and Mr. DeCina said no. Ms. Skidmore also pointed out that there are no sidewalks anywhere in the area. Mr. DeCina also commented that there are no sidewalks on Fairfield because the DOT owns the property or there are easements.
Chairman Nash asked if they could lower the lighting to security level at night when the site is not in use and Mr. DeCina said okay.

Ms. Neumann said there could be maintenance issues with the stormwater management so they need to provide an Operations and Maintenance Manual.

Chairman Nash asked if they would address Mr. Herrman’s comments and Ms. Skidmore said they will address most of them.

Mr. DeCina said they are proposing to bring the ROW dedication to 25’. He said they cannot dedicate the entire frontage as they don’t own that portion. Mr. Herrman also suggested relocating the access back to the southern area and Ms. Skidmore said they want to leave the access where it is as the new access drive is not on DOT property. Mr. DeCina also said that the curbing would cause drainage problems.

Board Attorney Cucchiaro said that while he is supportive of the town’s efforts we can’t condition any approval on this.

There was some discussion on the tree limits in the back of the training area and Mr. DeCina said the fence comes in through the tree line and part of that is to remain wooded. They are concerned with trees being removed. As for sanitary sewers, the application is for a facility with a septic system and if they were to tie in to the sewer system they would. If they are required to tie in to the system at a future date they will comply with whatever the law requires them to do. Ms. Neumann said they the sewer wouldn’t be for five or ten years and what they applicant has agreed to is fair and currently you are legally required to connect.

Mr. DeCina stipulated that he will comply with all technical comments in the review letters from both the Board Engineer and the Board Planner. He also said they will have an emergency backup generator on the property and it will meet the noise ordinance.

Chairman Nash opened the hearing up for members of the public wishing to ask questions of Mr. DeCina but since no one appeared the public portion was closed.

Board Attorney Cucchiaro announced that the application for New Jersey Natural Gas Company would be carried to the Board’s July 18, 2019 public meeting with no further notice and Ms. Skidmore granted the board an extension of time to act on the application to August 2, 2019.

The Board took a five minute recess.

c. **Case No. SP-1061 / New Jersey American Water Company**

Niall O’Brien, Attorney for the applicant, appeared and said this application was for upgrades to a public utility well station and some existing nonconforming conditions for minimum lot size and existing front yard setback.

Richard Algeo, PE, New Jersey American Water Company, was duly sworn, gave his credentials to the Board and was accepted as an expert. Mr. Algeo testified on the existing improvements on the site, and the minor addition they are proposing. He also said that the water tank is large to store water for firefighting and to assist other sites as a booster station to meet peak demands. The proposed well will become the primary well and the existing well will be the backup and they can’t meet peak demands in the summer without this facility. Mr. Algeo further testified that metering equipment and valves won’t fit in the existing building, all wall space is occupied it is an unmanned facility but it is checked during normal business hours.
Mr. Algeo testified that they are not increasing the front yard setback but he also explained why they can’t move it back to meet the setback. There are 2 small storage tanks for chemical feed equipment that can’t be moved without significant down time. The new room will make maintenance easier and it certainly promotes the public good. He also said that the zoning was 30’ back when this was constructed over 50 years ago and it is in line with other properties on this road. He said they are providing additional landscaping in lieu of the 10’ fence and they would be adding white oak street trees in the front. There will be site lighting but no pole mounted or area lighting. The only lighting would be wall pack sconces on each face of the building and they will be motion censored to come on if an intruder is within 7 to 10 feet of the building.

Ms. Spero said she reviewed the landscaping and they are working with her on the species and adding additional landscaping where they can.

Mr. Algeo asked for a waiver on the sidewalks on Spruce Road in front of the site. He said they are at the terminus of Spruce Road, there are no existing sidewalks and there is no foot traffic due to the dead end. He also said there is no trash generated at this site since it is unmanned, there are no consumable products and any equipment replaced is taken with them to the Oak Glen Facility which is a major water treatment facility. He also testifies on deliveries to the site which consists of a tanker delivery every six weeks and 2 fifty-five gallon drums delivered by a truck with a lift gate every three months. Once a week the landscaping is maintained, there is no public access and the facility is secured with fencing. He said the only noise generated by the facility comes from the pumping equipment which is 350’ in the ground and the booster pump can only be heard inside the building. This application will generate zero increase in noise so there are no impacts to the surrounding properties. Mr. Algeo also testified on the conditional use standards for this application and how they meet them. The building will be painted concrete blocks with faux windows to resemble a residential building. He also agreed to all the minor technical items in the Board Engineer’s review letter.

Ms. Neumann, Board Engineer, informed the board that this is a minor site plan and since the applicant has addressed all of her concerns she concurs with his testimony.

Chairman Nash opened the hearing up for members of the public, but since no one came forward, the public portion was closed.

Mr. Huszar made a motion to approve the minor site plan application of New Jersey American Water Co. Motion was seconded by Mr. Seaman and carried with Mr., Dorato, Mr. Huszar, Mr. Nicastro, Mr. Seaman, Mr. Everett, Deputy Mayor O’Donnell and Chairman Nash voting to approve.

d. **Case No. SP-1055 / 1228 Realty LLC**

Carlton Kromer, Attorney for the Applicant, appeared and said this is an application for minor site plan approval to renovate an office building on Route 9 with a continued use as an office building.

Michael Monroe, Architect, was duly sworn, gave his credentials to the Board and was accepted as an expert. He testified that they were renovating the building to add 6,000 s.f. of office space and some demolition inside the building. They would build out the site to suit the market and they would be a fully compliant up to date facility. Mr. Monroe also said the windows will be articulated two feet to try and meet the intent of the ordinance but when Chairman Nash asked why couldn’t meet the 3’ required, he said they would comply with the 3’. He also testified that the rooftop offset in the rear is existing and they aren’t changing it except for a parapet. This section looks out to a detention basin so there are no impacts to surrounding properties. Upon questioning from the Board he agreed to add a vertical offset to eliminate the waiver.
Jaclyn Flor, PE, PP, was duly sworn, gave her credentials to the Board and was accepted as an expert. She testified that they will replace all sidewalks, pavement and curbing and add landscaping as well as they are looking to comply with the recommendations of the Board Professionals. She said they need a variance for parking but since there are overhead doors in the rear of the property that are being removed, they could add nine (9) more spaces where the doors were and one additional in the corner. Ms. Flor also testified on the items in the Board Engineer’s letter and the Chairman said he would like to see the pavement in the rear removed and replaced with grass which would eliminate the variance for impervious coverage.

Ms. Flor further testified that they were not proposing sidewalks as there are none there currently and none abutting the property. The Chairman mentioned that the Board always struggles with this issue, but they would like to see sidewalks along the frontage. Ms. Neumann responded that our ordinance has changed and if they do not put sidewalks they would be required to make a contribution to the sidewalk fund so sidewalks could be put in a more appropriate area. Ms. Flor said they would comply with the sidewalk fund contribution.

Mr. Flor also testified on signage, aisle width, turning movements and the buffer area which they will supplement with trees and they will comply with the recommendations of the Board Professionals. Ms. Flor stated that the hours of operation would be 8:00 a.m. to 7:00 p.m. Monday through Saturday and nothing bigger than a box truck would bring deliveries to the site. She stated that a loading zone would be added in the southwest corner of the building subject to the Board Engineer’s approval and she would also add turning templates to the plan to show a garbage truck can navigate the site. She agreed that all garbage pickup would be prior to the business hours of 8:00 a.m. She completed her testimony with the relief required for the existing conditions and the items in the Board Planner’s letter.

Ms. Neumann mentioned that the site has functioned with other offices and they wouldn’t be impacting the buffer so she took no exception to Ms. Flor’s testimony.

Chairman Nash opened the hearing up for members of the public, but seeing none, closed the public portion of the hearing.

Mr. Nicastro made a motion to approve the Minor Site Plan application for 1228 Realty LLC. Motion was seconded by Mr. Huszar and carried with Mr., Dorato, Mr. Huszar, Mr. Nicastro, Mr. Seaman, Mr. Everett, Deputy Mayor O’Donnell and Chairman Nash voting to approve.

MASTER PLAN STATUS REPORT: The Housing Element has been deferred to July 18, 2019 and they should have an advance look at the report at their next meeting.

Mr. Nicastro made a motion to adjourn. Motion was seconded by Mr. Seaman and the meeting adjourned at 10:57 p.m.

Respectfully submitted,

Eileen Rubano
Recording Secretary