

**HOWELL TOWNSHIP PLANNING BOARD
REGULAR MEETING**

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June 18, 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, Nicholas Huszar, Chief Andrew Kudrick, Robert Seaman, Deputy Mayor Evelyn O'Donnell, and Chairman Tannenhaus. Robert Nicastro, John Leggio and David Everett 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 and Eileen Rubano, Board Secretary.

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: There were no minutes to approve.

VOUCHERS: None

CORRESPONDENCE: The Board Secretary said she didn't have correspondence but the notice for Gill Petroleum was insufficient so they will need to be rescheduled from tonight's meeting.

The Board Secretary also said she sent two ordinances to the Board Members for review and comment tonight as they are scheduled for a public hearing and adoption at the next Council meeting which is before our next planning board meeting.

After Peter Van den Kooy, Board Planner, explained the two ordinances to the members and some questions and discussion on same, Mr. Seaman made a motion that ordinance O-20-12 amending the Nonresidential Community Design Standards on sidewalks was substantially consistent with the master plan. The motion was seconded by Chief Kudrick and carried with Mr. Bozicevic, Mr. Dorato, Mr. Huszar, Chief Kudrick, Mr. Seaman, Deputy Mayor O'Donnell and Chairman Tannenhaus voting for the motion.

Chief Kudrick made a motion that ordinance O-20-13 amending the Residential Design Standards on sidewalks was substantially consistent with the master plan. The motion was seconded by Deputy Mayor O'Donnell and carried with Mr. Bozicevic, Mr. Dorato, Mr. Huszar, Chief Kudrick, Mr. Seaman, Deputy Mayor O'Donnell and Chairman Tannenhaus voting for the motion.

RESOLUTIONS:

a. Case No. SD-2958CI-A / Township of Howell

Mr. Seaman made a motion to memorialize the resolution granting Minor Subdivision Approval and Capital Improvement Review to the Township of Howell. Motion was seconded by Mr. Bozicevic and carried with Mr. Bozicevic, Mr. Dorato, Chief Kudrick, Mr. Seaman and Chairman Tannenhaus voting for the motion.

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

Chief Kudrick made a motion to memorialize the resolution granting Preliminary and Final Site Plan with Ancillary Variance Relief for Phase I and Preliminary Site Plan Approval for Phase II to Smith Family Properties, LLC. Motion was seconded by Mr. Seaman and carried with Mr. Bozicevic, Mr. Dorato, Chief Kudrick and Mr. Seaman voting for the motion.

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c. Case No. SD-2986F / K Hovnanian's Four Seasons at Colts Farm, LLC

Mr. Huszar made a motion to memorialize the resolution granting Final Major Subdivision and Final Site Plan approval with Ancillary Bulk Variance Relief to K Hovnanian. Motion was seconded by Deputy Mayor O'Donnell and carried with Mr. Bozicevic, Mr. Dorato, Mr. Huszar, Mr. Seaman and Deputy Mayor O'Donnell voting to memorialize.

SUBMISSION WAIVERS BEFORE THE BOARD: There were no submission waiver hearings.

APPLICATIONS BEFORE THE BOARD:

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

Todd A. Cohen, Attorney for the Applicant, appeared and stated they were some minor changes to a site plan that was approved by the planning board a few years ago. The site is already built and they realize they want to modify a few things on the site.

Robert Sive, PE, PP, was duly sworn, gave his credentials to the Board and was accepted as an expert witness. Mr. Sive testified that they are seeking approval to add a few storage boxes on the site for supplies and replace the awning with a 16' x 61' enclosed vestibule. They also want to retain a fuel dispensing area which is protected by bollards and a propane tank storage area as well. The vestibule will protect the area from the elements and is better than an awning. He further testified that the vestibule is proposed within the existing concrete sidewalk but they will still have 4' of sidewalk for pedestrian traffic and it will be constructed with materials for protection in place of bollards.

Mr. Sive also testified that they are not seeking any new relief or intensification of the relief already approved by the Board and they spoke to Chief Lewis and informed him that there are no hazardous materials stored in the boxes and they will meet the UCC code and use bollards and curbs at installation if required.

The Board Professionals had no questions.

Mr. Cohen thanked the Board and also said that there would be no circulation issues due to the placing of the storage boxes on the site.

Chairman Tannenhaus opened the hearing up for members of the public wishing to comment or ask questions of this applicant. Since no one called in to comment, the Chairman closed the public portion of the hearing.

Deputy Mayor O'Donnell made a motion to approve the amended preliminary and final site plan application for Joseph Fazzio Holdings, LLC. Motion was seconded by Mr. Huszar and carried with Mr. Bozicevic, Mr. Dorato, Mr. Huszar, Chief Kudrick, Mr. Seaman, Deputy Mayor O'Donnell and Chairman Tannenhaus voting to approve.

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

Todd Cohen, Attorney for the Applicant, appeared and said this site was granted preliminary and final site plan approval by this board around 2007 for a similar 40,000 s.f. warehouse office building but it was never built and the approvals expired. He said they are seeking approval for a 40,000 s.f. building with 8 units of 5,000 s.f. for mixed use, warehouse and office space.

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William Wentzien, PE, was duly sworn, gave his credentials to the Board and was accepted as an expert witness. Mr. Wentzien testified on the size and location of the lot which is part of Vanderveer Industrial Park. He said they are proposing 48 parking spaces for vehicles, 4 of which will be ADA approved and they will also have 8 loading zones in five separate areas. The plan complies with all bulk requirements. There is an environmentally sensitive area in the rear due to Long Brook and they are proposing an underground detention basin which will control the flows allowed to leave the site. The discharge will meet water quality and the structure meets DEP regulations. They will be using well water and a septic system. They will landscape the entire front façade and between the parking area and Industrial Court. The lighting will consist of 8 poles 15 feet in height.

Mr. Wentzien also testified on the relief required which is for the buffer design components only not the buffer.

Mr. Huszar asked about the soil logs from 2006 which the Board of Health said failed due to the high water table and Mr. Wentzien said they are required to get all outside agency approvals and this will be addressed as part of the Board of Health's approval for the septic system and will be re-evaluated under the current regulations.

The Chairman asked about what would happen if the soil logs are not acceptable and the Board Attorney said all applications are conditioned on outside agency approvals. If they are unable to receive approval from the Board of Health they would have to come back for an amended approval.

Mr. Wentzien also testified on the comments in the review letters from the Board Professionals. He said he has no issue complying with the Fire Bureau's comments as there are two hydrants presently on the plans and he will provide a fire lane. The Board Engineer commented about the grading near the access drive and he said they look at it and if they can get it to 8% they will make the change to the plans. Mr. Wentzien also asked for relief for the sidewalks. He said the need for sidewalks does not exist and there are no sidewalks on Vanderveer Road or in the industrial complex.

Mr. Cohen commented that the architect could not be here tonight but he will add color and texture to the building as well as a roof line offset and a 3 foot canopy over the rear doors to meet the intent of the ordinance.

Ms. Neumann asked if they agree to comply with all technical comments and Mr. Wentzien said yes they will address them and comply.

Chairman Tannenhaus asked if we were looking to make a recommendation for preliminary only until the changes requested by the professionals could be made and reviewed and Ms. Neumann said that if the Board was okay with it they can go with preliminary and final and if there are any deviations they would need to come back. Mr. Cohen agreed with Ms. Neumann.

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

Mr. Bozicevic made a motion to grant preliminary and final site plan approval to 1 Industrial Court, LLC. Motion was seconded by Chief Kudrick and carried with Mr. Bozicevic, Mr. Dorato, Mr. Huszar, Chief Kudrick, Mr. Seaman, Deputy Mayor O'Donnell and Chairman Tannenhaus voting for the motion.

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

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Since there was no other business, Deputy Mayor O'Donnell made a motion to adjourn. Motion was seconded by Chief Kudrick and carried.

Meeting adjourned at 8:20 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Eileen Rubano". The signature is written in a cursive style.

**Eileen Rubano
Recording Secretary**

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