

**HOWELL TOWNSHIP PLANNING BOARD  
REGULAR MEETING**

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JULY 20, 2023**

The meeting was called to order by Chairman Paul Boisvert and the opening statement was read by the Board Secretary.

**ROLL CALL:** Showed the following members were present: Nicholas Huszar, John Leggio, Robert Seaman, Brian Tannenhaus, Christopher Mercer, Jacqueline Pike and Chairman Paul Boisvert. Joseph Cristiano, Brian Greenfield and Councilman Gasior were excused and Megan Talente resigned.

Also in attendance were Ron Cucchiaro, Board Attorney, Laura Neumann, Board Engineer, Sam Avakian, Board Planner, Shari Spero, Board Licensed Tree Expert and Eileen Rubano, Board Secretary.

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF MINUTES:** Mr. Leggio made a motion to approve the minutes from the May 4, 2023 planning board meeting. Motion was seconded by Mr. Seaman and carried with Mr. Leggio, Mr. Seaman, Mr. Mercer and Chairman Boisvert voting for the motion.

Mr. Tannenhaus made a motion to approve the minutes of the regular meeting for May 18, 2023. Motion was seconded by Mr. Leggio and carried with Mr. Leggio, Mr. Seaman, Mr. Tannenhaus and Mr. Mercer voting to approve.

**VOUCHERS:** None

**CORRESPONDENCE:** The Board Secretary said she had a letter from Meryl Gonchar, Attorney for Monmouth Commerce Center LLC, Case SP-1100 withdrawing the application.

She also had a letter from Jared Pape, Attorney for Case SD-2997A, Larrabee Realty, LLC saying that the notice was not published in time and he would like to reschedule. He also granted the Board an Extension of Time to act on the application through August 30, 2023.

The Board Secretary also said she sent an email from the IT Department to all the members regarding Two Factor Identification for their township email accounts. She said if you didn't already do this you may be locked out of your email account and said if you had problems you could contact her.

She also said she sent two ordinances, O-23-23 and O-23-24, to the members for review, discussion and comments at tonight's meeting. Mr. Avakian explained the first ordinance, O-23-23 which has to do with the Tree Ordinance and contributions. After a short discussion and a comment from Ms. Spero, Board Licensed Tree Expert, Mr. Tannenhaus made a motion that the ordinance was substantially consistent with the Master Plan and with the change from Certified Tree Expert to Licensed Tree Expert. Motion was seconded by Mr. Huszar and carried with Mr. Huszar, Mr. Leggio, Mr. Seaman, Mr. Tannenhaus, Mr. Mercer, Ms. Pike and Chairman Boisvert voting for the motion.

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Mr. Avakian, Board Planner also explained Ordinance O-23-24 which was repealing the former ordinance for beekeeping as it is in conflict with state regulations. Mr. Tannenhaus made a motion that this was substantially consistent with the Master Plan. Motion was seconded by Mr. Seaman and carried with Mr. Huszar, Mr. Leggio, Mr. Seaman, Mr. Tannenhaus, Mr. Mercer, Ms. Pike and Chairman Boisvert voting for the motion.

**RESOLUTIONS:**

**a. Case No. SD-3008 / Lesette Cholula**

Mr. Huszar made a motion to memorialize the resolution granting Submission Waivers to Lesette Cholula. Motion was seconded by Mr. Mercer and carried with Mr. Huszar, Mr. Mercer and Chairman Boisvert voting for the motion.

**b. Case No. SD-3008 / Lesette Cholula**

Mr. Leggio made a motion to memorialize the resolution granting Minor Subdivision Approval with Ancillary Variance and Design Waiver Relief to Lesette Cholula. Motion was seconded by Mr. Seaman and carried with Mr. Leggio, Mr. Seaman, Mr. Mercer, Ms. Pike and Chairman Boisvert voting to memorialize.

**c. Case No. SP-1107 / NJ Ruckle Realty, LLC**

Mr. Huszar made a motion to memorialize the resolution granting Submission Waivers to NJ Ruckle Realty, LLC. Motion was seconded by Mr. Seaman and carried with Mr. Huszar, Mr. Seaman, Mr. Mercer and Chairman Boisvert voting to memorialize.

**d. Case SP-1011A-2 / Wen Claire Real Estate, LLC**

Mr. Huszar made a motion to memorialize the resolution granting Submission Waivers to Wen Claire Real Estate, LLC. Motion was seconded by Mr. Mercer and carried with Mr. Huszar, Mr. Tannenhaus, Mr. Mercer and Chairman Boisvert voting for the motion.

**e. Case SD-3004 / Erdni Nemgirov**

Mr. Tannenhaus made a motion to memorialize the resolution granting Minor Subdivision Approval with Design Waiver Relief to Erdni Nemgirov. Motion was seconded by Mr. Huszar and carried with Mr. Huszar, Mr. Seaman, Mr. Tannenhaus, Mr. Mercer and Chairman Boisvert.

**f. Case No. SD-3007 / Avet Brothers, LLC**

Mr. Seaman made a motion to memorialize the resolution granting Submission Waivers to Avet Brothers, LLC. Motion was seconded by Mr. Huszar and carried with Mr. Huszar, Mr. Seaman, Mr. Mercer and Chairman Boisvert voting to memorialize.

g. Case No. SP-1078A / New Horizon Properties, LLC

Mr. Tannenhaus made a motion to memorialize the resolution granting Amended Preliminary and Final Site Plan approval with Ancillary Variance Relief to New Horizon Properties, LLC. Motion was seconded by Mr. Seaman and carried with Mr. Huszar, Mr. Seaman, Mr. Tannenhaus, Mr. Mercer and Chairman Boisvert voting for the motion.

h. Case No. SP-1108 / Howell Crossing, LLC

Mr. Seaman made a motion to memorialize the resolution granting Submission Waivers to Howell Crossing, LLC. Motion was seconded by Mr. Huszar and carried with Mr. Huszar, Mr. Seaman, Mr. Mercer and Chairman Boisvert voting for the motion.

i. Case No. SP-1104 / 96 Industrial Court, LLC

Mr. Tannenhaus ask a question about the fencing around the basins and then made a motion that the resolution granting Preliminary Site Plan Approval with Ancillary Design Waiver Relief be memorialized with the condition added for the fencing around the basin, subject to the review and approval of the Board Engineer and Planner. Motion was seconded by Mr. Seaman and carried with Mr. Seaman, Mr. Tannenhaus, Mr. Mercer, Ms. Pike and Chairman Boisvert voting for the motion.

SUBMISSION WAIVERS BEFORE THE BOARD: There were no applications for submission waivers at this meeting.

APPLICATIONS BEFORE THE BOARD:

a. Case No. SP-852A / Village Square at Howell, LLC

Mark Breitman, Attorney for the Applicant, appeared and said the applicant received a previous approval from this board in 2006 and they are back tonight seeking approval to add eight (8) additional parking spaces at the end cap of the medical building closest to Kent Road. They also need two minor variances and design waivers.

Joshua Sewald, PE, PP, was duly sworn, gave his credentials to the Board and was accepted as an expert. He testified on the prior approval and said they had 140 parking spaces which was above and beyond the ordinance standard and also gave the board an overview of the surrounding uses. Mr. Sewald also testified that they would be adding 75 plantings for additional buffering. The additional parking spaces would not be reserved for any one use but some of the older spaces are. One of the spaces encroaches 1 foot into the buffer area so they need a variance. They also need a variance for not complying with the buffer ordinance where there are four conditions and you must meet at least two of the requirements. Mr. Sewald said that the existing plaza does not comply with any of the four. They also do not comply with the number of required parking spaces according to today's ordinance yet no new square footage is being added. According to the old ordinance they did not require variance relief. He said they are also proposing to extend the sidewalk near one of the parking spaces.

Mr. Sewald put planning testimony on the record for the granting of the variances and said the benefits outweigh any detriment. He also agreed to meet all the comments in the professional review letters from the Board Engineer and Board Planner.

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Justin Taylor, PE, gave his credentials to the Board and was accepted as an expert witness. He answered questions from the Board Members regarding ingress and egress to the site. Upon concerns from the Board Members regarding turnover from the new spaces and people trying to enter/exit the site, he suggested that they may be able to designate the new spaces as employee parking which would leave other spaces open for visitors to the site. The Board thought that was a great idea and would alleviate their concerns.

Chairman Boisvert opened the hearing up to members of the public but since no one appeared, the public portion was closed.

Mr. Tannenhaus made a motion to approve the amended site plan application for Village Square with the conditions agreed upon. The motion was seconded by Mr. Seaman and carried with Mr. Huszar, Mr. Leggio, Mr. Seaman, Mr. Tannenhaus, Mr. Mercer, Ms. Pike and Chairman Boisvert voting to approve the application.

**MASTER PLAN STATUS REPORT:** There was no update at this meeting.

Mr. Seaman made a motion to adjourn. Motion was seconded by Mr. Tannenhaus and carried with all members voting to adjourn.

The meeting adjourned at 8:04 p.m.

Respectfully submitted,



**Eileen Rubano  
Recording Secretary**

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