

**MILLSTONE TOWNSHIP  
PLANNING BOARD  
MEETING MINUTES  
SEPTEMBER 10, 2014**

At 7:35 p.m., Class IV member Dave Kurzman called the meeting to Order.

The Secretary read the Adequate Notice.

Salute to the Flag.

Roll Call: Present: Bailey, Beck, Grbelja, Kinsey, Kurzman, Pado, Pinney and Newman (Late 7:40 p.m.). Absent: Pepe and Kocur.

**APPROVAL OF MINUTES: June 11, 2014**

Committeewoman Grbelja made a Motion to approve the Meeting Minutes and Mr. Beck offered a Second. Roll Call Vote: Grbelja, Beck, Pinney, Bailey and Kurzman voted yes to approve the meeting minutes.

**PUBLIC COMMENT PORTION: 15-Minute Limit**

At 7:37 p.m., Mr. Kurzman opened the public portion of the meeting for any public comment. Seeing none, he closed that portion at 7:37 p.m.

**RESOLUTIONS:**

**P14-10 PETRELLA/BARBER** - Block 29, Lot 49 located at 1 Old Oak Court consisting of 22,930 s.f. and Block 29, Lot 50 located at 18 Running Brook Lane consisting of 27,744 s.f. both located in the R-20 Zoning District. Applicants sought and received minor subdivision approval (lot line adjustment) with no new lots being created. Deemed Complete 7-24-14. Date of Action 9-7-14. No variances were requested. No noticing required.

Committeewoman Grbelja made the Motion to memorialize the application and Ms. Pinney offered a Second. Roll Call Vote: Grbelja, Pinney, Beck, Bailey and Kurzman voted yes to memorialize.

**EXTENSION OF TIME:**

**P 14-11 PERL ACRES SOUTH** – Block 55, Lot 2, - Located on Route 526. Previously Zoned R-130 consisting of 158.2 acres. Applicant received Preliminary Major Subdivision approval to create a 43-residential lot subdivision and 2 lots for Township dedication received 6-25-03. Final Approval granted and Resolution Memorialized 4-11-07. Applicant requested and received extension of time, pursuant to 40:55D-70, through 7-12-14. Applicant returns for additional extension of time. Zone is presently RU-P. Carried from 8-13-14. No additional noticing required.

Attorney Kenneth Pape representing the applicant. Mr. Pape reported to the Board that he picked -up the contract from the State on Friday, September, 5, 2014, had it signed by all of the applicants and then hand-delivered it back to Renee Jones for execution at her end. Mr. Pape responded to the Board's request at the August 13th meeting to find out if the approvals granted by the Board have to be current in order for the appraisals to be valid. He advised the Board

that he had tried to find out this information but does not have a ruling from the Attorney General's office at this time.

Mr. Pape requested that the Board carry this application to the next meeting. The Board carried the application to the November 12, 2014 meeting beginning at 7:30 p.m. Board Attorney Steib made the announcement that the application is carried without any further noticing to the November 12th Meeting.

**EXTENSION OF TIME AND APPLICATION**

**P14-012 33 ASSOCIATES (RIVERSIDE CENTER)** – Block 18, Lot 2.02. Located on Route 33. 57.7 acres located in the PCD Zone. Applicant received Preliminary Major Subdivision approval in Resolution Memorialized 1-10-07 and Final Major Subdivision Approval in Resolution Memorialized 7-11-07. Applicant received a fifth one-year extension of time pursuant to N.J.S.A. 40:55D-52b through 7-11-14. Applicant returns for Extension of Time and Amended Preliminary and Final Subdivision Approval. No Zone change. Noticing Required.

**EXTENSION OF TIME:**

**P14-13 33 ASSOCIATES (RIVERSIDE CENTER)-** Block 18, Lot 2.03 Located on Old Route 33 and Farrington Blvd. 14.93 Acres located in the PCD Zone. Applicant received Preliminary and Final Site Plan approval to construct a 94,500 s.f. warehouse/storage area, a 4,000 s.f. showroom and 4,000 s.f. administrative offices in Resolution memorialized 7-11-07. Applicant received a fifth one-year extension of time pursuant to N.J.S.A. 40:55D-52b through 7-11-14. Applicant returns for an additional one-year Extension of Time of Preliminary and Final Site Plan Approval. No Zone change. Noticing Required.

Mr. Kurzman stepped down for the application and left the room.

Board Attorney Michael Steib advised that he has read the noticing packet and finds same in order to accept jurisdiction over the application.

Attorney Steib read the following exhibits into the record:

- A-1 Jurisdictional Packet
- A-2 Application Dated 7/22/14
- A-3 Web Notice
- A-4 Amended Preliminary and Final Major Subdivision - prepared by Crest Engineering 1/16/06; last revised 6/20/14
- A-5 Final Plat Major Subdivision prepared by Crest Engineering dated 3/1/07; last revised 5/19/14
- A-6 Stormwater Management Plan prepared by Crest Engineering dated 1/16/06; last revised 6/20/14
- A-7 NJDEP Final NJPDES permit effective 2/1/2014 expiring 1/31/19

PB-1 Report of Board Engineer dated 8/27/14

PB-2 Report from Planner dated 9/3/14

Attorney William Mehr representing the applicants. Mr. Mehr provided a brief history of the project. Mr. Mehr reported that the applicants applied to the NJDEP for approval of the septic for the property. The NJDEP formerly allotted 2000 gallons per day for entire site in both Millstone and Monroe. He reported that the statute had changed to now allow for over 2000 gallons per day per lot. He explained how the change allows for more flexibility in lots that may have a surplus.

Mr. Mehr stated that the applicant must return to the NJDOT to update them.

Mr. Mehr reported on the changes to the plan since it was approved by the Board. He stated that in order for the property to have 20,000 gallons per day of water, it had to become a regional system. The usable area has now changed due to this.

Another change in the plan is that JCP&L has taken the first 20 feet of their property as part of the installation of a power line being installed on the north side of Route 33 which means that the first 20 feet of the property will be an easement. No landscaping will be permitted there.

Sewer is coming to Monroe and due to this, there is a small modification to the engineering on Farrington Blvd.

Attorney Steib asked for confirmation that the revised plans do not change the subdivision layout and the lots remain the same, the configuration of the street remains the same, the engineering may change but lot lines remain the same. Mr. Mehr answered yes.

Attorney Steib swore in Engineer Lorali Totten of Crest Engineering. Ms. Totten graduated from Lehigh University in 1977 with a B.S. in civil engineering. She received her NJ engineering license in 1983 and her planning license in 1986 and had been testifying before both Zoning and Planning Boards in Monmouth and Middlesex Counties

Chairman Newman stated that the Board recognizes her as an expert. Ms. Totten will be testifying as a planner and engineer.

Ms. Totten referred to Exhibit A-4, Sheet 4 of 24 of the overall plan of project.

She stated that Monroe has 6 buildable lots with a road that came off of Farrington Blvd. One of the changes in the plan is now one large lot as a result the drainage system has been completely simplified. There is only one stormwater basin on the Monroe side. She advised that this works better for phasing the project.

Ms. Totten advised that they did not change the location of road or the road width. Regionalization of the septic system is best placed in middle of four lots on the Millstone side along Lot 2.03 and closest to Route 33. She explained how each septic system works on individual lots and in the regional system.

Ms. Totten stated that due to this, the flavor of the development has changed slightly. She advised that the type businesses that were originally proposed are no longer feasible. It was discussed that in the front of the property, more retail or commercial type businesses would be located such as restaurants or local neighborhood-type businesses as opposed to industrial businesses which would be located in the back portion.

Landscaping was discussed. The applicant will plant turf and maintain it so that it stays green. The berm would be landscaped with shrubs and trees until the individual sites are developed. As plans for individual lots are submitted, full site landscaping would be submitted.

Ms. Totten stated that a buffer wall was appropriate when the site would have been more of a business park but now that use has changed, businesses along Route 33 want to be visible.

Mr. Coppola expressed his concerns. When the application was reviewed originally, they were to have consistent landscape screening and the plan was detailed. He stated that the idea was to make sure that the streetscape is set and this proposed plan is not going to accomplish that. Mr. Coppola offered that he understands the business environment has changed but the extreme of just planting trees is the wrong way to go. He stated that they are dealing with different lots and users and different ideas of landscaping. There would be no uniformity with different users.

Mr. Coppola stated that more work has to be done in the interest of Township. He stated that if the Board defers the detail of the landscaping until later at the site plan stage, then you will have a hodgepodge. He wants consistency and uniformity.

Mr. Mehr disagreed with Mr. Coppola and stated that the landscaping will be relatively uniform. Ms. Totten provided hand-outs to the Board that reflect what they are proposing. She stated that they do not know what individual sites will be occupying the lots in order to prepare a uniform plan.

Chairman Newman and Mayor Kinsey advised that Board wants to see a uniform plan. Mr. Mehr stated that they do want to plant trees in the berm area. He voiced his concern that the rest of the landscaping would be susceptible to dying due to lack of water. Mr. Mehr stated that other than entrance way, as sites are being developed, they will be landscaped. The Irrigation system was discussed along route 33.

Mr. Coppola stated that the applicant has cooperated with the Board all along. His point is to have a uniform landscaping plan to be maintained by the developer. Mr. Coppola stated that he understood that the applicant did not want to now wall off the site. He suggested coming back to the Board with a plan utilizing small elliptical berms but the applicant must do more than plant a few trees. They must come up with a plan to water the area as well.

Mr. Pado had concerns that the proposed lot configuration does not lend itself to the new business-types that the applicant is proposing to bring into the site. He deferred to the Board professionals to advise the Board.

Committeewoman Grbelja stated that the new septic can lend itself to restaurants where it could not before. She feels it would be a great fit rather than a business park.

Mr. Mehr stated that before the landscaping was a screen and now it must be complimentary. Committeewoman Grbelja agreed it is important to have a consistent streetscape to allow the visibility.

A timed phasing plan was discussed. Mr. Mehr will have a landscape plan prepared for the Planner and Engineer to review. Mr. Coppola stated that he knows what the Board is looking for. Mayor Kinsey stated that we can reach a consistent plan.

Chairman Newman would like to see the discussed changes incorporated into the site plan and have the applicant return to the Board in November for the Board to view the revised plans, the applicant would have the extension under their belt.

Mr. Mehr shall provide to the Board a copy of the recorded Second Amendment to the Declaration of Covenants. This Amendment includes all of the comments that Mr. Coppola has made in this 2009 report.

Planner Coppola commented that due to the septic system plans, the plans should reflect the setback lines be co-terminus with the easements. Ms. Totten agreed to this request.

Engineer Shafai asked the applicant to address the plans that JCP&L has concerning this project. Ms. Totten referred to the plans showing where JCP&L will place a Jersey barrier and plant shrubs on both sides so that it will help block headlights and provide a separation between the two roadways and provide some camouflage.

Chairman Newman opened the application to the public at 8:35 p.m.

Ms. Pat Butch of 40 Prodelin Way asked about the greenway easement. Mr. Shafai advised that this easement has already been recorded by the County.

Dorothy Sluzas of 7 Arrowhead Way is sworn in by Attorney Steib. Ms. Sluzas voiced her concerns about larger trucks brought onto this property. She is concerned about traffic and noise, she asked about the plans for the access road. Her concern is that business parks have different operating hours as more commercial properties.

Planner Coppola stated that this was a reasonable comment to place on the record. The ordinance will speak to the usage of any site. The Board will look at each lot and how it impacts the neighborhood, etc.

Committeewoman Grbelja advised that the Board reviews each individual building plan and takes into consideration, traffic, hours of operation, lighting, even where the trash receptacle is located.

Attorney Steib reported that any property owner within 200 feet of a site will receive personal notice. The Board advised that there are web notices online as well.

Bernie Sluzas 7 Arrowhead Way is sworn in by Attorney Steib. He wanted to take a look at the site plans. Secretary D'Andrea advised the plans are in the office for public review.

Mr. Mehr would like a longer extension outside of the one year extension and he explained the need. The applicant hopes to build out the park within five years. Chairman Newman explained why he felt the applicant should come back each year to update the Board offering that there is value in the annual update.

Tonight, the plan is for the Board to grant applicant a one year extension of time and for them to return in November. In November, if Mr. Mehr wants to come back for Preliminary and Final Subdivision approval, then, Attorney Steib reported that approval would provide the applicant with two years within which to complete his project with the ability to receive three, one year extensions. Attorney Steib also stated that because of the size of the property involved in this application, the applicant can get additional relief under N.J.S.A. 40:55D-52b.

Chairman Newman summarized that the applicant is before the Board this evening to request a one year extension of time on Preliminary and Final Subdivision and the Site Plan that currently exists. A pending application for Amended Preliminary and Final approval will be carried to the November 12, 2014 meeting.

Chairman Newman asked for a Motion and a Second for the One Year Extension request. Mr. Pado made a Motion and Mr. Ziner offered a Second. Roll Call Vote: Pado, Ziner, Bailey, Grbelja, Kinsey, Pinney, Beck and Newman voted yes to approve the Extensions.

Attorney Steib clarified that the technical recommendations of the professional reports will be covered at the next meeting. He advised that the focus of the next meeting would be the landscaping plan. The Board had no specific comments or requests regarding the road profile, the regionalization of the septic system or the JCP&L easement. Chairman Newman advised that while the Board has no specific concerns at this time but reserves the right should they have any questions.

The pending application was carried to the November 12, 2014 meeting. Attorney Steib made the announcement that the matter would be carried to the November 12, 2014 meeting without any further noticing required.

**NEW BUSINESS:**

Mr. Kurzman returns to the meeting. Board Planner Coppola advised the Board that he and Mrs. Coppola would be retiring at the end of this year.

Board members wish them well and have benefitted by their expertise, guidance and professionalism and they will truly be missed.

At 8:50 Chairman Newman asked for a Motion to Adjourn. Committeewoman Grbelja made the Motion to adjourn and Mayor Kinsey offered a Second and by unanimous vote, the meeting adjourned.

Respectfully submitted,

Pamela D'Andrea