

**MILLSTONE TOWNSHIP
PLANNING BOARD
JUNE 10, 2020
MEETING MINUTES**

Due to the Covid-19 Pandemic State of Emergency the Millstone Township Planning Board meeting scheduled for Wednesday, June 2020 at 7:30 p.m. was held using the Zoom Video Conferencing platform. Members of the public have the option to attend the meeting either by using a device (PC, laptop, tablet, or smartphone) or by dialing in via telephone. This information was provided on the Township Website and on the Planning Board Agenda.

Chairman Newman called the meeting to order at 7:40 p.m.

Salute to the Flag.

Reading of Adequate Notice by the Secretary.

Roll Call: Present: Beck, Grbelja, Newman, Oxley, Pepe and Ziner

Absent: Conoscenti, Curtis, Pado ,Arpaia and Pinney

APPROVAL OF MEETING MINUTES: May 13, 2020

Ms. Oxley made a Motion to approve and Vice-Chairman Pepe offered a Second: Roll Call Vote: Oxley, Pepe, Beck, Grbelja, Ziner and Newman voted yes to approve.

PUBLIC COMMENT PORTION: 15-Minute Limit. Chairman Newman will open the public comment portion at the end of the Meeting.

REVIEW AND RECOMMEND:

AMENDED ORDINANCE NO. 20-15

ORDINANCE AMENDING CHAPTER XXXV (LAND USE) ARTICLE 5, ZONING DISTRICT REGULATIONS)(ACCESSORY APARTMENTS) SECTION 5-17E.4 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY TO PROVIDE THAT ALL ACCESSORY APARTMENTS SHALL BE AFFORDABLE TO VERY LOW INCOME HOUSEHOLDS

Board Planner Mertz read the Ordinance title into the record. She advised that the Ordinance amends and revises Ordinance 20-02 that was adopted earlier this year by amending and revising one paragraph in the accessory apartment Ordinance to require that any accessory apartment built must be available to only qualified low-income households. Planner Mertz explained that there is a State requirement that 13% of all affordable units created have are to be available to the very low-income category. She advised that most of the group homes in Millstone are not restricted to that category and

we had previously thought that they were. This did not come to light until after Ordinance 20-02 was adopted and we are amended and revising the Ordinance to include this. Planner Mertz advised that should someone want to take advantage of the program they must meet the requirement of very low-income family or household. So only the one paragraph is being amended.

Planner Mertz finds this Ordinance to be consistent with the Fair Share Housing Plan portion of the Master Plan that was adopted earlier this year and she explained. She feels that this Ordinance is in conformance with the housing plan element of the Master Plan. She clarified that no new affordable units are being added to the Plan.

Vice-Chairman Pepe questioned the consistency since he feels this was not in the Fair Share Housing Plan that the Board adopted. Planner Mertz advised that providing qualified low-income housing was part of the housing element which is a component of the Master Plan. This was in the housing plan that the Board adopted. The accessory apartments are part of the Fair Share Housing Plan.

Deputy Mayor Grbelja stated that the accessory apartments were in the second round of COAH. These accessory apartments are attached to farms as labor housing. They are one-room accessory apartments.

Discussion regarding a particular farm in the Township is not related to this matter but rather a code enforcement concern and is handled by the Code Enforcement Department.

Vice-Chairman Pepe made a Motion to find the Ordinance consistent with the Master Plan and Ms. Oxley offered a Second. Roll Call Vote: Pepe, Oxley, Beck, Grbelja, Newman and Ziner voted yes to the consistency.

NEW APPLICATION:

P20-05 XXXIII Associates (Riverside Center) - Block 18, Lot 2.03 Located on Old Route 33 and Farrington Blvd. consisting of 14.93 Acres located in the PCD Zone. Applicant received Preliminary Major Site Plan approval applicant returns to the Board for Amended Final Site Plan Approval to develop an office warehouse consisting of 100,240 s.f. No new variances create. Noticing required. Deemed Complete 5-26-20.

Attorney Steib advised that he has reviewed the jurisdictional packet and he finds service in order to accept jurisdiction over the application.

Attorney Steib read the following exhibits into evidence:

- A-1 Jurisdictional Packet
- A-2 Application Dated 5-17-20
- A-3 Final Major Site Plan prepared by Crest Engineering dated 5/10/06, last revised 5/8/20; consisting of

- A-4 Auto Turn Analysis Plan prepared by Crest engineering dated 5/10/06, last revised 6/18/10
- A-5 Architecturals prepared by S. Gran Wityk dated 8/21/18, last revised 5/8/20 consisting of 2 pages
- A-6 Manual for Operation and Maintenance of Stormwater Management prepared by Crest Engineering dated 7-11-18, last revised 5/8/20
- A-7 500 Foot Aerial prepared by Crest Engineering dated 5-10-06, last revised 5-8-10
- A-8 Resolution Compliance Letter prepared by Crest Engineering dated 5/13/20
- A-9 Color Samples
- A-10 Color Rendering West Elevation prepared by Karen Taylor Architectural Renderings, LLC.
- A-11 Color Rendering East Elevation prepared by Karen Taylor Architectural Renderings, LLC.
- A-12 Color Rendering Elevations prepared by Karen Taylor Architectural Renderings, LLC.
- A-13 Color Rendering of Floor Plan prepared by Karen Taylor Architectural Renderings, LLC.
- A-14 Color Rendering North Elevation prepared by Karen Taylor Architectural Renderings, LLC.
- A-15 Color Rendering of Site Plan prepared by Karen Taylor Architectural Renderings, LLC.
- A-16 Color Rendering South Elevation prepared by Karen Taylor Architectural Renderings, LLC.
- PB-1 Report of Board Engineer dated 6-3-20
- PB-2 Report of Board Planner dated 6-5-20
- PB-3 Resolution Granting Preliminary Major Site Plan Approval dated 2/13/20

Peter Licata, Esq. representing the applicant.

Attorney Steib swore in Lorali Totten, P.E., P.P. of Crest Engineering. Ms. Totten has appeared before the Board numerous times as an engineer and planner and is accepted as an expert witness.

Ms. Totten provided a brief overview of the project, stating that the lot is known as Block 18, Lot 2.03 located on 14.93 acres in the PCD Zone. On Farrington Blvd. The project received Preliminary Major Site Plan approval in 2019. She stated that the Board Professionals had provided comments that were incorporated into this application, as Exhibit A-8.

There are no changes to the configuration of the site. Ms. Totten provided that the proposed water tank has been removed and the property owner is working with the Fire Department to construct a community regional fire suppression system.

Referring to A-3 Utility and Grading Plan, Ms. Totten explained that there are two fire access points proposed. An emergency access located on the property that is constructed of grass pavers and is wide enough to accommodate the Fire Department's ladder truck. She explained where Farrington Blvd. curves around, near the southeast corner, they propose a 22-foot wide access drive which Matt Wagner of the Millstone Fire Department has reviewed and agreed to the change. Ms. Totten advised that the building configuration and height has not changed. They have received preliminary approval from the Monmouth County Planning Board. Ms. Totten stated that they have applied to the Monmouth County Board of Health treatment works approval has been deemed complete. FSCD was approved for the prior site plan known as Ideal Tile. They will resubmit to FSCD.

Written confirmation of the Fire Department approval will be made a condition of approval.

Attorney Steib swore in Board Engineer Shafai. Engineer Shafai went through his report and advised that the applicant has met all his comments and anything remaining is listed on his report under Conditions of Approval.

Attorney Steib swore in Board Planner Mertz. She advised that her comments regarding engineering have been met. Her comments regarding the architectural drawings will be forthcoming.

Attorney Steib sworn in Ricardo Perez, AIA, managing partner of Perez and Radosti. He has been an architect since 1992, receiving his BS from NJIT. He has presented to many Boards throughout New Jersey. He is accepted as an expert.

Referring to Exhibit A-5, Floor Plan, Mr. Perez explains the footprint of the overall floor plan and explains the exhibit, including 100,240 s.f. with 8 loading dock doors and one ramp to drive vehicles into the building. He clarified that the loading docks are not visible to the street.

Referring to the elevations, Mr. Perez explained that they have offset the height of the building with different earth tones. The south elevation faces the road.

Referring to Exhibit A-15, a matte color drawing of the landscaping plan, he explains the exhibit.

Referring to Exhibit A-13, color floor plan, Mr. Perez clarified a typo on the floor plan and clarified the floor is 100,240 s.f.

Referring to Exhibit A-12, color elevations, Mr. Perez explains that the earth tone colors come from the Sherwin Williams Colonial Color selection. He will submit real color samples to the Board professionals. Deputy Mayor Grbelja is pleased that we have color and landscaping as opposed to the building that was constructed in Monroe.

Mr. Perez stated that the colors are muted with dark green vertical bands, title slab construction panels that help with the scale of the overall elevation and breakdown the mass of the building. Chairman Newman asked if the dark squares on the top third of the building are actual windows and Mr. Perez advised that they are windows and allow light into the warehouse space.

Referring to Exhibit A-10, the West Elevation as viewed from Farrington Blvd. The landscaping shows mature trees on the street side.

Referring to Exhibit A-11, the East Elevation, Mr. Perez explained that this will be the view from the road, Old Route 33. The landscaping is extensive and doing a good job blocking out most of the view of the building. Mr. Perez explained how they have accomplished bringing down the scale of the building by incorporating color, materials, and landscaping. All facades have the same treatment.

Referring to Exhibit A-14, North Elevation, Mr. Perez describes the exhibit, including the loading dock area.

Referring to Exhibit A-16, South Elevation, the view from Route 33. Chairman Newman asked what the distance is from the edge Route 33 to the building. Ms. Totten advised on the Southwest corner the distance is 160 feet at the closest point.

Mr. Perez stated that the building will meet and exceed all energy conservation codes. The site sign will match the building materials and colors and will comply with the Ordinance. Chairman Newman asked about the large wooden sign located on the property. Mr. Licata and owner of the property stated that this is not connected to this building. Chairman Newman asked Engineer Shafai to investigate this sign and he stated that he would.

Ms. Oxley asked about if HVAC would be located on the flat roof. Mr. Perez stated that HVAC will not be located on the roof. Only the office space will be temperature controlled.

Planner Mertz finds the colors consistent with the Township Ordinance which requires earth tone colors. She asked if at Preliminary approval, the applicant received a variance for the flat roof and for the greater than 25 feet of unbroken parapet at the roof height? Ms. Totten advised that the roof has a pitch to it and has peak in the middle, so it is not flat. Mr. Perez advised that it peaks in the middle and slopes on both directions. At preliminary approval, the architecture was not approved per Ms. Totten. There was a discussion if this is a waiver or variance. For the Board, Planner Mertz referred to Chapter 35, Ordinance 4-16 architectural standards. She asked the Engineer if in the past we have required variance approval. He does not recall this coming up, neither did Deputy Mayor Grbelja. The height variance was granted. Planner Mertz discussed that the roof pitch per Ordinance minimum is 5 on 12 and this roof does not comply with that, so she offered that a waiver or a variance is needed.

Mr. Licata refers to section 4-16.1, waivers can be issued by the Planning Board. Mr. Perez provided that this Ordinance may be more for a retail building and not a warehouse, but the Ordinance does not differentiate. Planner Mertz agreed it would be inappropriate for a 5 on 12 pitch for this warehouse. Chairman Newman asked Mr. Perez does the pitch that he proposes for the building does it diminish the utility of the building or inhibit water being removed from the building. Mr. Perez advised that there is a slight slope to remove water from the roof.

Attorney Steib advised the public notice contained the all-inclusive language to allow for the applicant to receive relief as the Board may deem necessary.

Mr. Ziner asked if we need to amend our architectural standards to address this. Planner Mertz stated that our architectural standards are geared more toward smaller commercial retail rather than these larger types of structures and she would agree that the Ordinance. She is in favor of an Ordinance amendment. Chairman Newman asked if she could work with the Township Committee to address this and she advised that she would. Mr. Ziner suggested that a definition of a warehouse is needed. Planner Mertz agreed.

Attorney Steib swore in Rick Weiner. He is a New Jersey licensed landscape architect and has worked for Crest Engineering for the past thirty years. He has appeared before this Board in the past. Chairman Newman accepts Mr. Weiner as an expert in landscape architecture.

Mr. Weiner refers to Exhibit A-15, color rendering of the landscape plan. The site is essentially cleared. They will not be disturbing the forested area to the rear. The residential dwellings are separated by landscaping and berming. Mr. Weiner advised that they have added berming that is 3 to 4 feet above the first-floor elevation of the building. He stated that shade trees, evergreens and ornamental trees will be added to offer a filtering of the building to blend in with landscaping. The shade trees are 3" caliper, 12 feet in height and will be planted 3 to 4 feet above grade. There is also existing landscaping and berm along route 33 with trees and shrubs there presently.

So, you have existing and proposed landscaping. The trees grow 8 to 12 inches per year.

Chairman Newman asked if there is an irrigation system to encourage growth. Mr. Weiner recommends that, and Chairman Newman would make that a condition of approval.

We do not want to plant trees in the middle of summer, with the spring or the fall. Ms. Totten provides a timeline. She stated that the panels need room to install the tilt up panels. The septic and the roof runoff to take to dry wells in the empty space by the parking. These must be in place before landscaping can be installed. This would have to be worked out in the construction schedule.

Chairman Newman suggested that as a condition of approval that the applicant provide a landscape phasing plan to both the Board professionals. Planner Mertz wanted to confirm that any of the proposed plantings have a planting replacement plan due to deer consumption. Mr. Weiner addressed the plantings are shade trees and evergreens.

Ms. Oxley asked about the residential properties next to this property. Mr. Weiner advised that there a row of trees next to those lots and a berm that was a requirement of the subdivision development.

Drainage on the property was explained.

Ms. Totten addresses the application from a planning perspective. She feels that meeting the roof requirements was not practical and she explained, seeking a waiver from complying with the Ordinance. She offered that color scheme, architectural elements and landscaping provide a visual environment and meets the ordinance not to have a long blank wall.

Mr. Licata asked Ms. Totten if we are seeking variance relief and she advised that we are not.

Board Engineer Shafai has not additional comments. Planner Mertz agree with Ms. Totten's assessment that the building would look quite ridiculous if they were to meet the roof requirements. She has no problem with the waiver. The colors and planting look good.

Board Engineer Shafai advised that there is an ordinance which requires the developer to maintain the landscaping forever.

The Board opened the application to the public at 8:54 p.m. Seeing none.

Chairman Newman opened the Public Comment portion of the meeting at this time. Seeing no public comment portion. Attorney Steib advised it was okay for the Chairman to close that portion as well.

Mr. Licata provided a summation of the application.

Attorney Steib highlighted the conditions of approval should the Board vote to approve the application, including but not limited to: provide confirmation of various outside approvals, comply with the conditions in the Board Engineer's report dated 6-3-20, provide irrigation system plans and phasing of the landscaping plan to the Board Engineer and Board Planner for their review and approval, etc. This includes the waiver of the roof pitch as discussed.

Mr. Ziner made a Motion to approve as conditioned and Chairman Newman offered a Second: Roll Call Vote: Ziner, Newman, Beck, Grbelja, Pepe and Oxley voted yes to approve the application as conditioned.

Seeing no old or new business, Chairman Newman made a Motion to Adjourn and Vice-Chairman Pepe provided a Second and by unanimous the meeting adjourned at 8:58 p.m.

Respectfully submitted,

Pamela D'Andrea