

**MILLSTONE TOWNSHIP
PLANNING BOARD
MINUTES
APRIL 6, 2006**

Chairman Newman opened the meeting at 7:46 p.m.

The Secretary read the adequate notice.

The Chairman called for a salute to the Flag.

Roll Call: Members Present: Blanco, Kucziniski, Pepe, Sico, Zanetakos, Haag and Newman. Absent: Maltz, Grbelja, D'Amico and Pado.

APPROVAL OF MINUTES: March 8, 2006. Mr. Kucziniski made a Motion to approve and Mr. Pepe offered a second. Roll Call Vote: Kucziniski, Pepe, Blanco, Sico, Zanetakos, Haag and Newman voted yes to approve. Chairman Newman opened the Public Comment Portion to the Public at 7:44 p.m. and seeing no comment, closed same at 7:44 p.m.

RESOLUTIONS:

P05-17 FIRST CHOICE – Block 16, Lot 9.10. Located on Rike Drive. 3.26 acres in the BP Zone. Applicant seeks Preliminary and Final Major Site plan approval to construct a 20,843 s.f. building consisting of 8,000 s.f. office space and 12,483 s.f. warehouse. Carried from 1/11/06, 2/8/06. Approved on 3/8/06. Mr. Blanco made a Motion to approve and Mr. Kucziniski offered a second. Roll Call vote: Blanco, Kucziniski, Pepe, Sico, Zanetakos, Haag and Newman.

P05-26 HORZEPA, ROBERT – Block 42, Lot 2, located at the intersection of Forman and Roberts Road. 43.3 acres in the R-130 zone. Applicant received Preliminary approval in May 28, 2003. Applicant seeks final approval for a 9-lot subdivision. Carried from 1/11/06. Approved on 3/8/06. Mr. Zanetakos made a Motion to approve and Mr. Blanco offered a second. Roll Call vote: Zanetakos, Blanco, Kucziniski, Pepe, Sico, Haag and Newman voted yes to approve.

P05-21 ALLIANCE HOMES – Block 61, Lot 6. Property located at Route 537 and Brookside Road. Located in the R-130 Zone consisting of approximately 7.19 acres. Applicant seeks Minor Subdivision with no variances. Deemed Complete 1/3/06. Approved on 3/8/06. Mr. Sico made a Motion to approve and Mr. Kucziniski offered a second. Roll Call vote: Sico, Kucziniski, Pepe, Blanco, Zanetakos, Haag and Newman.

CARRIED APPLICATIONS:

P05-18 BENNETT, ROBERT – Block 16, Lot 9.11. Located on Rike Drive. 3.42 Acres in the BP Zone. Applicant seeks Preliminary and Final Major Site Plan Approval to construct a 14,875 sq. foot building. Carried from 1/11/06, 2/8/06, 3/8/06.

Mr. Steib entered into evidence the following Exhibits:

A-10	Nucor Declaration of Credentials
A-11	Nucor Warranty guide
A-12	Nucor Product & Engineering Manual
PB-10	Report of Shade Tree Dated 4/6/06

Attorney John Stolz, Esq. representing the application, gives a brief overview of the application. The application is carried from March 8, 2006.

The Board raised concerns regarding the architectural features, landscape and traffic impact to the site.

Kevin Roy is sworn in as applicant's architect. His credentials as a licensed architect are accepted.

Exhibit A-14 is entered into evidence as a revised architectural with added enhancements. Mr. Roy explains the exhibit. He made changes to soften the look of the building by adding windows and an awning around the side. Each unit has a loading dock and one access door in the rear of the building.

Mr. Roy said that the building will be wrapped with stone colored panels. The awning will be forest green. The side view will look like the front entrance.

Mr. Roy explained the steel structured building would meet all national codes and hurricane codes.

Engineer asked if there are any other steel buildings on Rike Drive but Mr. Roy did not know.

Peter Strong of Crest Engineering was sworn in. He presented his credentials and was accepted as a licensed professional engineer. Mr. Strong advised that on Rike Drive, there are two other steel buildings. Dave's Excavating and Landscaping, which is, located five lots up the street from this proposed site and D.J.'s Mechanical is a new, totally steel building.

Mr. Blanco asked about the warranties. Mr. Roy advised the building can be repainted or resurfaced.

Mr. Strong referring to Exhibit A-12 that was entered into evidence on March 8, 2006, explains the changes Mr. Roy made to the building. Mr. Strong addressed the Board's concerns by revising the landscape plan.

The deciduous trees were taken out and replaced with evergreen trees to enhance the landscape on the berm. Landscape has been enhanced on the septic bed. Two shade trees have replaced with eleven (11) evergreen trees. The berm trees are larger. Low growing shrubs have added by the septic bed.

Mr. Strong offered that the added landscaping is provided to enhance the view of the area and provided a handout to the Board.

The evergreens were confirmed by Mr. Strong to be spruce. Mr. Strong explained the plantings around the septic mound.

Mr. Pepe asked if the business park association has any building aesthetic requirements and there are none.

Mr. Strong advised the septic will be located in the front of the building because the detention basin is located in the back.

Mr. Coppola explained area is limited to the location of the septic due to the driveway and the berm that shields the loading area. He advised the better way is to soften the grading around the septic system. He suggested making this a condition of approval and has the Board Engineer monitor the grading. Sloping was discussed to soften the look of the septic.

Plantings in front of the septic mound were discussed.

Mr. Strong went through the Shade Tree Commission's report. He explained that trash receptacle is masonry split faced block with a sandstone cap. He questioned the necessity for planting extra evergreens around the trash enclosure. Mr. Coppola asked that two or three deciduous trees be moved further behind the dumpster as a backdrop.

Mr. Coppola asked for more large trees, a combination of conifers and deciduous trees. He asked that the 8' to 10' conifers increase from 5 to 6 in the original plan.

Kenneth Fears, P.E., of Oracle Engineering is sworn in as applicant's traffic expert. His credentials as a licensed professional engineer are accepted.

He prepared the original traffic study for the business park. Mr. Fears has been keeping track of how the impact for the Park has panned out as each site is filled. Mr. Fears explained how he did a trip analysis of the premises with 32 vehicles in the morning and 20 vehicles in the evening.

Mr. Fears offered a moderate volume of traffic for office with 25' driveway for office and 20, 9 'x18' spaces for parking and 30' for the loading area.

He testified that the site will be able to accommodate truck service to the building. He explained that tractor-trailer trucks should not be on the site on a frequent basis. Mr. Fears showed how traffic would maneuver, referring to Exhibit A-12.

Mr. Fears offered that the parking proposed use sufficient for the use and sees no adverse issues from a traffic point of view.

Mr. Fears explained to the Board how he arrived at the trip analysis. The number of trips is calculated on the nature of the business. He uses conservative numbers in his analysis. A national company does the research.

Mr. Fears explained how larger trucks would navigate the premises.

Chairman Newman opened the application to the public at 8:30 p.m. and seeing no questions or comments, he closed the application to the public at 8:30 p.m.

Mr. Coppola asked Mr. Strong about the lighting. The lighting will be wall mounted and focused downward.

The sign will be changed to be more like the sign that the neighboring property, First Choice, will be using.

The building will be 4,400 s.f. maximum, 1,100 maximum per tenant.

Mr. Sico has concerns about the space being too tight for four tenants.

Robert Bennett is sworn in to answer questions. He stated that having four tenants in the space would be a better use of the space. UPS and Fed Ex service smaller tenants. Three tenants would deal with larger trucks.

Attorney Steib went over the conditions of approval to include, The Board Engineer will monitor the grading of the septic mound, the Shade Tree Commission will approve the final landscape plan, the lighting plan will reflect shoebox lighting that faces downward, the sign will be similar to the First Choice sign, the building has been revised to include side windows and door with revised architectural consistent with Crest's plans, the dumpster gate will be board-on-board, the maximum square footage of office space will be 4,400 s.f., certified clean fill will be used, separate water meters for each unit, compliance with the Board Engineer and Board Planner's technical comments, the canopy will be extended around the building, the landscaping will be increased and new plantings will be around the septic area.

The Board discussed the application.

Mr. Zanetakos made a Motion to approve as conditioned and Ms. Haag offered a second. Roll Call Vote: Zanetakos, Haag, Blanco, Kucziniski, Pepe, Sico and Newman voted yes to approve.

P05-20 CENTURIAN SYSTEMS, INC. (BUDELMAN) - Block 21, Lots 7.01 and 7.02. Located on Indian Path, 6.36 acres in the R-80 zone. Applicant seeks a lot line readjustment of 2 existing lots to create 2 new lots. Minor Subdivision with no variances.

Chairman Newman explained that the applicant has amended his application to represent himself in the application.

Mr. Steib read the exhibits into evidence as follows:

- A-1 Application dated 7/20/05; Amended 3/22/06
- A-2 Pesticide Soil Investigation Report Prepared by Thomas Varner
12/14/05
- A-3 Minor Subdivision Plan Prepared by Concert Engineering Last
12/20/05

- A-4 Letter from Attorney Weiss dated 3/22/06 granting extension of time to 4/6/06
- PB-1 Board Engineer Report dated 2/2/06
- PB-2 Board Planner report dated 2/24/06 prepared by Coppola & Coppola Associates
- PB-3 Report from the EC Commission dated 3/28/06

Mr. Steib swore in Mr. Abe Budelman and Mr. Bhaskar Halari, P.E. of Concept Engineering as applicant's Licensed Professional Engineer. Mr. Halari presented his credentials and was accepted as applicant's expert.

Marked into evidence are Exhibit A-6, Minor Subdivision grading and drainage plan prepared by Concept Engineering page 3 of 3.

Mr. Halari explained that no variance is needed for the circle on Lot 7.03. He said Lot 7.03 consists of 80,000 s.f Lot 7.04 consists of 169,000 s.f. The property has a west to east slope that drains into Manalapan. Mr. Halari explained the proposed stormwater management system and the inlet location. There is a R.O.W. dedication along Indian Path Road. Soil logs for the septic has been found to be acceptable by the MCBOH.

Mr. Halari advised that the applicant can comply with the Board Planner, Richard Coppola's report. They have request a waiver of tree planting since there is an existing hedgerow on the property. Mr. Zanetakos asks if the hedgerow can be placed in a conservation easement. Mr. Coppola explained that the hedgerow is not that significant. The ordinance would require 120 trees for the six acres (20 per acre). The Board could grant a partial waiver on item #5 of the Board Engineer's Report.

Mr. Budelman advised that the hedgerow consists of sycamore trees and growth. Mr. Coppola advised the trees are 2 ½' caliper. Mr. Coppola asked for 10 trees per acres, totaling 60 trees are placed on the property. Mr. Budelman asked about the location of the tree placement. Mr. Coppola advised that there should be no c/o until the trees are planted. Mr. Shafai advised that bonds will be posted to assure this.

The ordinance was discussed. Mr. Coppola said there is no design standard as to how the trees are to be distributed. Messrs. Sico and Blanco did not agree with compromising and waiving from the Ordinance.

Mr. Halari advised the applicant can comply with the Board Engineer's report. Referring to Exhibit A-6, he explained that he met with Manalapan regarding the stormwater management plan.

Mr. Halari explained the plan pointing to the dedicated easement. Manalapan will be maintaining the detention basin. Water is already going into the basin in a natural flow.

Mr. Shafai advised that the road was not widened. The road was left as is but paved about one year ago. It is wide enough for two cars to go by.

The Applicant went through the EC's report and can comply with their comments.

The application was opened to the public at 9:25 p.m. and seeing no public comment, was closed at 9:25 p.m.

Mr. Zanetakos asked about the septic fields and Mr. Halari said they are raised. Mr. Zanetakos asked about the closeness of the septic to the road on Lot 7.03. Mr. Halari advised that the septic has been located there due to the location of the house and the downhill slopes west to east. The applicant will work with the Board Engineer regarding the grading to avoid a large slope on the septic mound.

The septic was not located in the backyard because homeowners wish to enjoy their back yards. Relocation of the septic was discussed.

Mr. Steib read the conditions of approval including: compliance with the reports of the Board Planner, Richard Coppola as to paragraph 4 b regarding planting trees and paragraph five, notice provision of 20 trees/acre with credit for the trees existing. Mr. Shafai will review the bonding, subject to the confirmation of acceptance of the drainage system from Manalapan, compliance with Mr. Shafai's report, copy of the title report, work with the Board Engineer regarding the septic.

Mr. Kuczynski made a Motion to approve as conditioned with a second offered by Mr. Pepe. Roll Call Vote: Kuczynski, Pepe, Sico, Blanco, Zanetakos, Haag and Newman voted yes to approve.

At 9:40 p.m. the Board took a break.

At 9:45 the meeting resumed with the next application.

P05-27 PIZZO (DP INVESTMENTS) – Block 16.01, Lot 3. 800 Rike Drive, 3.37 acres located in the BP Zone. Applicant seeks Preliminary and Final Site Plan Approval to construct a two (2)-story building consisting of 10,105 s.f.. Deemed Complete 2/9/06. Carried from 4/6/06. Extension granted through May 2006.

Patrick Bradshaw, Esq., representing the applicant.

Mr. Steib marked the following into Evidence:

- A-1 Jurisdictional Packet
- A-2 Application Date 10/27/05
- A-3 Major Subdivision & Minor Site Plan & General Development Plan Application Completeness Checklist Prepared by Attorney & Engineering dated 10/26/05
- A-4 Historic Pesticide & Soil Contaminant Test Report Prepared by Crest Engineering dated 8/9/05
- A-5 Traffic Engineering Investigation Prepared by Oracle Engineering, Inc. 10/17/05
- A-6 Statement of Environmental Impact & Assessment Prepared by Crest Engineering dated 9/15/05

- A-7 Drainage Report Prepared by Crest Engineering Dated 9/21/05
- A-8 Survey of Property prepared by Crest Engineering dated 8/22/05
- A-9 Preliminary & Final site Plan Prepared by Crest Engineering dated 10/05/05
- A-10 Architectural plan prepared by Joseph C. Feltz dated 9/28/05
- PB - 1 Report of Board Engineer dated
- PB - 2 Report from Coppola & Coppola Associates dated 3/20/06
- PB - 3 Report from Freehold Soil dated 11/7/05
- PB - 4 Report of EC dated 3/28/06
- PB - 5 Freehold Soil Certification Letter dated 3/9/06

The applicant gave a brief overview of the application. The proposed plan is for construction of a 21,995 s.f. building for office/ warehouse

Mr. Steib advised there may be a threshold issue as to the proposed uses.

Mr. Bradshaw offered a brief overview of the proposed project. No retail sales will take place on the site. The plan will be done in two phases and not built at one time. Two tenants will occupy the building.

Mr. Peter Pizzo is sworn in. He is the applicant and the tenant of the proposed facility. The primary business is that of professional carpet systems, carpet cleaning, mold remediation and flood clean up.

Mr. Pizzo testified that he will store carpets on site, padding, ceramic tiles, sheet vinyl, hardwood products, vinyl tiles, floor based products Mr. Steib advised that no retail sales are permitted on site.

Mr. Pizzo's clientele consists of builders, architects, and industrial clients. He explained how a portion of the building will act as a showroom. The business will install durable carpet in apartments, hi-rise or garden apartments. The business is appointment based. The business is not a retail outlet. They do not plan on advertising.

Mr. Pizzo stated that the second business will be kitchen and bathroom remodeling system. They will perform flood and fire restoration work by refinishing bathroom tile and tubs. The spraying is not done on the premises but at the customer's place. There will be no spray booths on the premises. There will be a spray display area so customer can see how the tubs are sprayed to look brand new.

Mr. Coppola testified as to permitted uses and in retail uses are allowed on a warehouse is permitted.

Mr. Bradshaw stated that the Ordinance is confusing.

Chairman Newman stated that the Ordinance does not explicitly permit retail. Mr. Coppola explained the definition of a retail use.

Mr. Bradshaw asked the definition of a distribution center.

Mr. Pepe asked the applicant how much sales personnel/ marketing personnel are to be on the premises.

The applicant will not have any signage and no walk-in customers. The business operates on an invoice system. No money exchanges hands. The applicant testified that they bring samples to potential customers.

Mr. Steib offered that the best course of action by looking at the site plan would be to send the applicant to the Board of Adjustment for an interpretation.

The applicant requested that the matter be carried to the next meeting.

The matter was carried to May 10, 2006 without further noticing required.

**REVIEW AND RECOMMEND:
ORDINANCE 06-15 – AMENDING ZONING DISTRICT REGULATIONS FOR
THE PCD ZONE**

Planner, Richard Coppola, prepared a memorandum discussing the PCD Zone. He advised the substance of changes is totally consistent with the current Master Plan. He prepared a draft plan that the Township Economic Development Committee had questions and suggestions on which resulted in constructive changes. The changes would be made and introduced to the Township Committee on 4/19/06 and come back to the Board on 5/10/06.

Members asked if the changes could be black-lined to reflect the changes. Mr. Coppola offered that the Board would be looking at a new ordinance.

The review and recommendation would be tabled to the 5/10/06 Meeting.

At 10:30 p.m., the meeting adjourned by Motion of Ms. Haag with a second offered by Mr. Kucziniski and by unanimous roll call vote.

Respectfully submitted,

Pamela D'Andrea