

**MILLSTONE TOWNSHIP
PLANNING BOARD
MINUTES
JULY 12, 2006**

Chairman Newman opened the meeting at 7:30 p.m.

The Secretary read the adequate notice.

The Chairman called for a salute to the Flag.

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

APPROVAL OF MINUTES:

Mr. Pepe made a Motion to approve the June 14, 2006 Meeting Minutes and Mr. Sico offered a Second. Roll Call Vote: Zanetakos, Sico, Blanco, Pepe and Newman.

Mr. Blanco made a Motion to approve the May 10, 2006 Meeting Minutes and Ms. Haag offered a Second. Roll Call Vote: Blanco, Haag, Pepe and Sico voted yes to approve.

Chairman Newman opened the Public Comment Portion to the Public at 7:35 p.m. Ramon Acalda of Clarksburg wanted to comment on the Bruner application. The application for final will be heard this evening and his questions can be addressed at that time. Seeing no other comment, Chairman Newman closed the public portion at 7:37 p.m.

RESOLUTIONS:

P06-09 J. W. POOLE, L.L.C. – Block 16, Lot 9.08. Located on Rike Drive. 3.06 acres located in the BP Zone. Preliminary and Final Major Site Plan. Applicant seeks approval to construct a one-story, 9,984. Approval granted 6/14/06.

Mr. Pepe made a Motion to Memorialize the Resolution and Ms. Grbelja offered a Second. Roll Call Vote: Pepe, Grbelja, Blanco, Sico, Murphy and Newman voted yes to Memorialize.

P05-14 J. BRUNER ENTERPRISES – Block 16.01, Lot 4. Located on Rike Drive. 4.11 Acres located in the BP Zone. Preliminary Major Site Plan approval granted 6/14/06 to construct a one-story building consisting of 18,000 s.f. for wholesale distribution of solid and flat-proof tires.

Ms. Grbelja made a Motion to Memorialize the Resolution and Mr. Sico offered a Second. Roll Call Vote: Grbelja, Sico, Blanco, Pepe, Murphy and Newman voted yes to Memorialize.

CARRIED APPLICATION:

P05-14 J. BRUNER ENTERPRISES – Block 16.01, Lot 4. Located on Rike Drive. 4.11 Acres located in the BP Zone. Final Major Site Plan approval sought to construct a one-story building consisting of 18,000 s.f. for wholesale distribution of solid and flat-proof tires. Preliminary approval granted 6/14/06.

Peter LaFrance representing the applicant.

Attorney Steib reads the evidence into the record to include the following exhibits:

- A-14 Proposed Office & Warehouse prepared by Joseph Feltz, Architect Planner
- A-15 Preliminary Final Major Site Plan Prepared by RC Engineering dated 8/29/05 Last revised 6/27/06
- A-16 Architectural Drawing 1 of 1 Prepared by Joseph Feltz dated 6/1/06 Last Revised 6/27/06
- A-17 Copy of Title Insurance Policy dated 2/15/05
- PB-4 Letter from Patrick Hynes/Fire Sub code Official dated 7/11/06

The applicant advised he would try to address the outstanding issues such as substantial architectural revisions and revised plans.

Ms. Grbelja inquired about the business itself. She asked for clarification regarding the wholesale distribution of tires, the processing of tires, and the filling of tires. Ms. Grbelja voiced her concerns about the chemicals used.

Mr. LaFrance advised that no harmful chemicals would be used. He advised that the applicant does not require any licensing from the DEP for the chemicals that they use. Ms. Grbelja asked the applicant if they have had any problems or complaints regarding their business at their present location.

Mr. Bruner is sworn in as the owner/operator of the business. Answering Ms. Grbelja's questions concerning any problems or complaints, Mr. Bruner advised they have received no complaints. Mr. Bruner stated that the chemicals used are not dangerous and can be disposed of in the trash. Mr. Pepe asked if the Fire Department was provided with a list of the chemicals that the applicant would use. Mr. Bruner advised that he has submitted the list to the Fire Department. Engineer Shafai testified that he was at a meeting with the applicant and the Fire Department and they did not take issue to the list of chemicals applicant provided to them.

David Collins of Joseph C. Feltz, is sworn in and is not yet a licensed architect. The revised architectural plan reflects the addition of spandrel, faux windows to break up the side of the long building and add interest.

Referring to Exhibit A-18 and A-19:

A-18 Color Rendering of Proposed Structure
A-19 Rendering of Floor Plan (Revised)

Mr. Collins sent colors and materials around to the Board for them to review.

Referring to Exhibit A-19, Mr. Collins pointed out that the modified plan added decorative concrete block with spandrel tinted glass windows. The architectural panel is continued around the entire building, including the loading dock.

Mr. Collins refers to prior Exhibit A-16 to show the signage that will be used on the building.

Sworn in previously is Robert Chankalian, applicant's engineer. Mr. Chankalian submitted revised landscape plans that added a significant amount of landscaping as requested in the report of Planner Coppola. Mr. Chankalian explained the location of the enhanced landscaping. Shade trees will be located in front. The septic grading was changed to allow a gentler slope. Engineer Shafai requested that language be added to the plans regarding the landscaping to which Mr. Chankalian agreed.

Planner Schectel advised the Board that the applicant did address many items that Planner Coppola asked for in his report, including foundation plantings.

Exhibit A-17, the dotted lines on the map were addressed in the title policy and no deeds or encroachments are located on the property. Engineer Shafai received a copy from Mr. LaFrance and he has no problems with the findings.

Engineer Shafai advised that a copy of the topography of the plan was given to Frank D'Amico who advised it is an old driveway.

Engineer Shafai advised Mr. LaFrance that he would need copies of the Deeds that accompany the title policy.

At 8:05, the application was opened to the public.

Ramon Acalda was sworn in. He resides in Millstone. He asked the Board for clarification as to the definition of a wholesaler and a manufacturer.

Engineer Shafai had in his notes that the applicant will not have any retail. They will sell and distribute solid rubber tires and fill some tires.

Chairman Newman advised that the Board spend a lot of time on that at the preliminary hearing last month. He advised that the meeting this evening is to address the aesthetics and landscaping of the project.

The applicant was asked what percentage of the business is wholesale and what percentage is the finished product filled tire. Mr. Bruner advised that solid tires are

never filled; only smaller agricultural-type tires are filled. He advised that wholesale of tires is the majority of his business.

Mr. Acalda is concerned about the chemical mix that is being pumped into the tires. He asked the applicant what the fill machines are cleaned with and how often are they cleaned.

Chairman Newman asked the applicant if any chemicals are used in the business that would be flushed into the septic system. Mr. Bruner advised that they have no floor drains. He testified that the urethane used hardens and can peel off of the floor.

Mr. Bruner has been sworn in previously but is sworn in again.

Mr. Sico asked that Mr. Bruner supply the Board with a copy of the chemicals used.

Mr. Bruner stated that if the chemicals were toxic, the Government would not allow them to be used. He advised that the employees wear gloves. Mr. LaFrance stated that any governing agency would have restrictions or special requirements.

Mr. Sico asked if urethane foam is combined with another chemical it creates a substance of concerns. The applicant testified that these chemicals wouldn't end up in the septic. Mr. Bruner advised that the urethane is mixed through a machine. Mr. Schectel asked what two chemicals are mixed. Mr. Bruner stated one is a polymer and it is a mixing agent to produce the urethane foam. Mr. Bruner stated that he gave this information to the fire department.

Chairman Newman stated that the residents still require that the applicant comply with all conditions that the State government and the Board come up with.

Entered into evidence is Exhibit PB-5 Website information www.usa.829.org.

Mr. Acalda asked the applicant what the difference is between virgin fill and chunk fill. Mr. Bruner stated that one is new fill and the other is recycled fill. The previously used urethane is cut up and the tire is refilled with that product and urethane. Virgin fill is more expensive than using the recycled fill.

Dennis Rike of Englishtown was sworn in. He stated that the applicant might have to put in his own pump. The water comes from the pond. Once the park is built, the pump will be maintained by the Park's Homeowner's Association.

Chairman Newman advised that the applicant has to work with the Association to make sure that they can provide him with protection. Mr. LaFrance advised that Mr. Rike's attorney sent him a letter. Mr. LaFrance is aware that he will not be able to receive a certificate of occupancy unless the applicant meets the codes.

The Board required the applicant to keep the Board Engineer advised about the water issue.

At 8:30 p.m., the public portion of the application was closed.

Mr. Steib read the conditions of approval including: the incorporation of new architectural drawings, revised landscape plans, provision of copies of the Deeds of Easement to Board Engineer Shafai that relate to the title policy concerning the path, compliance with the Fire Department, adequacy of water supply to handle the fire department's need, trash enclosure to be reviewed, no dispensing of hazardous chemicals on site and into the septic system, etc.

Mr. Kucziniski made a motion to approve as conditioned and Ms. Grbelja offered a Second. Roll Call Vote: Kucziniski, Grbelja, Blanco, Pepe, Sico, Murphy and Newman voted yes to approve. Mr. D'Amico abstained from voting.

P06-02 33 ASSOCIATES (RIVERSIDE CENTER) – Block 18, Lot 2.02. Located on Route 33. 57.7 acres located in the PCD Zone. Applicant granted partial waiver from provision of all NJDEP list of contaminants pursuant to Ordinance 02-36 on 7/12/06.

Mr. William Mehr representing the applicant on this waiver application. The waiver related to environmental testing of the site.

Sworn in, as applicant expert environmental engineer is Tom Intile. He provides his credentials and is accepted as an expert.

Mr. Mehr reads the Environmental Commission's March report.

Mr. Intile provides a brief overview of the property. The property consists of 42 acres of uplands. Crest Engineering has performed 21 surface soil samples. Based on a Phase I Site Assessment, the land has always been used as a farm. Mr. Intile stated that some arsenic and pesticides showed up which would be expected on a farm. He explained that the full list of contaminants that the DEP requires applicant test for would be for more for a facility that uses those chemicals and not for a farm.

Mr. Mehr testified that the land has been used as a farm and the chemicals on the DEP list should not be on a farm of this type. Ms. Grbelja stated that any building that housed farm equipment may have spillage of chemicals. The EC is concerned about specific areas such as where the barns and equipment have been located. Some testing in those specific locations could be performed.

The Board can modify or grant a partial waiver of the testing.

Chairman Newman asked about the areas of concern in Phase I Site Assessment. Tom stated that a review of the Phase 1 that Crest Engineering prepared did not reflect any

specific areas of concern. Mr. Mehr stated that the applicant will perform more extensive testing in potential areas of concern and full testing in the area of the barn and house.

Engineer Shafai asked the applicant to do testing before the Site Plan approval phase on the area of concern. Mr. Sico asked the cost involved to perform the full testing. Mr. Mehr advised over \$20,000.00 extra per test. The applicant will do full testing in the areas of concern.

Mr. Mehr stated that Monroe Township does not require soil testing in a case where children are not occupying the area.

Mr. Kucziniski asked about the farm property location where they parked the tractors, etc. Mr. Mehr stated that the proposed project is for office industrial and the paving will encapsulate the ground with parking lots and buildings and landscape.

Chairman Newman asked Mr. Shafai if the application will be deemed complete upon the resolving the waiver issue. Mr. Shafai clarified that this is the only issue pending in deeming the application complete.

The Motion would be subject to the applicant's compliance with full testing in the areas of concern where there may be pollutants as addressed in the hearing.

Ms. Grbelja made a Motion to grant a partial waiver and Mr. Kucziniski offered a Second. Roll Call Vote: Grbelja, Kucziniski, Blanco, Murphy, D'Amico and Newman voted yes as conditioned. Pepe and Sico voted no.

P05-23 RIORDAN – Block 45, Lot 10.04. Located on Stage Coach Road and Charleston Spring Road. 27.61 acres located in the RU-p zone. Applicant seeks Minor Subdivision approval.

Attorney Steib read the Exhibits into evidence:

- A-1 Application dated 10/12/05
- A-2 Report of Title prepared by American General Title Agency dated 6/08/05
- A-3 Statement of Environmental Impact prepared by Henderson & Bodwell dated 5/12/06
- A-4 Soil Logs & Permeability Tests prepared by Melick-Tully & Asso. Dated 12/04/02
- A-5 Soil Sampling Report prepared by ESP Associates dated April 2006
- A-6 Minor Subdivision Plat prepared by Henderson & Bodwell dated 10/14/05
- A-7 Boundary & Topographic Survey prepared by Henderson & Bodwell dated 5/08/06

- PB-1 Board Engineer Report dated 6/9/06
- PB-2 Report of Board Planner dated 7/1/06
- PB-3 Monmouth County Planning Board Conditional Final Approval letter dated 10/28/05.
- PB-4 Monmouth County Board of Health Soil Logs dated 11/1/05
- PB-5 DEP Letter of Interpretation dated 10/10/02

Richard Cohen, Esq. representing the applicants. He gave a brief overview of the property. The property consists of 28 acres located on Stage Coach and Charleston Spring Roads. The request is for a Minor subdivision of the lot into two lots consisting of 14.6 acres and 13.1 acres. No variances are needed in this application because the existing barn is to be taken down.

Mark Andrew of Henderson and Bodwell is a licensed professional engineer and is sworn in, presented his credentials and was accepted by the board as an expert.

Mr. Andrew describes the plan to the Board. Referring to Exhibit A-6, he advises that two new lots, 10.05, consisting of 13.1 acres and lot 10.06, consisting of 14.6 acres would be created. The area is in the RUP zone, which requires 10 acre minimum zoning. The land consists of horse pastures, 4 barns, 1 shed and evidence of an old horse track. There is a 180' JCP&L easement that runs east to west on the northern end of the property.

Mr. Andrew advised that the applicant will sell the lots in "as is" condition. No new access from Stage Coach Road is proposed. The access will be from Charleston Spring Road. There will be two site triangle easements; one in favor of the County along Charleston Spring Road and one in favor of the Township.

ESP performed soil suitability testing.

The applicant will enter into a Memorandum of Agreement with the DEP.

Ms. Grbelja stated that Open Space is looking for a bridle path on this site. The bridle path would allow an extra 15 feet of trail width and would be contiguous with the existing neighbor's trail. There is a safety factor due to a driveway that runs along the trail.

Attorney Steib advised that the design standard that allows the Board to look into each application as a potential bridle path easement.

The applicant would like to defer the obligation of planting trees at a later date and make it the obligation of the new buyer. Engineer Shafai asked that a note be placed on the plan that a minimum of 20 trees per acre be placed on the recorded plat. Engineer Shafai stated that he reviews individual plot plans. Board Planner Coppola

will work with Board Engineer Shafai since there are trees on the land. Engineer Shafai advised that eventually they will have to count trees. There is a 1- foot shade tree easement along Charleston Spring Road. The applicant will comply but they request a deferment to the site plan stage. Engineer Shafai asked that a note be placed on the plan that shade trees will be planted where there are gaps and that will suffice.

Concerning the enforceability of assuring the shade trees are counted/planted, Engineer Shafai suggested that to have the deed recorded. Notes may not be picked up on the plan. When recorded, it will end up on the title report.

Engineer Shafai asked that the Historic Commission take a look at the barn before it is taken down.

The Planner in his Report asked the applicant to add the building envelopes to the plans.

Planner Schectel is okay with the fence being left around the horse track. The applicant advised the new owners may want to leave it up.

Regarding the issue of regrading, the applicant asked if the new owner could be responsible for this item at the site plan stage. The applicant wants to sell the property "as is".

Planner Schectel cited the steep slopes as a danger to small children. He asked that while this can be done at the site plan stage, that it be added as a condition of the Declaration of Covenants and Restrictions.

The applicant has reviewed the Environmental Commission's report and will revise the EIS.

Joseph Gittings of ESP presented his credentials. He has a B.S. in Geology. He was sworn in and accepted as an expert witness. He testified that 14 samplings were taken throughout the site. The results showed one hit for arsenic on the entire property. The applicant has entered into an MOA with the DEP. The applicant does not know if the arsenic is occurring naturally or if they will have to remediate. The remediation would consist of either taking out the soil or by mixing it with clean fill. Mr. Gittings felt the arsenic was naturally occurring and explained why. A condition of approval would be an NFA issued by the NJDEP.

Ms. Grbelja voiced her concerns that many items are left for the new owners.

Attorney Cohen advised that the recordation of the covenants and restrictions would be enforceable by the Township and coming at a later stage rather than before the plans are signed. The improvements would be bonded. Engineer Shafai prepares the bond assessment.

The application was opened to the public at 9:40 p.m. and seeing no comment, that portion was closed to the public. At 9:40 p.m.

Attorney Steib read the conditions of approval to include: a bridle path easement, variance for the barn element removed, the approval is subject to the MOA with the NJDEP remediation of the soil, plat recorded requiring 20 trees be planted per acre of land, the planting of the trees will be deferred to the plot plan is submitted, the Covenants and Restrictions to include a copy of the resolution, the Historic Commission is to assess the barn prior to any building permits being issues for the lot, regrade borrow pit steep slope plot plan stage, applicant to revise the EIS per the EC's comments. The NFA will be pursued to conclusion. No building permits will be issued prior to the issuance of the No Further Action letter.

Ms. Grbelja has concerns about leaving so many items left for the new owners. Matt Shafai advised that the project would be bonded, 90% bond and 10% cash. Engineer Shafai would prepare the bond assessment.

Chairman Newman opened the application to the public at 9:40 p.m. Seeing no public comment, the application was closed to the public at 9:40.

Mr. Kuczynski made a Motion to Approve the application as conditioned and Ms. Grbelja offered a Second. Roll Call Vote: Kuczynski, Grbelja, Blanco, Pepe, Sico, Newman and D'Amico vote dyes to approve as conditioned.

P05-30 512 ROUTE 33, LLC – Block 22, Lot 7. Located on Route 33. 9.23 acres in the HC Zone. Applicant seeks Preliminary and Final Site Plan approval to construct a 15,925 s.f. retail center. Variances needed. Deemed Complete 6/19/06. Date of Action: 10/17/06.

Attorney Steib had reviewed the jurisdictional packet and found same to be in order to accept jurisdiction over the application. Attorney Steib read the following exhibits into evidence:

- A-1 Jurisdictional Packet
- A-2 Web Notice
- A-3 Application date 12/01/05
- A-4 Historic Pesticide Soil Sampling Report prepared by Maser Consulting P.A. dated 2/8/06
- A-5 Statement of Environmental Impact & Assessment prepared by Maser Consulting PA dated 11/10/05 revised 5/31/06
- A-6 Boundary & Topographic Survey prepared by Maser consulting dated 11/28/05
- A-7 Preliminary & Major site Plan prepared by Maser Consulting dated 11/9/05, Last Revised 6/19/06
- A-8 Architectural plan prepared by Bach & Clark dated 11/15/05
- PB-1 Board Engineer Report dated 6/28/06
- PB-2 Report of Board Planner dated 7/5/06

PB-3 Conditional approval from the MCPB letter dated 12/5/05
PB-4 Freehold Soil Conservation Certification Letter dated 6/21/06
PB-5 Letter of Interpretation dated 8/17/05
PB-6 Environmental Commission Plan Review dated 5/31/06
PB-7 NJPDES General Permit for Stormwater Discharge

Kenneth Pape, Esq. representing the applicant. He advised that the property is located east of Dugan's Corner Shopping Center. He spent time with the Environmental Commission and the Fire Department reviewing the proposed project.

Entered into evidence as Exhibit A-9, a 2-page letter from the law offices of Heilbrunn, Pape & Goldstein to James Corbin III, Fire Chief. Mr. Pape further advised that he would be meeting with the Shade Tree Commission on July 26, 2006.

Attorney Steib swore in Julia Algeo, a licensed professional engineer. Ms. Algeo has testified before the Board previously. She was accepted as applicant's expert.

Marked into evidence is Exhibit A-10, color rendering landscape plan
A-11 Aerial Photograph of the property
A-12 Color Form Overlay

Engineer Algeo described the current and proposed project. It is located on the Westside of Highway 33. The property is partially wooded toward the rear of the property. Two existing multi-family dwellings are on the property. The property is located in the HC Zone. On the easterly side is vacant lot 8. There is a residential shopping center to the east.

Referring to A-10, color rendering of the landscape plan, Ms. Algeo advised the property consists of 9.2 acres. The existing structure is to be demolished. The plan is for a 15,925 retail commercial building, which is a permitted use. There will 110 parking spaces, where 106 are required. There will be a fire access lane between the two sites. The loading area will be located in the rear of the building. The trash enclosure is located in the rear. The lot is an "L" shaped lot 184' x 136'. The access to the property will be right in and right out. Ms. Algeo testified to the location of the septic and potable well. Lighting will be consistent with the adjoining shopping center. There is an LOI for the site. Some buffering averaging will be associated with the plan and there will be a regional detention basin.

Ms. Algeo testified that they do not have to clear more trees. The property will be efficient and attractive. They will expand on the easterly side by 215 to 30 feet. The depths will be the same except for a slight increase in the water surface. The flow will be controlled so no downstream impact will occur. The wetland basin will connect to standpipe for fire fighting water supply. There will be put in place a fire cross access between the properties via grass pavers. Engineer Algeo advised that she can comply with the recommendations in the reports of Board Engineer Shafai and Board Planner Coppola regarding a complete emergency connection.

Mr. Pape advised Lot 8 is a residence and Lot 7 is a motel. The applicant is exploring bringing lot 8 into the mix but he advised this has not been officially filed. Mr. Pape advised the plan would be amended to bring Lot 8 into the plan.

Mr. Pape advised that the traffic expert will give an overview of the traffic elements. Chairman Newman advised that the applicant would have to renotice and the application would have to be amended. The property owner's list would include lots 7 and 8.

Maurice Rached, traffic engineer with Maser Consulting, was sworn in by Attorney Steib and he presented his credentials. He was accepted as an expert.

Mr. Pape stated that the access point to Route 33 is designed to be a safe and efficient distance. There is adequate site distance. The access is a simple right in and right out which complies with the requirements of the DOT. The driveway between the lots is helpful.

Mr. Rached testified that the number of parking spaces and the circulation is adequate and safe. The number of parking spaces doubles pursuant to the ITE need for 46 and they have provided 100. There is good circulation for deliveries, emergency vehicles and patrons.

Attorney Steib swore in Gregory Clark of Bach and Clark Architects presented his credentials and was accepted as an expert witness.

Entered into evidence is A-13 Floor footprint 15, 950 s.f. building

A-14 Color Rendering of the architectural drawing of the tower, metal, roof and signage.

Mr. Clark advised that the structure would be made of steel and concrete with block around two walls. There are various entries and each tenant has his own entry. There is a sidewalk around the perimeter of the building. There is a 40-foot tower element planned to attract attention. The roof will have a copper patina. The signage will be 16' x 2.6' channel mount sign with individual lit letters. The brick water table will rise 4'. Mr. Clark showed where the brick columns are located. The address on the tower with a clock and the top of the tower will match the roof.

Mr. Clark advised there is adequate and tasteful signage that is in compliance with the ordinance. Mr. Clark discussed the color scheme. The brick face is 4' up the columns. The Tower is half made of the brick. The brick is Virginia brick 8"x3". Above the brick is synthetic stucco that wraps around the building.

Exhibit A-15 entered into evidence. Sample of brick.

The split face finish block will match the stucco color. The standing seam roof is durable aluminum in earth tones. Chairman Newman stated that the proposed building ties into the adjacent existing site and blends.

The application was carried to the meeting of September 13, 2006. There was discussion of the merger of the two lots with septic for each to be designed as one complete site.

The application granted an extension of time to hear the application through September 2006. The Board unanimously agreed to carry the matter to September 13, 2006.

P05-28 TOTAL STONE – Block 53, Lot 4. Located at Red Valley Road and Trenton-Lakewood Road. 28.7 acres in the BP Zone. Applicant seeks Preliminary Major Subdivision approval for a 7-lot subdivision for existing building, private road and 5 new building lots. Variances required. Application Deemed Complete: 5/31/06. Date of Action: 9/26/06.

Mr. Steib had reviewed the jurisdictional packet and found same to be in order to accept jurisdiction over the application.

Mr. Steib read the following exhibits into evidence:

- A-1 Jurisdictional Packet
- A-2 Web Notice
- A-3 Application dated 11/10/05
- A-4 Traffic Engineering Report prepared by Oracle Engineering dated 9/2/05
- A-5 Statement of Environmental Impact & Assessment prepared by Crest Engineering dated 9/20/05 Revised 1/17/06
- A-6 Plan of Survey prepared by Ott & Warren Land Engineering dated 3/31/05
- A-7 Preliminary Major Subdivision Plans Prepared by Crest Engineering dated 6/30/05 Last Revised 3/27/06
- A-8 M.O.A. application dated 7/11/06
- PB-1 Board Engineer Report dated 6/28/06
- PB-2 Report of Board Planner dated 7/3/06
- PB-3 Millstone Township Shade Tree Commission letter dated 5/30/06
- PB-4 Monmouth County Shade Tree Commission Development Review Comment Form dated 2/6/06
- PB-5 Monmouth County Planning Board Request for Additional Information dated 6/14/06
- PB-6 Report of Freehold Soil dated 5/24/06
- PB-7 DEP Letter of Interpretation
- PB-8 Memo Preliminary Major Subdivision & Bulk Variance
- PB-9 Freehold Soil Letter dated 7/7/06

Kenneth Pape, Esq. representing the applicant. He gave a brief overview of the project. The property is located in an industrial park that was formerly the 7-Up packing plant 30-years ago. Currently, the building is used as a cultured stone distribution facility. The property is located in the BP Zone. The applicant would like to create a small industrial park one large lot for the existing building. There is a private road on a separate lot that will be made into a public road. The applicant is asking for a variance for this road. The County Planning Board had an interest in this application due to the scenic roadway. Full environmental testing of minor elevations was supplied to the Environmental Commission. The applicant has entered into an MOA with the NJDEP. The applicant will follow through until they obtain an NFA letter from the NJDEP.

Attorney Steib swore in PS of Crest Engineering. He presented his credentials and was accepted as an expert witness. Referring to Exhibit A-9, Aerial map, He describes the property as Lock 53, Lot 4, located along Interstate 195 on Anthony Ambrosia Drive. Doctor's Creek runs along the northern portion of the property. Frogbridge is across the Creek.

Referring to A-10 Landscape Plan of the proposed subdivision, PS explains the proposed subdivision plan. The plan is to subdivide the property into 7 lots, 6 for building and 1 for the existing building. The cul-de-sac requires a variance to be maintained by the property owners association. The lots conform in area to the zoning. A variance for frontage is needed along Trenton-Lakewood Road.

Mr. Pape stated that they will give us the access rights to any other road except for the cul-de-sac.

The Stormwater drain system is in place and runs to an existing detention basin. He explained how he will redesign the system to accommodate the run-off and have a single facility to manage the project.

Mr. Pape advised that an association will be created to maintain the road and basin so that the Township is not imposed upon.

Chairman Newman suggested that the applicant consider incorporating architectural guidelines to be governed by the association. Such Guidelines will aid the Board as they go through the Site Plan Phase of the project.

The first two lots on the outside perimeter would be for office space because it is more aesthetically pleasing. The interior building is the old 7-Up Building.

Ms. Grbelja offered that an association can provide some architectural structure. She explained that the Township is looking into architectural design standards.

Mr. Pape advised that no development is proposed. Each site plan comes to the Board individually. He advised that Mr. Kenneth Fears had prepared a Traffic Study and is hear to testify if requested.

PS stated that they are working on a meeting with the Fire Commission.

The matter has been carried to the next meeting on August 9, 2006. No further noticing is required.

Meeting adjourned at 11:06 p.m. by Motion of Ms. Grbelja and a second offered by Mr. Blanco and by unanimous roll call vote.

Respectfully submitted,

Pamela D'Andrea