

**MILLSTONE TOWNSHIP PLANNING BOARD
MEETING MINUTES
NOVEMBER 8, 2006**

Chairman Newman opened the meeting at 7:35 p.m.

The Secretary read the adequate notice.

The Chairman called for a salute to the Flag.

Roll Call: Members Present: Blanco, Haag, Grbelja, Newman, Zanetakos and Pado.
Murphy: Late arriving at 7:44 p.m. Absent: Kuczinski, D'Amico, Pepe and Sico.

APPROVAL OF MINUTES: Approval of the October 11, 2006 Minutes have been tabled to November 8, 2006.

P06-05 COUNTRY ROAD ESTATES – Block 57.01, Lot 1. Located at Old Noah Hunt Road and Trenton Lakewood Road (County Road 526). Zoned RU-P consisting of 58.405 acres. Applicant seeks Preliminary Major Subdivision approval to construct 6 residential lots. Variance needed. Carried from 8/9/06; 9/13/06; 10/11/06.

Attorney Kenneth Pape representing the applicant is prepared to proceed this evening but due to a lack of quorum of eligible membership to hearing the continued application, the application is carried. The matter is carried to the December 13, 2006 meeting without further noticing required. The applicant has granted an extension. By Motion to Mr. Zanetakos and Second offered by Mr. Pado and unanimous vote the matter is carried.

P05-19 HUNEKE, ROBERT – Block 16, Lots 6 and 6.02. Located at 21 Huneke Way. Consists of 35.82 acres in the RU-P Zone. Applicant seeks Final Major Subdivision Approval to modify two lots into 3 lots. Preliminary granted 2/06.

The applicant agrees to carry the Final application to the December 13, 2006 Meeting. Attorney Steib advised that the matter is carried to the December 13, 2006 meeting and no notice was given initially so no further noticing is required.

Vice-Chairman Haag made a Motion to carry and Mr. Zanetakos offered a Second and by unanimous vote, the matter was carried to December 13, 2006.

Mr. Pape granted an Extension of time for the application.

P05-29 PAUL, EUGENE – Block 36, Lots 28, 30 and 32. Located along Millstone Road in the R-130 Zone consisting of 8.87 acres. Minor Subdivision w/ variance. Applicant proposes to consolidate 3 existing vacant contiguous lots into two new building lots. Application Deemed Complete 5/23/06. Carried from 6/14/06; 8/9/06; 10/11/06.

Mr. Steib advised the Board that the applicant has requested that the matter be carried to the December 13, 2006 Meeting and they have granted an extension of time. Ms. Grbelja made a Motion and Vice-Chairman Haag offered a Second and by unanimous vote the matter is carried to December 13, 2006 without any further noticing required.

Mr. Murphy arrived at 7:44 p.m.

P06-02 33 ASSOCIATES (RIVERSIDE CENTER) – Block 18, Lot 2.02. Located on Route 33. 57.7 acres located in the PCD Zone. Applicant seeks Preliminary Major Subdivision Approval to subdivide property into 9 individual sites. Deemed Complete 7-12-06. Date of Action: 11/9/06. Carried from 9/13/06.

Mr. Steib reads into evidence, the following Exhibits:

- A-13 Soil Sampling prepared by Potomac-Hudson Engineering, Inc. dated 10/05/06
- A-14 Traffic Impact Study Prepared by McDonough and Rea dated 10/11/06
- A-15 Technical Appendix for Traffic Impact Study Riverside Center prepared by McDonough & Rea Assoc. Undated
- A-16 Environmental Impact & Assessment for Riverside Center Subdivision Last Revised 8/01/06, dated 12/01/05
- A-17 Preliminary Major Subdivision Plan Last Revised 10/03/06, Dated 1/16/06
- A-18 Color Rendering prepared by Crest of Traffic flow
- A-19 Soil sampling report dated 11/08/06 prepared by Potomac Hudson Engineering
- A-20 Letter from Mehr, dated 11/09/06, granting extension of time through January 10th. 2007.
- PB-7 Environmental Commission dated 9/26/06
- PB-8 Board Engineer Report Dated 10/25/06
- PB-9 Memorandum from Board Attorney dated 9/19/06
- PB-10 Traffic Engineering Report prepared by Horner & Canter Assoc. dated 10/25/06
- PB-11 Shade Tree Commission Report dated 11/02/06
- PB-12 Report of Board Planner dated 11/09/06

Mr. Mehr summarizes that the application began in September. Mr. Strong went over the concept plan, as well as the continuation of the project in Monroe. There is no site plan before the Board. The applicant is here for subdivision approval at this time. They will come back for perfecting the sites, including landscaping. The owners of the of the application will make application for all of the site plans on each individual lot.

Mr. Strong went over the drainage, lighting, landscape berms along Rt. 33 and the interior roads, etc. The traffic consultant addressed the traffic on Rt. 33 and the internal roadways.

Mr. Mehr advised that the traffic issues would be addressed this evening. He would like to complete the traffic issues then complete the rest of the application.

Attorney Steib swore in Jay Troutman of McDonough & Rae Associates, the applicant's traffic expert. He testified at the last meeting. He handed the Board an outline of traffic issues that he intends to discuss including, the results of traffic impact study, the options on how to phase the build out, Farrington Blvd., the main interior roadway, Millstone Road realignment and traffic engineering review letter from the Board's traffic expert.

Mr. Troutman advised that the NJDOT would require that the applicant look at the intersections that impact the project. He explained how traffic would flow and how to get traffic out of the property. The NJDOT suggests a new traffic signal on Route 33 and have spoken with the NJDOT about this matter. NJDOT would have to approve any signal.

Mr. Troutman went over different scenarios. Ms. Grbelja asked if the installation of a traffic signal would allow traffic to go east. Mr. Troutman confirmed it would. Mr. Troutman went over the applicant's recommendations to handle traffic entering the property, exiting and maneuvering in the park. Mr. Zanetakos asked about the distance between Millstone Road and proposed light. Mr. Troutman states it would be less than 1/2 mile. Mr. Troutman stated that the NJDOT requires 1/2 mile in between traffic lights. They would get a waiver of this since they are so close to the mileage requirement. Mr. Troutman explained how they came up with the figures of traffic flow on Route 33 during the morning and the evening and explained how the signal would work.

Mr. Troutman advised that this project is an Access Level 2 Roadway. The initial phase of the project is for right in - right out to Rt. 33. Mr. Troutman explained the options for phasing. As site plans come on, you would not see a traffic signal until the very end. Connection to Old Route 33 was discussed. During traffic counts, commuters heading west, jump onto the ramp to avoid the light. Mr. Troutman discussed vehicle stacking and the potential to back up onto Route 33.

The applicant has proposed a realignment plan (Exhibit A-18), prepared by Crest Engineering Realignment Plan for Old Route 33 and Millstone Road. Handouts were provided to the Board members. Mr. Troutman explained how the realignment works by allowing control of vehicles and provides safe stacking of vehicles.

Attorney Steib swears in the Board's traffic expert, Jerry Canter of Horner and Canter Associates. Mr. Canter provided his qualifications and experiences. He has reviewed the traffic reports of the applicant. Mr. Canter addresses the signal on Route 33. He stated that the proposed project would generate significant traffic. He presented the question, should the area be signalized? He reiterates that NJDOT would not allow traffic signals less than 1/2 mile from each other but they could issue a waiver. The NJDOT's primary goal would be to assure that traffic on Route 33 would not be impeded by this project. Mr. Canter advised that other intersections up and down the highway would have to be reviewed in order to assure this signal would work. Mr. Canter suggested that the Board hear more about the phasing of the project. Would there be enough traffic coming out of the park in order to warrant a signal? The progression of traffic along the highway must keep flowing. A progression analysis would need to be prepared to show that the flow of traffic would not be impeded by another signal. Mr. Canter stated that this would be difficult to prove.

Mr. Canter suggested that the applicant address the technical issues in his report. He has significant concerns regarding the impact that the development would have on the intersection of Millstone Road and Old Route 33. Mr. Canter offered that he feels it could cause congestion at the peak hours. If the applicant can prove a new signal works that may be the best solution. Mr. Canter advised that the applicant would have to prove that to the Board and ultimately to the NJDOT.

Mr. Pado voiced his concerns about the future impact to the intersections. Mr. Canter advised that the applicant uses the build out date of 2010. He does not feel that 2010 is enough time to build out the property and suggests that 2015 may be a more realistic goal.

Ms. Grbelja advised that Millstone met with the County and State so that we could remain a Category 2 Road. She voiced her concerns about Monroe residents cutting across Farrington Blvd. to avoid traffic. She has concerns that Farrington Blvd. will become a short cut roadway. She also raised her concerns about the synchronization of the lights and traffic. Chairman Newman asked if this application could proceed without a light on Rt. 33? Mr. Canter advised that if the Board feels they do not want a signal and would prefer a right in and right out, the Board could make that decision. If the State approves a traffic signal and the Town does not want it, the Town has the last say.

Mr. Mehr stated that presently, the lights are poorly timed. He offered that the benefit of a light that would improve what is occurring now. Chairman Newman asked the applicant what other similar highway has a similar synchronization. Mr. Troutman offered an example of Route 9 in Freehold and Howell heading north.

Mr. Canter stated that Old Route 33 is under State jurisdiction and all changes are the NJDOT's domain. Mr. Troutman sent the exhibits to Mr. Canter and he did review them. His concern is the significant volume of traffic coming out of the park. Traffic from the signal would cause traffic to cue back. He requested cue figures from Jay Troutman, but he had not received those figures yet. He explained to the Board a potential gridlock situation.

Ms. Grbelja is concerned about the type of buildings that would occupy this park. She was under the assumption that the buildings would be mostly warehousing. Mr. Coppola advised that the Township wanted retail in the front portion of the park. This would have less peak traffic. Mr. Coppola asked what percentage of the buildings would be warehouse. Mr. Troutman advised a typical flex mix. Mr. Coppola is concerned about the percentages. Mr. Canter suggested that as each site plan comes to the Board, the applicant prepares a mini traffic study for each site. The individuals cannot exceed the grand total.

Mr. Mehr advised that since there is no water and sewer, the types of buildings coming in are limited. He explained that limitation dictates. Ms. Grbelja explained her concerns and wants the applicant to be upfront with the types of businesses. Mr. Mehr offered that sewer limitations pertain to Monroe as well. He explained lots are larger and are flex/warehouse lots. The main limiting factor is the amount of water to accommodate office use.

Mr. Zanetakos asked how does Millstone control Monroe traffic?

Mr. Coppola stressed the importance of having dialogue with Monroe so that we are in sync with each other. Mr. Mehr made positive commitments to the Board that this applicant would perfect each site. He explained the benefit of having this scenario. Mr. Mehr's applicant will control what comes into the site. They will at least go through the approval process. The same experts will be coming in to perfect each site.

Mr. Mehr advised that they have one approval already in Monroe. They have a subdivision plan filed with Monroe that they are reviewing. Chairman Newman requested that Mr. Mehr keep the Board apprised of the Monroe applications. He agreed to do same.

Chairman Newman asked Mr. Canter to discuss the deficiencies in Mr. Troutman's report. The applicant has not reviewed the deficiencies addressed in Mr. Canter's report but will do so. They will recalculate the build out to a more realistic date. Messrs. Canter and Coppola suggest the year 2012.

The applicant advised the Board that they have a pending application, Ideal Tile, awaiting this subdivision approval in order to perfect the site. He stated that several sites have applications that are almost ready to submit to the Planning Board for consideration.

Ms. Haag is concerned with the growth rate. Mr. Mehr said that various uses have different peak hours. Mr. Canter stated that the applicant must come up with realistic build out year. He advised that the Board needs to know what does the roadway need to look like in order to evaluate its needs.

Mr. Troutman advised that they have a built in security to this analysis.

Mr. Mehr stated that the application presently is for right in and right out. In discussions with the DOT they recognize that a traffic light may be warranted in the future. Mr. Troutman said that they are proposing a hard wire signal to keep them in step and offering better synchronization. The applicant is going to continue to perform studies. Mr. Coppola asked if all lots in Monroe and Millstone were included in the traffic study. Mr. Troutman stated that 18 lots were considered in the traffic study.

Mr. Blanco feels there is a need to improve the intersections presently, with NJDOT's approval first. If this scenario does not work out then the Board may consider looking at a traffic signal somewhere down the line. He states the importance of alleviating the congestion now. Mr. Mehr advised that the NJDOT would like to have Old Route 33 go away but there are two residents on the roadway.

Referring to A-18, Chairman Newman, has concerns from a motorist's standpoint giving right of way to the wrong person. He has a concern with drivers not obeying the stop signs, especially at night. Mr. Canter feels this is done due to the heavier volumes and explains why this is done. There would be good visibility at night. At the peak hours, this may be a bottleneck scenario. Mr. Zanetakos voiced his concerns about the safety of the intersection in A-18. This is Mr. Canter's concern regarding a potential gridlock situation during peak hours.

Chairman Newman suggested a cul-de-sac on Farrington Blvd. Mr. Troutman advised you cannot shove everything out onto Perrineville Road. He cannot make it large enough to make it work. Mr. Canter said by a cul-de-sac, a traffic light would then be needed. Need balance. What is the better alternative?

Engineer Shafai asked Mr. Troutman to explain the separation of the two roads. Mr. Troutman states a balance between functionality and aesthetics. Eastbound traffic on Farrington and Westbound on Rt. 33. could cause a collision. Mr. Canter suggests a

physical barrier between the two to visually block the headlights. Something decorative and functional, a green barrier to block the lights.

Chairman Newman asked about the best way to resolve the intersection issue. Mr. Canter stated that the applicant must prepare a cuing and show analysis for us to look at. Mr. Mehr stated they may plan for a jug handle to handle traffic. Chairman would like to see a better plan to handle traffic, referring Exhibit A-18. He advised that they will have to continue traffic testimony. Ms. Grbelja offered that there is a potential in the future to put a traffic signal in, but she does not feel it appropriate at this point in time.

At 9:28 p.m., the Board took a break.

At 9:39 p.m., the Meeting resumed.

Chairman Newman advised that the application would continue. A few additional items from the traffic consultant concerning the internal road and reports from the Board Engineer and Planner must be addressed. Some of the technical issues can be resolved during a meeting between the Professionals.

Mr. Canter voiced his concerns about site distance, site triangles, etc. He made his recommendation that access should be limited or appropriate. He is awaiting a response from the applicant. He is concerned about truck traffic and the width of the lanes. If a traffic signal is planned for in the future, the lanes should be 26' wide. He recommended placing a note on the plans as to height limit of planting in the site triangle. He went over signing and stripping and suggested a separate sheet included on the plans reflecting these items.

Mr. Coppola suggested making the Traffic conditions part of the Resolution of the Subdivision. He suggested taking the conditions out of the body of the report and placing them in the body of the Resolution. Mr. Mehr does not want to get locked into a traffic plan and suggested that experts will be reviewing each site as it comes to the Board.

At 9:53 p.m., Chairman Newman opened the traffic testimony to public. Seeing no public comment, he closed public traffic at 9:53 p.m.

Attorney Steib swore in Tom Varner, applicant's environmentalist. Mr. Varner testified at the last meeting. He has conducted additional studies. Mr. Varner focused on additional testing around the buildings. Results showed nothing unusual. Pesticides were found around the buildings. He advised that the investigation is soon to be completed. He will submit to NJDEP for an MOA. They would blend or cap with asphalt and clean soil. All data would be submitted at one time for approval all at one time from NJDEP.

Exhibit A-19. A copy of report will be provided to Environmental Commission. When investigation complete regarding the arsenic, the results will be provided to Board. Nothing found in soil other than what you would expect from a potato farm.

Mr. Steib prepared a Memorandum addressing follow-up issues the Board requested the applicant is to address. Mr. Mehr goes through the issues and updates the Board.

Chairman Newman opened the application to the public as to the testimony of Mr. Varner at 10:03 p.m. and seeing no public comment, closed the portion at 10:04 p.m.

Mr. Steib swore in Michael McCloskey, one of the managers of the applicant. Mr. McCloskey provided the Board with an update. He met with Monroe Fire Department Chief, Chris Weltner, and showed him the plans. He had questions concerning a building that is located in Monroe where the Road would be located in Millstone. He said there may be confusion as to responsibility. Chief Weltner did not see any problem with access to the site. Sgt. Harris of the State Police indicated that the State could go into any municipality without having any jurisdictional issues. Monroe Police were contacted. Mr. McCloskey advised they discussed the possibility of the road going through from Monroe to Millstone. As long as the building was in Monroe and they had no problem with that as well as having no problem with going from one town to another. Monumentation is suggested. Mr. Coppola suggested uniform address monuments be used.

The matter is carried to the December 13, 2006 meeting without any further noticing. Mr. Mehr granted an extension through January 10, 2007. Ms. Grbelja made the Motion to carry and Mr. Zanetakos offered a Second and by unanimous vote it was carried as stated.

P02-37 RUSSO – Block Lot 19, Lots 4 and 5. Bergen Mills Road. Zone R-80. (portion of property in Monroe Township Block 9, Lots 1 and 17). Application for Minor Subdivision NOT deemed complete. Applicant returning to Board to advise of status of application.

Bill Mehr, representing applicant Mr. Russo, was asked to provide a status of the application. The applicant had considerable engineering issues regarding the proposed fill. This was submitted to the NJDEP and was kicked back two times since then. The latest submission to the NJDEP will be submitted this week. Nothing can be submitted to the Board unless they received NJDEP approval. Completeness waivers were granted in Summer 2005.

RESOLUTIONS:

P04-46 KENSINGTON ORGANIZATION Block 60.01, Lot 17 and 18.01. Mount Holly-Freehold Road. NC Zone. 1.43 ac. Preliminary and Final Major Subdivision (construction of 6,363 sq. ft. retail bldg.) Resolution Memorialized. 8/10/05.

Chairman Newman stated that the Resolution came up at the last meeting. Ms. Grbelja advised that Mr. Sico requested that Mrs. Novellino of the Shade Tree give a presentation to the Board. Ms. Haag at the September meeting heard information regarding the tree that concerned her. At the October meeting, the Shade Tree provided information that was not considered at the September meeting. The Board was concerned because information received at the October meeting varied from information received at the September Meeting.

Attorney Steib advised that the Board crafted a Resolution. Shade Tree provided information that was not uniform with the Resolution. The Board tabled the Resolution to November when the applicant and the Shade Tree would appear. The Shade Tree was unable to attend. The matter will be carried to December 13, 2006. The Shade Tree Commission is to provide the Board a Report no later than ten days prior to the

December 13, 2006 meeting for Mr. Mehr and the Board to consider. Mr. Mehr is to receive a copy of that portion of the meeting that discussed the tree. The Board Secretary will provide the tape recording of that portion.

A Motion to carry the Resolution was made by Vice Chairman Haag with a Second offered by Mr. Blanco and carried by unanimous vote.

At 10:27 p.m., by Motion of Ms. Grbelja and a Second offered by Mr. Zanetakos and by unanimous vote, the Board emptied the Meeting Room advising that no further business would be discussed in the Open session after the Executive Session.

At 10:45, the Board returned to the regular meeting to adjourn the meeting by Motion of Ms. Grbelja with a Second offered by Mr. Zanetakos and by unanimous vote.

Respectfully Submitted,

Pamela D'Andrea