

**MILLSTONE TOWNSHIP
PLANNING BOARD
MEETING MINUTES
OCTOBER 14, 2009**

At 7:35 p.m. Chairman Newman called the meeting to order.

The Secretary read the Adequate Notice.

Salute to the Flag.

Roll Call: Present: Grbelja, Masci, Kurzman, Pado, Pinney, Weintraub, Beck and Newman. Absent: Pepe, Blanco and Rundella.

APPROVAL OF MINUTES: September 9, 2009

Ms. Grbelja made a Motion to approve the minutes and Mr. Kurzman offered a Second. Roll Call Vote: Grbelja, Kurzman, Masci, Pado, Pinney, Weintraub and Beck voted yes to adopt.

PUBLIC COMMENT PORTION: Chairman Newman opened the public comment portion of the meeting at 7:35. Seeing no public comment, Chairman Newman closed the public portion at 7:35 p.m.

RESOLUTION:

P09-02 KENNEY, JAMES AND BEVERLY – Block 48, Lots 3 & 10.03. Located at 377 Stage Coach Road in Millstone Township. 53.56 acres in the RU-C zone. The applicant has preserved 50.55 acres through the State Farmland Preservation Program and seeks to set aside a 2-acre residential area pursuant Millstone Township ORD 06-29. Deemed Complete 8-24-09. Date of Action: 10-8-09. Approval Granted 9-9-09.

Mr. Kurzman made a Motion to memorialize the Resolution and Ms. Pinney offered a Second. Roll Call Vote: Kurzman, Pinney, Pado, Grbelja, Masci, Beck and Weintraub voted yes to memorialize.

CARRIED APPLICATION:

P09-05 MILLSTONE COMMONS EAST (Bridar East) – Block 17, Lot 8.05. Located on Route 33 consisting of 3.39 acres in the HC zone. Applicant seeks Preliminary Major Site Plan approval to construct two (2) one-story retail/office buildings; the main building consisting of 13,200 s.f. and the second building consisting of 2,400 s.f.. Variances previously granted at the time of subdivision approval (Harter application).

Deemed Complete: 8-19-09 Date of Action:10-2-09. Heard in part on 9-9-09. Carried to 10-14-09 without any further noticing. Extensions secured through October 2009.

Mr. Pape representing the applicant.

The following Exhibits are entered into evidence by Attorney Michael Steib:

- A-23 Preliminary Major Site Plan prepared by Crest Engineering dated 3/15/09; last revised 10/1/09
- A-24 Architectural of the Proposed New Retail/Office Building prepared by Perez- Radosti Associates, P.C. dated 7/21/09; last revised 9/29/09

This application is a continued public hearing of the proposed site plan of Bridar East (Millstone Commons East).

Dan Dobromilsky, landscape architect, met with applicant and his team to develop the landscape plan.

Previously sworn in is engineer, Peter Strong. He advised that plans have been revised to address comments made by the Board and the Board's Professionals. Revisions to the plans included changes to the freestanding monument entrance sign as well as addressing comments made by Lt. Weltner of the Fire Prevention Bureau. Plans showing the freestanding building with the drive thru and without were presented to the Board as Alternate Plan A and Alternate Plan B. Board Planner Richard Coppola stated that he is comfortable with 16 ft. lighting. Mr. Coppola asked that the Board make a decision regarding the lighting but defer it to the time of final. He reminded the Board that security lighting would be part of the lighting plan. The Board discussed the 16 foot lighting.

Mr. Pape advised that planters and benches would be in place. Landscaping would be around the basin. The parking lot would be shaded. Along the highway, the applicant would place 3 or 4 carefully selected trees. Landscape buffering was discussed. The applicant went to the Shade Tree Commission and they provided the applicant with comments that both Mr. Dobromilsky and the applicant are following.

Signage was discussed. The applicant had two monument signs on each side of the driveway. The applicant shall have one monument style sign on the westerly side. It is large enough to contain the names of all of the retail tenants on the sign.

Mr. Strong can satisfy the comments of Engineer Matt Shafai.

Mr. Shafai reported to the Board that the applicant has asked for three waivers. Two are design waivers and he advised that he is comfortable with those waivers.

Previously sworn in at the last meeting is architect, Steven Radosti. He prepared Alternate Plan A and B for the site. The main building is unchanged. He explained the changes to Alternate Plan A with the drive thru (A-25 floor plans and elevations with drive thru). Alternate Plan without the drive thru (A-26 floor plans and elevations without drive thru). The engineer and architect worked together on the alternate buildings.

Mr. Radosti presented a sample of the roof shingle pallet for the Board.

Mr. Radosti presented the revised signage for the Board to review. The applicant has a single sign that is located on the west side of the site. Mr. Pape asked at the time of Final, if they do not have approval for the West side that the applicant shall reserve the right to revise the signage.

Mr. Coppola is concerned about the impact on the streetscape and asked that the tower sign be set back to 20 feet. Regarding the ground sign, the overall structure is 370 s.f. It is attractive but it is large. He suggested that it should be scaled down. He suggested that there should be a balance. Mr. Coppola suggested that the applicant lessen the overall size of the structure and not the message board.

There is a potential for 21 stores. The Board asked if the bank (drive thru) requires their own signage. Specific franchise logo signs were discussed. Uniform color signage was discussed as difficult to see on this busy highway while driving by the site wherein logo signage is easy to identify.

Mr. Pado asked about a sprinkler system. Mr. Pape advised they will build to code. Mr. Pado asked if we grant a waiver to the size of the pond, will that impact fire fighting system? Mr. Strong had Lt. Weltner's address and he explained how it would work. This letter has been entered previously into evidence at the September 9, 2009 meeting.

Mr. Coppola advised that the applicant is to provide a list to the Board of Leed standards (not leading to Leed Certification). Mr. Pape advised he would provide that to the Board as they proceed further.

Mr. Pape advised that the pond would have six inches of soil on top of the liner for safety.

The Board took a short recess at 8:45 p.m. returning at 8:50 p.m.

Chairman Newman opened the application to the public at 8:50 p.m. Seeing no public comment, he closed that portion at 8:50 p.m.

Mr. Coppola asked if the landscaping along Rt. 33 is to be done at one time. This would be addressed at the time of Final as the first site plan to appear to the Board. His concern is for uniform appearance from the street. Mr. Pape agreed to this due to the installation of the sign.

Mr. Pape offered his summarization of the project.

Conditions of approval are as follows. Including but not limited to: The entirety of the access drive shall be installed by either Bridar East or Bridar West; design waiver granted for the linearity of the rear of the building structure; design waiver as to the glass for the building facing Rt. 33 (the small building facing the highway); As part of preliminary approval the applicant will continue to work with the landscape architect Mr. Dobromilsky to finalize a landscape plan; the ground sign shall be amended by the first site to develop; the tower sign is to be at a 20 foot setback, the ground sign is to be setback to 20 feet; applicant to provide fire officials fire fighting needs; provide Leeds list of standards; lighting structures to be at 16 feet and shall be worked out as part of the landscaping plan; cross access, parking and drainage easements shall be in place, etc.

Mr. Kurzman made a Motion to approve as conditioned and Ms. Pinney offered a Second. Roll Call Vote: Kurzman, Pinney, Grbelja, Masci, Pado,. Weintraub and Beck voted yes to grant the approval.

NEW APPLICATION:

P09-05 MILLSTONE COMMONS WEST (Bridar West) – Block 17, Lot 8.04. Located on Route 33 consisting of 3.00 acres in the HC zone. Applicant seeks Preliminary Major Site Plan approval to construct two (2) one-story retail/office buildings; the main building consisting of 13,560 s.f. and the second building consisting of 2,400 s.f. Variances previously granted at the time of subdivision approval (Harter Application). Deemed Complete: 8-19-09 Date of Action: 10-2-09. Applicant to re-notice for 10-14-09. Extensions secured through end of October 2009.

Attorney Steib read the exhibits into evidence as follows:

- A-1 Jurisdictional Packet
- A-2 Application dated 3/31/09
- A-3 Web Notice dated 9/17/09

- A-4 Freehold Soil Conservation Initial Application Review dated 3/31/2009
- A-5 Traffic Report prepared by McDonough & Rea dated 4/2/09
- A-6 E.I.S. prepared by Crest Engineering dated 3/15/09
- A-7 Storm water Management Maintenance Manual prepared by Crest Engineering dated 3/4/09
- A-8 Storm water Management Plan prepared by Crest Engineering dated 4/4/09
- A-9 Survey of Property prepared by Crest Engineering dated 2/2/09; last revised 6/12/09
- A-10 Half Mile Radius Map prepared by Crest Engineering dated 3/15/09
- A-11 Storm water Management BMPs prepared by Crest Engineering dated 3/4/09; last revised 6/15/09
- A-12 Storm water Management Plan prepared by Crest Engineering dated 3/4/09; last revised 6/15/09
- A-13 Preliminary Major Site Plan prepared by Crest Engineering dated 3/15/09; last revised 10/1/09
- A-14 Proposed New Retail/Office Building Plans SK – 1B dated 3/18/09; last revised 7/21/09
- A-15 Proposed New Retail/Office Building Plans SK – 1C dated 7/21/09; last revised 9/29/09
- A-16 Proposed New Retail/Office Building Plans SK – 1D dated 7/21/09; last revised 9/29/09
- A-17 Applicants letter dated 8/28/09 in agreement with the Fire Bureau recommendations
- A-18 Letter from Crest Engineering complying with the requests of the Fire Bureau's water volume needs dated 8/28/09
- A-19 Preliminary Major Site Plan prepared by Crest Engineering dated 3/15/09
- PB-1 Report of Board Engineer dated 8/19/09
- PB-2 Report from Planner dated 8/24/09

- PB-3 Monmouth County Planning Board Report dated 4/13/09
- PB-4 M.C.B.H. Soil suitability letter dated 12/4/08
- PB-5 D&R Canal Commission Report of incompleteness dated 4/22/09
- PB-6 Freehold Soil Conservation District Review Revisions dated 7/7/09
- PB-7 Letter from Millstone Township Environmental Commission dated 7/29/09.
- PB-8 Landscape Architectural Report prepared by Daniel Dobromilsky & Associates dated 8/5/09
- PB-9 Millstone Fire Prevention Bureau Report dated 8/25/09
- PB-10 Shade Tree Commission Report dated 9/22/09

The application before the Board is for approval of Preliminary site plans for two buildings on Highway 33 located in the HC zone. One single bulk variance is being requested.

Mr. Kenneth Pape representing the applicant. The witnesses testifying this evening will be Peter Strong, P.E. with Crest Engineering; John Rae, PE traffic expert with McDonough & Rae Associates and Steven Radosti, AIA. All experts were sworn in under the last application and their credentials are familiar to the Board.

Mr. Rae advised that the design of the single driveway is what the NJDOT looks for by limiting the number of driveways off of a highway. Mr. Rae is satisfied with the circulation of the site. There are cross access agreements between the two lots, he addressed fire and emergency vehicles traversing the site as well as trash pickup. The site is well designed. He offered that 88 parking spaces for Bridar West is more than adequate. The loading zone is to the rear of the building for adequate service and delivery. The site is well designed and functions adequately.

At 9:15 p.m., Chairman Newman asked if anyone had any questions of this witness. Seeing none this witness testimony was closed at 9:15 p.m.

Mr. Peter Strong was next to testify. He offered a brief description of the property. Referring to Exhibit A-19, Mr. Strong stated that Millstone Commons West is west of Millstone Road on Route 33, there is a vacant lot to the west of this property. The three-lot subdivision consists of three acres. He reiterated that there would be common access with the Millstone Commons East site. The parking field consists of 88 parking spaces. He went over the parking and traffic circulation. The Stormwater is managed by a detention basin similar to the Millstone Commons East site, a permanent pond with

a dry hydrant in it. Mr. Strong went over how the water is recharged on the site. The pond would be equipped with an alarm when the water level goes below a certain level.

Mr. Strong reviewed the septic area as approved by the Monmouth County Board of Health. The common sign would facilitate both east and west sites. The lighting is similar to the Millstone Commons East site (16 foot lighting structures). There will be planters in front of the retail stores. They are working with Mr. Dobromilsky for the streetscape and address landscaping on the project.

Mr. Coppola advised the applicant has agreed to modify the monument sign 20 foot setback from the right of way. The applicant has agreed to provide the list of Leed-type standards without getting Leed certification. Cross access easements and maintenance agreements must be part of preliminary approval.

Mr. Pape advised that the fire commissioner has a format of requirements and recommendations. The only recommendation that they left open is the sprinkler system.

Mr. Coppola advised that grading and planting sod would take place. He asked that the Board defer to the landscape architect as to that aspect. There has to be a balance that the landscaping can address.

There is a design waiver request for the lighting of the basin. Board Engineer Matt Shafai has no problem with that. Any design waiver for the building is up to the Board.

There will be no mounded septic. The driveways would be fully constructed no matter which project goes first.

For the Millstone Commons East project, the buildings are of masonry and steel. White columns break up front façade. A-frames are located throughout portions of the building. The roof shall be made of green shingles. Illumination of signage shall be the same or similar to the other buildings. The smaller building on this property does not have an alternate plan as did Millstone Commons East which has an alternate plan for the drive thru.

The rear of the building has a linear element. There is a design waiver sought for this building. Split face block is proposed for the rear of this building. Mr. Coppola confirmed that a waiver is still needed even though the building is indented in the back.

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

Conditions of approval as follows, including but not limited to:

A bulk variance for lot depth is needed, a design waiver for the rear of the building is needed, cross-access easements required, parking and drainage easements needed, ground sign is to be revised prior to Final and moved back to 20 foot depth, light stations shall be 16 feet, security lighting plan is to be provided prior to Final, the applicant shall work with Mr. Dobromilsky and Shade Tree regarding landscaping, the applicant shall comply with professionals reports, landscaping along Rt. 33 to be in place at the time that either site is to be begin, a list of Leed standards is to be incorporated into the development, waiver grated as to the amount of glass to be used to the building fronting Route 33, etc.

Ms. Pinney made a Motion to approve as conditioned and Mr. Masci offered a Second. Roll Call Vote: Pinney, Masci, Grbelja, Kurzman, Pado, Weintraub, Beck and Newman voted yes to approve.

Seeing no new business and no old business, Mr. Kurzman made a Motion to Adjourn and Mr. Masci offered a second and by unanimous vote, the meeting adjourned at 9:45 p.m.

Respectfully Submitted,

Pamela D'Andrea