



# Township of Freehold

## OFFICE OF THE PLANNING BOARD

One Municipal Plaza, Freehold, NJ 07728

### REGULAR MEETING MINUTES

#### April 19, 2018

The Regular Meeting of the Planning Board was called to order by Chairman Gatto on Thursday, April 19, 2018 at 7:00 p.m. at the Freehold Township Municipal Building, One Municipal Plaza, Freehold, New Jersey. Mr. Gatto read the Notice of the Open Public Meetings Law: "In accordance with the Open Public Meetings Law, (c.231.P.L. 1975), this meeting was announced by posting the notice on the bulletin board reserved for that purpose; by mailing such notice on January 24, 2018 to the official newspapers of the Township and by filing such notice with the Township Clerk."

**Present:** Mayor Ammiano, Mr. Bruno, Mr. Coburn, Mr. Gatto, Mr. Kash, Mr. Preston, Mr. Shortmeyer, Ms. Kurtz and Mr. Asadi.

**Absent:** Mr. Bazzurro, Ms. Jahn, Mr. Levy

**Also Present:** Frank Accisano, Esq.; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultant; Timothy P. White, Township Engineer and Danielle B. Sims, Administrative Officer.

Moment of silence for Barbara Bush's passing.

There was the Pledge of Allegiance.

#### **MINUTES:**

A motion to approve the minutes of the January 19, 2017 Reorganization Meeting Was made by Mayor Ammiano and seconded by Mr. Preston and passed with the following roll call vote: Mayor Ammiano, Mr. Bruno, Mr. Coburn, Mr. Gatto, Mr. Kash, Mr. Preston, Mr. Shortmeyer, Ms. Kurtz and Mr. Asadi.

A motion to approve the minutes of the January 18, 2018 Reorganization Meeting was made by Mr. Preston and seconded by Mayor Ammiano and passed with the following roll call vote: Mayor Ammiano, Mr. Bruno, Mr. Coburn, Mr. Gatto, Mr. Kash, Mr. Preston, Mr. Shortmeyer, Ms. Kurtz and Mr. Asadi.

#### **NEW APPLICATIONS**

##### **Capital Review Site Plan # 897-18 Freehold Borough Lake Topanemus Pedestrian Bridge Block 10 Lot 1.01/2 – Pond Road**

Proposal to install a four (4) foot wide, 100 foot long Pedestrian Bridge is proposed to allow Topanemus Park visitor's access from the park area, to the southern side of the lake.

Kerry Higgins, Esq. of McKeanna, DuPont, Higgins and Stone, appeared on behalf of the applicant. She explained that the application is a capital project for a pedestrian bridge at Lake Topanemus. Mr. Gatto read the reports into the record. The following witnesses were sworn: William T. Wentzien,



Abbingon Engineering; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultant; and Timothy P. White, Township Engineer. Additional Exhibits were marked.

William T. Wentzien of Abbingon Engineering explained that the bridge would provide pedestrian access from the north to the south side of the pond. Currently, most pedestrians climb over the guiderail to avoid the road. The bridge is one piece. There is a flood gate and emergency fire connection pipe which dictated the width of the 4 foot bridge.

Mr. Shortmeyer made a motion to prepare a positive resolution, which was seconded by Mayor Ammiano. All in favor, Aye.

**Mayor Ammiano and Chairman Gatto are disqualified from hearing this application and they both left the meeting room for this application. Vice-Chairman, Mr. Kash, was seated as Chairman for this application.**

**Variance Application # 008-18 - Supplemental Signage Application to Site Plan # 771-1-16  
DCH Nissan - DCH Investments, Inc. (New Jersey)  
Block 65.01, Lot 15 – 4039 Route 9 North**

Supplemental Site Plan application for Sign Approval in association with approvals granted under Site Plan # 771-1-16 on 11/9/17 to convert the two existing Nissan dealership buildings into two separate dealerships- Nissan (sales and service) and Volkswagen (sales and service) and to construct an additional to each of the two existing buildings. Applicant was not granted sign approvals during site plan and filed a supplemental Sign Application.

William J. Mehr, Esq. appeared for the applicant. Mr. Accisano stated he reviewed the proof of notice submitted by the applicant which was correct in form, published and served in a timely fashion so the Board has jurisdiction to conduct a public hearing. Mr. Mehr had no objection to the exhibits that were marked and Mr. Kash read the review letters into record. The following witnesses were sworn: Mark Wiedmann, Architect; James Higgins, Planner; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultant; and Timothy P. White, Township Engineer. Additional Exhibits were marked.

Mark Wiedmann has previously appeared before the Board and was accepted as a professional. He described the proposed sign locations on the previously approved site plan. He explained that the façade sign on the front of the building is also a directional sign to guide people to the proper entry door. Mr. Kash inquired about the colors proposed and if they meet the colors in the Township's approved color chart. Mr. Wiedmann stated that they are not as red is not in the Township's palette.

Ms. Keller explained that comment #4 in the Planners review was in error and can be stricken from the review letter.

James Higgins has previously appeared and was accepted as a professional planner. He explained that the intent of the ordinance is to provide continuity of signage and to prevent sign clutter. The proposed sign is in scale with the building and is in continuity with the building. A smaller sign would be difficult to read from the roadway and due to the distance it is setback from the highway, it needs to be bigger. There are no negative impacts in the proposed. Similar colors and style signs are typical on Route 9 in Freehold Township. The brand name image will allow for the public to identify with the building.

Mr. Kash opened the application to the public and no one came forward. A motion to close the public portion was made by Mr. Shortmeyer and was seconded by Mr. Preston. All in favor of closing the



Public Session, Aye. Mr. Preston made a motion to authorize Mr. Accisano to prepare a positive resolution, which was seconded by Mr. Preston, all in favor, Aye.

**Mayor Ammiano and Mr. Gatto returned to the dais.**

**Amended Preliminary and Final Major Site Plan #890-1-18  
PIHRL Acquisitions, LLC / Wemrock Senior Living  
Block 69.01, Lots 23 – 168 Route 33**

Applicant is requesting amended preliminary approval and final site plan approval to allow the development of eight (8) additional dwelling units and nine (9) additional parking spaces along with related site improvements as part of Wemrock Senior Living.

**Soil Removal/Fill Application # SR-02-18  
PIRHL Acquisitions, LLC / Wemrock Senior Living  
Block 69.01, Lot 23 – 168 Route 33**

Proposal to export approximately +/- 450 cubic yards of soil from the site.

Clint Allen, Esq. appeared for the applicant. Mr. Accisano stated he reviewed the proof of notice submitted by the applicant which was correct in form, published and served in a timely fashion so the Board has jurisdiction to conduct a public hearing. Mr. Allen had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. The following witnesses were sworn: Jay Kruse, PE, ESE Consultants; Lara Schwager, VP of Development for PIRHL Acquisitions; Jeffery Fiore, P.E., Maser Consulting; Jason Tronco, PLA, PP, Melillo and Bauer; Joseph Healey, WRT Planning and Design; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultant; and Timothy P. White, Township Engineer. Additional Exhibits were marked.

Mr. Gatto clarified the report comment regarding the rooftop solar panels. Ms. Schwager explained that they wanted to put it on the plan in hopes of having hem in the future. Mr. Gatto asked if this would be handled administratively. Mr. White stated that if they are shielded, they can be, however if visible, they would need to come before the Board. The RSIS comment was a clerical error.

Mr. Allen and Ms. Schwager stated they took no exception to any of the other technical and administrative comments in the professional reviews and would be able to comply with all of them.

Ms. Lara Schwager explained that the units changed from 67 to 75 for a tax credit and floors from three to four resulting in the Amended Preliminary application.

Mr. Jeffrey Fiore was previously sworn and accepted by the Board. He stated that the parking needs are more than adequately met.

Jason Tronco, Planner and Landscape Architect. Referring to A-34 the proposed green color is being offered to be changed to the Sea Green from the Township's proposed color palette. This change of color from the original green removes the need for a variance. The proposed lighting is sleek and clearly identifiable. The Board took no exception.

Joseph Healey described his credentials as licensed architect in New Jersey and was accepted as a professional Architect. He referred to material board marked for exhibit.



The applicant took no exception to the Board considering the soil removal/fill application concurrently with this application. Ms. Schwager stated that they will be able to comply with the comments in Mr. White's review letter.

Mr. Kruse stated that there is no conflict with cemetery signage.

Mr. Gatto opened the application to the public.

Murry Kaplan, Hebrew Benefits Society came forward and expressed his concern for the low number of parking spaces and is concerned about overflow parking. Ms. Schwager explained that the ratio for this type of building is 0.5 per person. She explained that SCAT bussing is provided by the County and would be discussing possible bus sharing with a similar local facility. Mr. Kaplan asked about pedestrian traffic to the mall from this property. Mr. Kruse stated that there is a detention basin and a fence line which would discourage any access through the cemetery. Ms. Schwager stated that there will be no trespassing/parking on/in the cemetery, "no parking" signs will be provided and will be noted in the lease agreement for residents.

There was no one else from the public that came forward to speak. A motion to close the public portion was made by Mr. Shortmeyer and was seconded by Mayor Ammiano. Mayor Ammiano made a motion to authorize Mr. Accisano to prepare a positive resolution for the Amended Preliminary Application and the Soil Removal Application, which was seconded by Mr. Kash, all in favor, Aye.

**Mayor Ammiano and Mr. Preston were disqualified from hearing this application since it is a "D" Variance and Mr. Kash was disqualified from hearing. All left the room for the evening.**

**Amended Preliminary and Final Major Site Plan # 840-2-18 and Variance # 042-18  
KDC Solar CSCP LLC**

**Block 86 Lots 8, 8.03, 11 – 901 West Main Street**

Request to excise a condition from a previous resolution of approval granted to construct automobile canopies with solar panels on the parking lot areas of CentraState Hospital. The previous condition required that CentraState Medical Center enter into a Developer's Agreement including a Hospital Vehicle and Pedestrian Master Plan on the entire hospital property. The Applicant is requesting this condition to be removed.

Keith Davis, Esq., for KDC Solar, and William J. Mehr, for the hospital, entered their appearances. Mr. Davis, Mr. Mehr and Mr. White agreed and took no exception to an email thread being marked (A-32) which addressed some of the concerns from the previous hearing, including landscaping along the property line. Mr. White explained how some of the issues that were brought up at the previous hearing have been satisfied. The applicant agreed to install additional landscaping.

Mr. Robert Mocello was sworn in at the previous hearing and was still under oath. Mr. Mehr explained that there was some discussion about the hospital coming forward with a Master Plan application to address some of the other comments regarding the site. He stated that some improvements will be implemented as they go along.

Mr. Gatto noted that there was no one from the public in attendance.

Mr. Gatto explained that the hospital has been putting this Master Plan off and has not addressed the Board's concerns for many years, over several applications. He stated the hospital has requested and has been granted relief from providing the circulation/master plan many times.



Mr. Davis asked that the resolution reflects that there will be a separate Developers Agreement with KDC Solar and with CentraState Hospital and that KDC will not be held to the Developer's Agreement with CentraState.

Mr. White explained that there are two timeframes that have to be viewed, one would be a developer's agreement being signed and entered into and the other is the timeframe for the implementation of the improvements.

Mr. Davis clarified that the intent is not hold the Developers Agreement with the hospital against KDC Solar. Mr. Gatto confirmed that the phases of the approved solar project and the associated improvements/repairs are the concerns of KDC.

Mr. Gatto advised Mr. Mehr that no future applications will be considered by the Board without the hospital's circulation/master plan included.

Mr. Gatto asked if the Applicant took any objection to polling the Board. Mr. Davis had no objection with the informal polling of the Board. The Board indicated that they took no exception to the request with the noted responses. Mr. Gatto thanked the parties for working through the issues as brought forth. Mr. Davis would like the absent Board Member(s) (Mr. Bazzurro/Mr. Levy) to listen to the tape of the meeting. Mr. Kash and Ms. Jahn are disqualified. A motion was made to prepare a positive resolution for the site plan and variance relief by roll call: Mr. Bruno, Mr. Coburn, Mr. Shortmeyer, Ms. Kurtz and Mr. Asadi. Mr. Davis extended the time to act to allow the Board to act and memorialize the resolution.

**DISCUSSION:**

Ms. Sims reviewed the upcoming agenda items.

**ADJOURNMENT:**

There being no further business, a motion was made to adjourn the meeting and passed unanimously. The meeting concluded at 8:29 p.m.

Respectfully Submitted,

Robert H. Shortmeyer  
Secretary