



Township of Freehold

OFFICE OF THE PLANNING BOARD

One Municipal Plaza, Freehold, NJ 07728

REGULAR MEETING MINUTES

April 4, 2019

The Regular Meeting of the Planning Board was called to order by Chairman Gatto on Thursday, April 4, 2019 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 18, 2019 to the official newspapers of the Township and by filing such notice with the Township Clerk.”

Present: Mr. Bazzurro (left early), Mr. Coburn, Mr. Gatto, Ms. Jahn, Mr. Kash, Ms. Kurtz and Mr. Levy.

Absent: Mayor McMorro, Mr. Ammiano, Mr. Bruno, Mr. Shortmeyer and Mr. Asadi.

Also Present: Frank Accisano, Esq.; Kate Keller, Phillips Preiss Grygiel, Lehany and Hughes, Township Planning Consultant; Timothy P. White, Township Engineer; and Michele Thompson, Planning Board Clerk.

Mr. Bazzurro was seated as Secretary for Mr. Shortmeyer.

There was the Pledge of Allegiance.

CLOSED SESSION:

Mr. Bazzurro made a motion to go into closed session to discuss pending litigation, seconded by Ms. Jahn; with all in favor. Frank Accisano, Esq. announced that the Planning Board has authorized a resolution allowing the Board to go into closed session, excluding the public from the hearings in order to discuss litigation for:

- Litigation – Leemilt’s Petroleum (Shake Shack) v. Freehold Township Planning Board

The Board went into **closed session**.

The Board reopened in public session.

MINUTES:

Approval of Minutes: May 4, 2017

Mr. Bazzurro made a motion, and was seconded by Mr. Kash, to approve the minutes. The motion passed with the following roll call vote: Mr. Bazzurro, Mr. Coburn, Mr. Gatto, Mr. Kash and Ms. Kurtz.

Approval of Minutes: March 21, 2019

Ms. Jahn made a motion, and was seconded by Mr. Levy, to approve the minutes. The motion passed with the following roll call vote: Mr. Coburn, Mr. Gatto, Ms. Jahn, Ms. Kurtz and Mr. Levy.



RESOLUTIONS:

**Resolution Designating Architectural Consultant
Nicholas J. Netta, AIA, NCARB, Principal
Netta Architects, LLC**

Mr. Bazzurro made a motion to approve the proposed resolution, which was seconded by Mr. Kash. The motion passed with the following roll call vote: Mr. Bazzurro, Mr. Coburn, Mr. Gatto, Ms. Jahn, Mr. Kash, Ms. Kurtz and Mr. Levy.

**Corrective Resolution
Variance Application # 009-18
Balciunas, Gerardas & Balciuniene, Lina
Block 101, Lot 44 – 466 Ely Harmony Road**

Mr. Gatto noted that this resolution will be carried to the April 18, 2019 Planning Board meeting.

**Variance Application # 006-19
Benjamin Gill
Block 87.05, Lot 4 – 32 Martha’s Drive**

Mr. Bazzurro made a motion to approve the application and memorialize the resolution, which was seconded by Mr. Kash. The motion passed with the following roll call vote: Mr. Bazzurro, Mr. Coburn, Mr. Gatto, Ms. Jahn, Ms. Kurtz and Mr. Levy.

**Preliminary and Final Major Site Plan #895-17 and “D” Variance #028-17
A&A Trucks Parts, Inc.
Block 103, Lot 11 – 83 Hendrickson Road
Block 101, Lot 54.03 – 86 Hendrickson Road**

Ms. Kurtz made a motion to approve the applications and memorialize the Variance and the Preliminary and Final Major Site Plan resolutions, which was seconded by Ms. Jahn. The motion passed with the following roll call vote: Mr. Coburn, Mr. Gatto, Ms. Jahn, Ms. Kurtz and Mr. Levy.

DISCUSSION:

Mr. Gatto reviewed the upcoming agenda.

Chairman Gatto was disqualified from hearing the following application and left the meeting for the evening. Mr. Kash was seated as Temporary Chairman.

NEW APPLICATION:

**Preliminary and Final Major Site Plan # 793-3-17 and Variance # 023-17
75 Bannard Realty (Applicant/Owner)
75 Bannard Realty - d/b/a Hyundai of Freehold (Project)
Block 65.01, Lot 16 – 4075 Route 9**

Proposal to convert the existing, vacant office building into an indoor car inventory/storage facility.



Peter Licata, 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. Licata had no objection to the exhibits that were marked and Mr. Kash read the review letters into record. The following witnesses were sworn: John Manilio, Project Engineer, RedCom; George Mackey, VP of Freehold Hyundai and Freehold Jeep; John Rea, Traffic Engineer; Kate Keller, Phillips Preiss Grygiel, Lehany and Hughes, Township Planning Consultant; and Timothy P. White, Township Engineer. Additional Exhibits were marked.

John Manilio has previously appeared before the Board and was accepted by the Board as a professional licensed Engineer. He described the history of the site, the current proposal and the site's surrounding area. The proposal is to re-utilize the existing vacant building for inventory vehicle storage space. The basement would be mechanicals and file maintenance. The proposed site work is limited. They are proposing to connect the two parking lots and would lose two parking spaces in providing the interconnection. The parking lot will be restriped to bring the spaces closer to conformance from those that currently exist on site. There is a new refuse enclosure proposed. They are seeking to continue with the existing lighting that was provided for the other building on the same lot. These lights were purchased when they developed the other building a few years earlier. They will be providing buffering to the adjacent residential lots as shown on the plans. The only item that they cannot comply with is the requirement to mill and pave the extension to Rt. 522 because they do not own that property, however, they will seek permission from Conrail to make these repairs and obtain any necessary permits, if permitted. There are two fire hydrants on Rt. 9 and do not require another hydrant site.

Mr. Manilio stated that the building will be used for inventory storage and will not be used as a display or showroom for the public. The site would be cleaned up and additional landscaping added. They will bring the site to better ADA compliance. He stated the building would be cleaned and freshened up but the existing building not compliant with the architectural design requirements. Ms. Keller clarified that the previous site approvals included variances for the subject building and do not require additional variance relief, only the waivers noted in the Planner's review letter.

Mr. George Mackey stated that they currently utilize the access drive to Route 522 to access their inventory lot and a building in Freehold Borough. The cars are unloaded from an off-site location and not on the subject site. Mr. Mackey acknowledged that the Township restricts vehicle storage display to no greater than 30% for used/pre-owned vehicles, and typically has roughly 30 used cars on display. He stated that they do not anticipate to house any employees in the subject building, however, employees will be in and out during the day for the cars.

Mr. Kash opened the application to the public. There was no one from the public who came forward. A motion to close the public portion was made by Mr. Bazzurro and was seconded by Ms. Kurtz, all in favor. Mr. Bazzurro made a motion to authorize Mr. Accisano to prepare a positive resolution with the conditions noted on record, which was seconded by Ms. Jahn, all Board members in favor, Aye.

ADJOURNMENT:

There being no further business, Mr. Kash adjourned the meeting. The meeting concluded at 7:42 p.m.

Respectfully Submitted,

Robert H. Shortmeyer
Secretary