



# Township of Freehold

## OFFICE OF THE PLANNING BOARD

One Municipal Plaza, Freehold, NJ 07728

### REGULAR MEETING MINUTES

#### June 20, 2019

The Regular Meeting of the Planning Board was called to order by Chairman Gatto on Thursday, June 20, 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:** Mayor McMorrow, Mr. Ammiano, Mr. Bazzurro, Mr. Bruno, Mr. Coburn (late), Mr. Gatto, Ms. Jahn, Mr. Shortmeyer, Mr. Levy and Ms. Kurtz.

**Absent:** Mr. Kash and Mr. Asadi.

**Also Present:** Frank Accisano, Esq.; Timothy P. White, Township Engineer; and Danielle B. Sims, Administrative Officer.

There was the Pledge of Allegiance.

#### MINUTES:

**Approval of Minutes:** April 19, 2018

The approval of the minutes was carried to the July 18, 2019 agenda.

#### RESOLUTIONS:

**(Carried from June 6, 2019 agenda)**

**Amended Preliminary and Final Major Site Plan #770-1-18 and Variance #015-18**

**BPI-Freehold LLC (Brielle Orthopedics, PA)** (Applicant, contract purchaser)

**I.J.S. Properties, LLC** (Owner)

**Block 86, Lots 5.02 – 1043 West Main Street**

Mr. Ammiano made a motion, and was seconded by Mayor McMorrow to approve the application and memorialize the resolution. The motion passed with the following roll call vote: Mayor McMorrow\*, Mr. Bazzurro, Mr. Bruno, Mr. Gatto, Ms. Jahn\* and Mr. Levy.

(\*Certified listened to tapes and reviewed exhibits)

**(Carried from June 6, 2019 agenda)**

**Soil Removal/Soil Fill Permit Application # SR-01-19 (See SP# 770-1-18)**

**BPI-Freehold LLC (Brielle Orthopedics, PA)** (Applicant, contract purchaser)

**I.J.S. Properties, LLC** (Owner)

**Block 86, Lots 5.02 – 1043 West Main Street**



Mr. Ammiano made a motion, and was seconded by Mayor McMorrow to approve the application and memorialize the resolution. The motion passed with the following roll call vote: Mayor McMorrow\*, Mr. Bazzurro, Mr. Bruno, Mr. Gatto, Ms. Jahn\* and Mr. Levy.

(\*Certified listened to tapes and reviewed exhibits)

**Preliminary and Final Major Site Plan with Waiver of Site Plan Detail # 899-18  
Preliminary and Final Major Subdivision # 898-18 and Variance # 022-18  
Freehold Equity Partners, LLC (La-Z Boy) (Applicant)  
Vincent DelPonte and Pasquale DelPonte (Owner, Lot 22)  
JDN Real Estate – Freehold, LP (Owner, Lot 20.07)  
Block 70 Lots 22, 23 and a portion of 20.07 – West Main Street**

**Amended Preliminary and Final Major Site Plan with Waiver of Site Plan Detail # 703-2-18  
and Variance # 023-18  
Freehold Equity Partners, LLC (La-Z Boy) (Applicant)  
Vincent DelPonte and Pasquale DelPonte (Owner, Lot 22)  
Del Ponte Enterprise, LLC (Owner, Lot 23)  
Block 70 Lots 22 and 23 – West Main Street**

The Board opted to vote together on all seven resolutions pertaining to the Freehold Equity Partners applications. Mr. Accisano noted some corrections to the resolutions including that the applicant is not the owner, they are the contract purchaser. Also, under resolution Site Plan # 899-18, Condition #7, the applicant will not be installing a sidewalk at this time, the applicant will instead be making a contribution to the sidewalk fund. These changes will be made to the resolutions.

Ms. Jahn made a motion, and was seconded by Mr. Bazzurro to approve the seven applications and memorialize the resolutions with the noted changes. The motion passed with the following roll call vote: Mr. Bazzurro, Mr. Bruno, Mr. Gatto, Ms. Jahn, Mr. Shortmeyer and Mr. Levy.

**Site Plan Waiver Application # 583-2-19 and Variance # 003-19  
Chili's Restaurant Reimage  
Brinker New Jersey, Inc., a Virginia Company (Applicant)  
National Retail Properties, Inc. (Owner)  
Block 62, Lot 4 – 3991 Route 9**

Mr. Shortmeyer made a motion, and was seconded by Mayor McMorrow to approve the application and memorialize the resolution. The motion passed with the following roll call vote: Mayor McMorrow, Mr. Ammiano, Mr. Bruno, Mr. Gatto, Ms. Jahn, Mr. Shortmeyer and Ms. Kurtz.

**Minor Subdivision # 899-19 and Variance # 002-19  
Chater, Hussam (The Estate of Mamoun Chater)  
Block 42, Lots 11.12, 11.13 & 11.14 – 42 Hunt Road**

Mr. Shortmeyer made a motion, and was seconded by Mr. Ammiano to approve the application and memorialize the resolution. The motion passed with the following roll call vote: Mayor McMorrow, Mr. Ammiano, Mr. Bruno, Mr. Gatto, Ms. Jahn, Mr. Shortmeyer and Ms. Kurtz.



**Preliminary and Final Major Site Plan # 898-18 and Variance Application # 019-18**  
**MAMTA Freehold, LLC (Applicant/Owner)**  
**Red Roof Inn**  
**Block 65.01, Lots 17 – 4089 Route 9**

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

**REQUESTS FOR EXTENSION OF APPROVALS:**

**NEW APPLICATIONS:**

**Soil Removal/Fill Permit Application # SR-03-19**  
**M & M Realty Partners at Freehold, LLC**  
**“Elton Plaza”**  
**Block 80, Lot 3 – 3301 Route 9 North**

Proposal to import approximately 50,000 cubic yard of fill to the site in conjunction with Major Site Plan # 886-16 and Variance # 021-16.

**Mr. Bazzurro was disqualified from hearing this application and stepped down from the dias.**

Catherine Kim, 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. Ms. Kim had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record. Ms. Kim stated that the Applicant can comply with the professional comments.

Mr. Gatto 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. Ammiano and was seconded by Ms. Jahn. Mr. Shortmeyer made a motion to authorize Mr. Accisano to prepare a positive resolution, which was seconded by Mr. Ammiano, all in favor, Aye.

**Mr. Bazzurro returned to the dias.**

**Soil Removal/Fill Permit Application # SR-02-19**  
**Regency at Freehold (f.k.a. Parkside at Freehold)**  
**Toll Bros., Inc.**  
**Block 67, Lot 21 – Route 33 Business**

Proposal to remove approximately 20,164 cubic yard of fill from the site to a site in Howell in conjunction with Amended Preliminary and Final Major Site Plan # 884-1-18 and Preliminary and Final Major Subdivision # 895-1-18)

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. Gatto read the review letters into record. Mr. Mehr stated that the Applicant can comply with the professional comments.



Mr. Gatto 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. Shortmeyer and was seconded by Mr. Ammiano. Mr. Ammiano made a motion to authorize Mr. Accisano to prepare a positive resolution, which was seconded by Mayor McMorrow, all in favor, Aye.

**Request for one two-year extension of approvals –Major Site Plan # 867-15 and Var.# 014-15  
Grems-Kirk Railway, LLC  
Block 43, Lot 21**

A request for a Two-Year Extension of Time for approvals to construct a solar farm at the existing sod farm, to expire December 10, 2019.

The Board had no questions or comments. Mr. Shortmeyer made a motion to authorize Mr. Accisano to prepare a positive resolution, which was seconded by Mr. Bazzurro, all in favor, Aye.

**Request for a Third & Final 1-year extension – Major Site Plan # 867-15 and Var.# 014-15  
Grems-Kirk Railway, LLC  
Block 43, Lot 21**

A request for a Final One-Year Extension of Time for approvals to construct a solar farm at the existing sod farm to expire December 10, 2020.

The Board had no questions or comments. Mr. Shortmeyer made a motion to authorize Mr. Accisano to prepare a positive resolution, which was seconded by Mr. Bazzurro, all in favor, Aye.

**Site Plan Waiver Application # 364-2-19 and Variance # 009-19  
Platinum Auto Enterprises, LLC - Platinum Mitsubishi (Tenant)  
4020 Route 9 Realty (Owner)  
Block 67, Lot 2 – 4020 Route 9 South**

Proposal for façade renovations and a revised signage, with variance relief required. Proposed changes include painting a portion of the façade as a base area for signage, installing new façade signs and replacing the face on an existing double sided pylon sign.

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. Chairman Gatto had an additional Board exhibit marked (P-8). This being a letter from the Board Attorney to the Applicant's Attorney stating that the notice was provided without authorization. Mr. Mehr apologized to the Board. Per the request from the P-8 letter, Mr. Mehr stated he had filed an extension of time with the Planning Board office. With that, the Board accepted jurisdiction of the application and carried it without further notice to July 18, 2019 at 7:00 pm; All in favor, Aye.

**DISCUSSION:**

- **CentraState Medical Center** – Hospital Sub-Committee recommendation regarding the Conceptual Site Infrastructure Plan (presented to the Hospital Sub-Committee on May 16, 2019). The Board acknowledged receipt of the letter from Mr. Accisano with the recommendations from the Hospital Sub-Committee. Mr. White reminded the Board that as part of the KDC Solar application, the Board required that the hospital start working on an improvement plan and site circulation master plan. There were no comments or questions from the Board.
- Ms. Sims reviewed the upcoming agenda items.

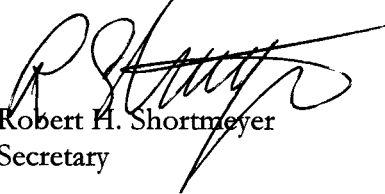


- Mr. White stated that CentraState has requested to be placed on the next Board hearing for the Cath/IR expansion application, currently under review. He explained that there was a recent TRC meeting on this matter and they will be resubmitting soon. Mr. Gatto explained that there are 4-5 other matters already scheduled for that night and this application cannot hear this on that night. Additionally, there needs to be a response to Mr. Accisano's letter dated June 6, 2019.

**ADJOURNMENT:**

There being no further business, Mr. Gatto adjourned the meeting. The meeting concluded at 7:19 p.m.

Respectfully Submitted,



Robert H. Shortmeyer  
Secretary