

Township of Manalapan

120 Route 522 & Taylors Mills Road

Manalapan, NJ 07726

(732) 446-8350

Planning Board Minutes

Virtual Meeting August 13, 2020

The meeting was called to order with the reading of the Open Public Meetings Act by Chairwoman Kathryn Kwaak at 7:30 p.m. followed by the salute to the flag.

Roll Call: Daria D'Agostino, Secretary

In attendance at the meeting: Barry Fisher, Todd Brown, John Castronovo, Alan Ginsberg, Daria D'Agostino, Kathryn Kwaak, Jack McNaboe, Barry Jacobson, Richard Hogan, Steve Kastell, Brian Shorr

Absent from the meeting: All Present

Also present: Ronald Cucchiaro, Planning Board Attorney
Brian Boccanfuso, Planning Board Engineer
Jennifer Beahm, Planning Board Planner
Lisa Urso-Nosseir, Recording Secretary

Mr. Cucchiaro swore in Brian Boccanfuso, Professional Engineer and Jennifer Beahm, Professional Planner.

Minutes:

A Motion was made by Mr. Fisher, Seconded by Mr. Castronovo to approve the Minutes of July 23, 2020 as written.

Yes: Fisher, Brown, Castronovo, Ginsberg, Kwaak, McNaboe, Jacobson, Kastell, Shorr

No: None

Absent: None

Abstain: None

Not Eligible: D'Agostino, Hogan

Resolution: Amendment to the Housing Plan Element and Fair Share Plan of the Municipal Master Plan

A Motion was made by Mr. Fisher, Seconded by Mr. Brown to approve the Resolution for the Amendment to the Housing Plan Element as written.

Yes: Fisher, Brown, Castronovo, Ginsberg, Kwaak, McNaboe, Jacobson, Kastell, Shorr
 No: None
 Absent: None
 Abstain: None
 Not Eligible: D'Agostino, Hogan

Application: PPM1823 ~ Countryside Developers, Inc., 'Manalapan Logistics Center' 203 HWY 33 ~ Block 78 / Lot 12.02 Preliminary and Final Major Site Plan Carried from February 27, 2020 to April 23, 2020: Meeting Cancelled. Carried to June 11, 2020 - Applicant Requested to be Carried to July 9, 2020 - Applicant Requested to be Further Carried to August 13, 2020

Salvatore Alfieri, Esq. of Clearly, Giacobbe represented the applicant this evening. Mr. Alfieri explained he was going to call his experts to testify this evening. Terry Sherman remained under oath. He explained that he is the Principal of Countryside Developers. Mr. Sherman put his vast qualifications on the record, which include a BA in Economics from Colgate University, a MBA from the University of Pennsylvania, The Wharton School. He has testified at dozens of Board hearings from various Townships within New Jersey for over 44 years. He is an expert in real estate development and has a general knowledge of engineering and planning. He has drafted zoning ordinances and drafted Master Plan matters in connection with Mt. Laurel ordinances. He has expertise on affordable housing matters throughout the state.

Mr Cucchiaro asked Mr. Alfieri if he was seeking Mr. Sherman to be qualified as an expert. Mr. Alfieri said he is seeking to have him qualified as an expert in the limited area that he has provided his background on, real estate development with general knowledge of engineering and planning. Mr. Cucchiaro said Mr. Sherman doesn't have a degree or a license in engineering nor planning and would not accept him as an expert witness, but would take into account his years of experience.

Mr. Sherman explained that the property in question is the Kaiser Farm located on Route 33 and the family has owned the farm since the 1950's. All the properties surrounding them have been developed, they are the hole in the donut. This property has been zoned for commercial for over 30 years. This property was presented to the Zoning Board for a use variance and the matter was denied. Suggestions were made to modify the proposal and that too was also denied. The Zoning Board advised him to go to the Planning Board for a conforming application with no variances.

Mr. Sherman reviewed all the setback requirements for this property. His proposed plan is significantly smaller than what is permitted by the ordinance. The property is 85.8 acres. He stated that the Planning Board approved an application 59% larger than this proposal - the Skeba Farm Warehouses. The stream corridor buffers were created with guidance from Township officials. The buffers exceed the ordinances. The plans submitted before the Board this evening have eliminated any buffer averaging. The building has been reduced from 304,866 sq ft to 294,500 sq ft. We have reduced the parking from 147 spots to 127. We have shifted the driveways another 20' and received the DEP Permits. The Permit authorizes the utility crossing. There are numerous other projects in Manalapan where utilities in the stream corridor buffer have been approved.

Mr. Sherman reviewed the plans of Stavola/Woodward Road Property. The detention basin for this project is in the stream corridor buffer. The Sportika property has a drainage outfall pipe within 100' of the stream corridor buffer near Woodward Road. The Skeba Tract Warehouse is a 952,700 sq ft warehouse and waivers and variances were granted for this project. There is grading in the stream corridor buffer. The Four Seasons at Manalapan Brook project - no waiver was requested for grading in the stream corridor buffer. Manalapan Crossing - the pipe transverses throughout the wetlands. The Village at Meadow Creek - Mr. Sherman walked the property with Dr. Ray Walker and observed two detention ponds that lead into the stream corridor. Four Seasons - detention ponds are next to the pump station. The roadway crosses over the stream. All Mr. Sherman is asking for is the same consideration that was given to all the other applicants.

Julia Algeo, Maser Consulting Engineer, spoke to the Board. She submitted plan revisions on May 6, 2020. Ms. Algeo was able to share the plan on the screen and pointed out the changes which include to reduce the disturbances to the Manalapan Township Stream Corridor Buffer, the internal easterly access drive was shifted to the west 20' and a retaining wall is proposed. Building A, which is closest to Route 33 was reduced by 10,366 sq ft, and is now proposed at 294,500 sq ft. The parking spaces have been reduced to 127 spaces for Building A. Basin C and D were also shifted about 20' and utilities moved as well. A minimum 100' stream corridor buffer has been maintained throughout the project. The utility crossing which is a 12" public water main required by the Township water department has three water stormwater basin outfalls. Our plan now reflects the modified wetland transition

line which was approved by the NJ DEP in the Permits issued on May 28, 2020, copies of which were submitted to the Board with the accompanying plans. The disturbed agricultural areas are going to be revegetated regarding the development with 7 acres including native species. No idling signs have been added to the truck courts. Extensive conservation easements are proposed along the southerly boundary. With this design, it is fully compliant with the Township ordinances and stream corridor regulations. Ms. Algeo added this plan remains fully compliant with the Township and State ordinances.

Mr. Cucchiaro asked Ms. Algeo if the plan complies with all Township ordinances and if no relief is necessary. Ms. Algeo said yes, that is correct.

Mr. Boccanfuso asked Ms. Algeo about the disturbances and she stated that there were no reasonable alternatives for these matters. Was there any consideration whether those utilities could be extended along Route 33 frontage? Ms. Algeo stated it is 70' long, and it 975 sq ft. It is proposed, as was directed by the engineer for the water utility. She looked at various alternatives, but because of the road crossing, there would other wise be additional disturbances that would be created. Therefore, this has been the most prudent option.

John Rea, Traffic Engineer remained under oath. He made a submission to the NJ DOT on June 24, 2020. The submission was in response to the review letter from the NJ DOT on January 9, 2020. Most of the items in the NJ DOT review letter are technical. All of the items that the NJ DOT requested were handled by Maser Consulting to resubmit the plans, and we acted as the submission agent for the revised plans. They are currently being reviewed by the NJ DOT. They had no comment on the access design or the location of the driveways.

Norman Dotti, Acoustical Engineer, remained under oath. Mr. Alfieri asked Mr. Dotti if he submitted to the Board the regulations that he was referring to in a previous meeting. Mr. Dotti confirmed that he did indeed submit such regulations as well as revised plans. The Board does not have jurisdiction to grant any sound restriction relief, as it falls under the umbrella of the State regulations. The applicant must comply with the State regulations. Mr. Alfieri asked Mr. Dotti if the sound implications have been impacted in any way with the revised plans from Maser, and if so, how? Mr. Dotti said he updated his analysis and now the sound levels are actually less due to the revised plans.

Mr. Cucchiaro asked Mr. Alfieri if he needed his Planner to testify this night. Mr. Cucchiaro said that the reasons that the applicant is stating relief is not required since the design meets the ordinance requirements. Mr. Alfieri said his planner would not speak this evening.

Mr. Brown said the site plans have gone through a number of revisions. In your opinion, is this the best design? Mr. Alfieri said this is the best design to address

the ordinance standards and address the comments they have received. Mr. Brown asked if all the DEP concerns, from the bald eagles to wetlands matters, been resolved? Ms. Algeo said they have satisfied all the environmental concerns.

Mr. McNabeo asked Mr. Rea about the turnaround. There is a new island crossing that is being designed on Route 33. Have you restudied the new crossing being upgraded to a full intersection instead of a center divider? What have you done to not send the trucks east? Mr. Rea said he is not aware of any changes to the Route 33 corridor, nor has the DOT reached out to him. He said he would welcome information and he'd be happy to look at it. Mr. McNaboe does not like the idea of sending the trucks so far east. Has any other solution been investigated so the trucks don't have to go one mile east? Mr. Rea said he hasn't looked into that and has never been made aware of the change to Route 33. Mr. Boccanfuso added that he believes Mr. McNaboe is referring to the new signalized intersection that was approved in connection with Manalapan Crossing. Mr. McNaboe said yes, it's a left turn from the left lane. Can we upgrade it to a jug-handle - perhaps both developers splitting the cost of the road improvement? Mr. Boccanfuso asked whether there was any discussion with the DOT as to whether that intersection can be modified to provide a jug-handle that would allow oversized vehicles to use that new signal to turn around instead of having to go out to the overpass. Mr. Rea said the new section direct left into Manalapan Crossing? Years ago, DOT originally wanted a jug handle on the east bound side of Route 33, but the reason why the DOT gave a waiver to allow the direct left turn lane was because there wasn't the possibility to construct a jug-handle. Mr. Alfieri added that there were wetlands and that is why the jug-handle could not be constructed.

Mr. Kastell asked about the extra lane being added in front of the property. Mr. Rea said it is the entire length of the property frontage, about 600' of the 15' lane. Mr. Rea said the DOT directed them to use the freeway overpass.

Mr. Shorr asked if you are going from east to west, how are you getting into your facility? Mr. Rea said you are making the U-turn at Pegasus. Mr. Shorr said how are you going to make a U-turn at Pegasus with all these trucks, it seems impossible. Mr. Rea said he disagrees and that it has been analyzed and the DOT has looked at it as well. There really shouldn't be a lot of traffic coming from the east. Mr. Schorr asked about the impact of the tolls being raised and the trucks being forced to use alternate routes. Mr. Rea said it would cost the trucks more in fuel as opposed to paying the increased toll fees.

Mr. Cucchiaro stated that the attorneys for the two opposing parties were not available tonight. The applicant did not want to carry the meeting so the applicant agreed to complete its case, but the cross examination would happen at the next meeting. Witnesses will be coming back at the next meeting and that is when cross examination will begin. Therefore, this application will be carried to September 10, 2020. Members of the public will be allowed to ask questions and give comments.

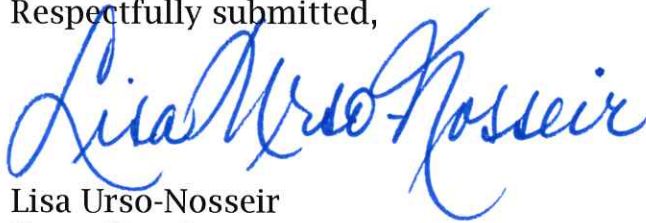
There will be no further notice to the public and all the new meeting ID information will be listed on mtnj.org at least 10 days prior to the new meeting on September 10, 2020.

Chairwoman Kwaak opened the floor to any non-agenda items; seeing none, it was closed. She added that the next meeting will be August 27, 2020 and there are a number of pending applications at this time.

Adjournment

A Motion to adjourn the meeting was made by Chief Hogan and agreed to by all.

Respectfully submitted,



Lisa Urso-Nosseir
Recording Secretary

A recorded CD or DVD of the meeting is available for purchase by contacting the Planning Board Office.