

Township of Manalapan

Department of Planning & Zoning

120 Route 522 & Taylors Mills Road
Manalapan, NJ 07726
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Planning Board Minutes

August 23, 2018

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:

Secretary, Barry Jacobson

In attendance at the meeting:

John Castronovo, Todd Brown, Daria D'Agostino, Alan Ginsberg, Barry Jacobson, Kathryn Kwaak, Jack McNaboe, David Kane, Richard Hogan, Barry Fisher

Absent from the meeting:

Alan Ginsberg, Steven Kastell

Also present:

Ron Cucchiaro, Board Attorney
Brian Boccanfuso, Board Engineer
Peter Van den Kooy, Board Planner
Lisa Nosseir, Recording Secretary

Mr. Cucchiaro swore in Brian Boccanfuso, Professional Engineer and Peter Van den Kooy, Professional Planner, both of CME Associates.

Minutes:

A Motion was made by Mr. Jacobson, Seconded by Ms. D'Agostino, to approve the Minutes of August 9, 2018 as written.

Yes:

Castronovo, D'Agostino, Jacobson, Kwaak, McNaboe, Hogan, Fisher

No:

None

Absent:

Ginsberg

Abstain:

None

Not Eligible:

Brown, Kane, Kastell

Resolution:

PAM0729

Ah'e Baith Foundation, Inc.
Mount Vernon Road and Tracy Station Road
Block 51 / Lot 1
Amended Preliminary and Final Major Site Plan

Mr. Cucchiaro stated Mr. Sonnenblick has provided his proposed revisions to the Resolution. Mr. Cucchiaro needs to review the proposed revisions and this matter will be carried to the Board's next meeting, September 13, 2018.

PPS1720

391 Route 33, LLC
391 HWY 33 ~ Block 74 / Lot 24.01
Major Site Plan

Mr. Cucchiaro stated that he from heard back from Mr. Sachs, but Mr. Sachs needs to speak to his client's professionals to see if they have any additional revisions and has requested that this matter be carried to September 13, 2018.

PMS1801 **Milford Estates, LLC**
196 Taylors Mills Road ~ Block 10 / Lots 47 and 48
Preliminary Major Subdivision

A Motion was made by Ms. D'Agostino, Seconded by Mr. Jacobson, to approve Resolution PMS1801 as written.

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

Applications: **PMS1813 ~ Chris Sullivan**
113 Gordons Corner Road ~ Block 15.01 / Lot 3
Minor Subdivision

Mr. Cucchiaro stated that the applicant submitted new documents that need to be reviewed by the professionals. The materials may impact the necessity of certain variance relief and should require that a new report be issued. The easement document that Ms. Cavaliere spoke of at the August 9, 2018 has not been provided to the Township as of yet. This application will be carried to the September 13, 2018 Planning Board meeting. There will be no further notice to property owners.

PPM1441 ~ K. Hovnanian Shore Acquisitions, LLC
Four Seasons at Manalapan Brook
Highway 33 West ~ Block 72 / Lot 6.01
Preliminary and Final Major Subdivision
Preliminary and Final Major Site Plan

Gerald Sonnenblick, Esq. appeared on behalf of the applicant. Mr. Cucchiaro stated that the Board may recall that they essentially completing the application. There was an issue that remained regarding some affordable housing requirements that the applicant had. The applicant met several times with the Township Committee and the Planning Board application was carried during that time. The Township Committee adopted a Resolution which resolves all outstanding issues concerning this development and the Committee concerning affordable housing issues.

Mr. Cucchiaro stated there were a few outstanding Planning Board matters, including the formula which would be utilized at the clubhouse. The applicant had requested during the hearing process that there be a formula that was based upon Certificates of Occupancy and when a certain amount of CO's were issued, the clubhouse would have to be built. We never came to a decision on what that would be. That is different than what the Ordinance requires, so it does require variance relief for that. Secondly, the Environmental Commission had recommended that there be solar panels on the clubhouse. The applicant provided a detailed analysis of how that could be accomplished and what the limitations were. Mr. Cucchiaro stated that this is just Preliminary approval tonight. If the Board wishes to have the Environmental Commission take a look at all the supplemental submissions and statements that the applicant has made between now and final approval, that decision can also be made at final with new input from the Environmental Commission.

Mr. Cucchiaro stated that the applicant has taken the time to review with the professionals the conditions that had built up over the course of the hearings that are on the record. We have come to basic agreement on those with the exclusion of the

previously mentioned open issues. One other open issue is the walking path and when that would be completed in the context of the overall application. We agreed that there would be benches along the walking path.

Mr. Sonnenblick stated that he agreed with all the statements made by Mr. Cucchiaro. He stated that the path would be completed before we move to phase two. Mr. David Fisher of K. Hovnanian stated the walking path is entirely within phase one of the three phased plan that was provided as part of the application. An appropriate condition would be before the first building permit is issued in phase two, we will complete the walking path.

Mr. Cucchiaro stated that at this point, since the applicant has completed its presentation, if there is nothing more to add, the Board can begin its deliberations. This is a permitted use, the applicant has requested a waiver for the limitation on the steep slope disturbance, and a waiver for the roof leaders connecting to drywells. Also, a variance is needed for the walls over 3' in height and a variance to permit Route 33 ground identification sign to exceed maximum permitted square feet and maximum height and to permit a second ground sign at the clubhouse.

Mr. David Fisher wanted to add that they did provide him with all the conditions of approval. We have indicated a willingness to adhere to the 30% building permit requirement in the Ordinance. Mr. Cucchiaro asked if he is withdrawing the variance and Mr. Sonnenblick stated yes, they will adhere to the Ordinance.

Chairwoman Kwaak had a question regarding the walking path and asked how the Board feels about it being done before phase two is started. The Board did not have any issues with this proposal. Mr. Cucchiaro stated the Board should come to a decision regarding the solar panels. Mr. McNaboe stated that all of the Township committees and commissions volunteer their time and we look for their recommendations to assist the Planning Board. He stated that the answer that he received did not rise to the level of comfort. He didn't want a dismissive answer from the applicant. He has no issues with the way it is moving forward now. Let the applicant come before the Environmental Commission one more time, and the Planning Board will have a good level of comfort at that point.

A Motion was made by Ms. D'Agostino, Seconded by Mr. Fisher, to approve Preliminary Major Subdivision Approval along with Preliminary Site Plan Approval with ancillary waiver and variance relief for application PPM1441, K. Hovnanian Shore Acquisitions, LLC – Four Seasons at Manalapan Brook.

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

Chairwoman Kwaak opened the floor to any non-agenda items; seeing none she closed public.

Mr. Cucchiaro reminded the Board members that they are not permitted to go on social media, send emails, or to publicly discuss any of the applications or official business before us. Any discussions can only be addressed at the public hearings which are noticed. Objectors also specifically look now for any comments on social media to see if they can use those comments to challenge Board decisions. Any interaction should be done at the noticed Planning Board hearings.

Chairwoman Kwaak stated that the next meeting will be September 13, 2018 and there are several pending applications at this time. Mayor McNaboe thanked the Board for volunteering their time to the Planning Board.

Adjournment

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lisa Urso-Nosseir".

Lisa Urso-Nosseir
Recording Secretary

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