

Township of Manalapan

Department of Planning & Zoning

120 Route 522 & Taylors Mills Road

Manalapan, NJ 07726

(732) 446-8350

(732) 446-0134 (fax)

Planning Board Minutes

December 13, 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, Alan Ginsberg, Barry Jacobson, Kathryn Kwaak, Jack McNaboe, David Kane, Barry Fisher, Steven Kastell

Absent from the meeting: Daria D'Agostino, Richard Hogan

Also present: Ron Cucchiaro, Board Attorney
James Winckowski, Board Engineer
Lisa Nosseir, Recording Secretary

Mr. Cucchiaro swore in James Winckowski, Professional Engineer of CME Associates.

Applications: **PPS0501 ~ Anne Yures/Andee Plaza II**
12 Millhurst Road ~ Block 6515 / Lot 30.01
Extension of Time for Final Site Plan

Luke Pontier, Esq. of Day, Pitney represented the applicant, Anne Yures. Mr. Pontier explained the Extension of Final Approval is for the property located at 12 Millhurst Road. They are requesting an extension of time for an Amended Preliminary and Final Major Site Plan. The property originally received the approval on October 11, 2007. The approval was extended through the Permit Extension Act through June 30, 2017. The applicant received an extension on October 12, 2017, and memorialized December 14, 2017. This project includes a 26,596 sq ft office building, including 8,853 sq ft dedicated for medical uses, 140 off street parking spaces, a loading area, landscaping, lighting, underground

stormwater management facility and other related improvement. They are seeking a second extension of the Final approval, which extension will go until June 30, 2019.

Mr. Pontier stated the applicant has been unable to construct the office due to the depressed market. The applicant has spent considerable time, effort and expense to secure the original approval which last almost three years. The applicant has been actively marketing the property, but has been unable to find a buyer. The only outstanding compliance item is to pay performance guarantees and inspection fees. We received an updated conditional County approval. We will connect to The Grande at Battleground stormwater system and we have signed an agreement with their HOA in order to connect to their system.

Mr. Pontier did receive a review letter from the Board engineer and we will answer any questions that the Board may have. Mr. Cucchiaro stated that the zoning for the site has not changed. He continued that the applicant's due diligence in receiving the revised County approval and their on-going negotiations with the HOA is precisely what we look at.

Mr. Winckowski stated that after June 30, 2019 there are no more extensions available and wanted to make the applicant aware. Mr. Cucchiaro stated that when you receive both Preliminary and Final approval at the same time, there are only two extensions available. There are three extensions available for just Preliminary.

Chairwoman Kwaak opened the floor to the public, seeing none it was closed

A Motion was made by Mr. Jacobson, Seconded by Mr. Castronovo to approve the one year Extension of Time for Planning Board Application PPS0501.

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

PMS1840 ~ Kristine Neiss
51 Dey Grove Road
Block 69 / Lot 14.011
Minor Site Plan

Mark Vincent, Esq. represented the applicant, Kristine Neiss. The purpose tonight is to ratify an existing building at a horse farm, but there is no record of this building on file in the Township. Mr. Cucchiaro swore in Kristine Neiss, the owner and operator of the horse farm at 51 Dey Grove Road. Ms. Neiss started working on the farm in 1974 as a stable hand. Ms. Neiss and her ex husband lived in the main house on the property. Mr. Vincent asked

Ms. Neiss to the best of her knowledge, when was the horse farm constructed and she said in 1972. Originally it was approximately 200 acres with 14 barns and 500 horses. In 2001, Ms. Neiss purchased a six acre portion of the property. The balance of the property, approximately 150 acres, was conveyed to the New Jersey Department of Environmental Protection. Ms. Neiss explained to the Board the structures shown on the survey and the building closest to the road is the building in question. The building in question is used for farm worker housing. To Ms. Neiss' knowledge, this structure has been used since well before 1974 as farm hand housing. The structure is 25' from the road, however 50' is required under the Ordinance. Mr. Vincent asked if Ms. Neiss knew how old the building is and Ms. Neiss estimates that it was built the same time as the house, which was 1880, but she has no proof of this.

Mr. Cucchiaro stated that essentially this is a six acre piece of property that is farmland accessed and currently used as a farm. The application has to do with one existing structure which is used to house farm workers and that is its exclusive use. There are three farm workers living there. The existing building is setback 25' from Dey Grove Road, where 50' is required. You would need ancillary bulk variance relief for the additional 25' that is required that you are not providing. Mr. Cucchiaro asked about the surrounding properties and Ms. Neiss said it is preserved land by the DEP and there is a farm across the street.

Mr. McNaboe asked if Ms. Neiss is using the six acres and the rest belongs to the DEP. Are the fences that are shown on the survey still standing? Ms. Neiss said none of her operation extends outside her six acres.

Mr. Brown asked if the building in question is currently in use right now? Ms. Neiss said yes, and there are three farm workers living there.

Chairwoman Kwaak opened the floor to the public, seeing none, she closed public.

A Motion was made by Mr. Fisher, Seconded by Mr. Ginsberg to approve Planning Board Application PMS1840.

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

Chairwoman Kwaak opened the floor to any non-agenda items; seeing none she closed public. Ms. Nosseir stated that she would be sending materials for the December 17, 2018

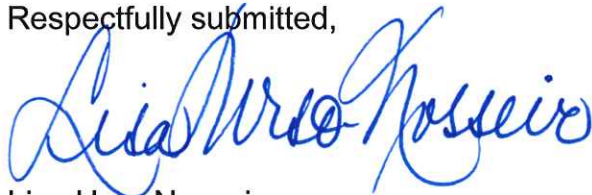
Special Meeting through the google drive as well as 2019 Planning Board Professionals RFPs.

Chairwoman Kwaak stated that the next meeting will be Monday, December 17, 2018 and there are several pending applications at this time.

Adjournment

A Motion to adjourn the meeting was made by Mr. Jacobson 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.