

# 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

### January 24, 2019

The meeting was called to order with the reading of the Open Public Meetings Act by Chairwoman Kathryn Kwaak at 7:34 p.m. followed by the salute to the flag.

#### Roll Call:

Secretary, Daria D'Agostino

In attendance at the meeting:

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

Absent from the meeting:

All present

Also present:

Ron Cucchiaro, Board Attorney  
James Winckowski, Board Engineer  
Peter Van den Kooy, Board Planner  
Lisa Nosseir, Recording Secretary

Mr. Cucchiaro swore in Peter Van den Kooy, Professional Planner and Jim Winckowski, Professional Engineer of CME Associates.

#### Minutes:

A Motion was made by Mr. Ginsberg, Seconded by Mr. Fisher, to approve the Minutes of November 29, 2018 as written.

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

A Motion was made by Mr. Jacobson, Seconded by Mr. Fisher, to approve the Minutes of January 10, 2019 as written.

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

**Resolutions:**

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

A Motion was made by Mr. Castronovo, Seconded by Mr. Fisher to approve the Resolution for application PPS0501, as written.

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

**PFS1325                    149 Freehold Road, LLC**  
**Olde Silver Tavern**  
**149 Freehold Road ~ Block 27 / Lot 39**  
***Extension of Time for Preliminary and Final Site Plan***  
**Resolution of Approval**

A Motion was made by Mr. McNaboe, Seconded by Ms. D'Agostino to approve the Resolution for application PPS0501, as written.

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

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

A Motion was made by Mr. Jacobson, Seconded by Mr. Fisher to approve the Resolution for application PPS0501, as written.

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

**Application:**    **PPM1724 ~ Manalapan Crossing**  
**162 HWY 33 ~ Block 66 / Lot 8.01**  
***Preliminary & Final Major Subdivision***  
***Preliminary & Final Major Site Plan***  
**Carried from November 29, 2018**

Salvatore Alfieri, Esq. represented the applicant this evening. Mr. Alfieri explained that since the November 29, 2018 meeting, they submitted a few exhibits to the Board and they also had a professionals meeting in an effort to make sure they addressed all the issues that were raised during the course of the several hearings. Mr. Alfieri wanted to summarize some of the stipulations that the applicant is willing to make to the Board and also to mark into evidence some of the items that they did pre-submit to the Board.

Mr. Alfieri continued and stated that at the last meeting, the Board had requested that we submit a point by point response to both the engineer and planner letters. We did submit those responses, but he would like to mark each item. The planners letter will be marked as Exhibit A15. The engineers letter will be marked as Exhibit A16. Mr. Alfieri explained that he sent a letter to the Board on July 26, 2018 and in the letter, there were several attachments. Those attachments relate to Resolutions that were recorded for the prior GDP Plan and certain conditions that relate to that GDP Plan. Those restrictions will have to be replaced with whatever new exhibits would be required. There are documents out there that are recorded that are going to have to be replaced as a perfection of this approval. This will be marked as Exhibit A17.

The next exhibit is the submitted phasing plan. The phasing plan depicts that the applicant was going to propose to construct up to 70 single family active adult homes, the full affordable housing obligation, the internal roadway and the detention basin and that no

additional residential COs and no commercial COs would be issued after that until all of the offsite road improvements are completed and installed. There was testimony to that, but we never submitted an exhibit to highlight that area. We will mark the phasing plan when the engineer speaks.

Mr. Alfieri stated that another stipulation is that Mr. McNaboe wanted to see a right turn lane, a third lane, on Route 33 from Millhurst Mills to our driveway. We have agreed to make that application to the NJ DOT in conjunction with CME's assistance and assuming the NJ DOT approves, we will install it at our expense.

Mr. Alfieri spoke about the size of the one bedroom affordable units. We have agreed to comply with the Ordinance of 900 sq ft per unit. Mr. Alfieri said the planner Mr. Borden is not available this evening, but there was a question as to how Mr. Borden did the tree count. At the time Mr. Borden said he would not have to do any work on the adjoining property. There is a utility easement on the Four Seasons property that will have to be accessed. Therefore, Mr. Borden meant the private property of the actual property owners will not be impacted, but there is a utility easement that will have to be accessed in order to connect the utility.

Mr. Cucchiaro swore in Bill Stevens, engineer for the applicant. Mr. Alfieri stated Chief Hogan had asked about the stormwater management system. Could it accommodate or handle a dam failure. Mr. Stevens said he worked with the NJ DEP and an engineering report that was prepared by Maser Consulting for Monmouth County analyzing the dam break of the Millhurst Lake stream upstream from our site. The design that the DEP approved for the failure of this dam, routed downstream to Route 33 indicates that assuming a complete failure of the dam and during an extreme storm event, the elevation of the water at Route 33 would 106.42. The bottom of our detention basin is elevation 110. Our project would remain unaffected by that, however it would be important for Chief Hogan to note that in the case of that failure, Route 33 is approximately 103.5, so it would be severely under water, if that were to ever occur.

Mr. Alfieri said we did not have a loading zone on the plans, so Mr. Stevens prepared a concept plan that was submitted to CME. We wanted to show the Board the concept of the loading zone. This will be marked as Exhibit A18. This would be for Building A which has retail on the first floor and the second floor would be the special needs affordable units. Mr. Stevens showed the Board where the loading zone would be located. Mr. Alfieri stated that as part of Resolution compliance, we would have to submit the full plan to satisfaction of the Board and its professionals. Mr. Stevens explained there is an area just for the residential parking of Building A, as well as an area for employee parking.

Mr. Alfieri said the final exhibit of the evening is the phasing plan, Exhibit A19. Mr. Stevens pointed out the access roads onto the site and there would be access to Millhurst Road until all the off-site improvements are installed.

Mr. Cucchiaro asked if the applicant is still seeking Preliminary and Final approval? Mr. Alfieri said they understand that because of these open issues, the Board professionals had

suggested that Preliminary would be the appropriate action for tonight and we are in agreement.

Mr. Winckowski stated that the applicant had forwarded the exhibit to CME in advance so they had an opportunity to view the loading zone, the parking, the additional lane on Route 33, etc. In Mr. Winckowski's opinion, he believes everything looks fair and reasonable. Obviously Final design drawings have to be revised to show them fully. The parking is fully conforming to the RSIS and the Ordinance. A detailed phasing plan would be provided showing how the engineering would work. Mr. Winckowski said he was aware of the study of the dam breach and their office has had some involvement with the dam construction, and he does not see a concern.

Mr. Van den Kooy asked for the record, the number of parking spaces for the special needs residents vs. the employees. Mr. Stevens said there are 30 spaces for residential parking, of which there are four handicap spaces and then 16 reserved spaces for the employees of the facility. Mr. Van den Kooy wanted to confirm that phase one is 70 residential units on the age-restricted portion. Mr. Alfieri said the commercial building under the special needs will be built, but it cannot be CO'd. Mr. Alfieri said part of the phasing details will include the parking and circulation which will be provided by Final approval.

Mr. Kastell asked about removing the one house on the corner for fire access. Mr. Alfieri asked if he was talking about the house that is between the driveways? Mr. Kastell said yes, the house on Crocus Drive for solar field access. Mr. Alfieri said they asked K. Hovnanian if they would agree to remove it and we will defer to the Board regarding this one lot. Mr. Kastell said eventually those solar fields are going to have to be replaced and he was questioning whether there would be enough room for the trucks to enter. Mr. Alfieri said that access area was the subject of detailed discussion between K. Hovnanian and the NJR, but again, we will defer to the Board concerning this unit.

Chairwoman Kwaak opened the floor to the public for any comments and questions regarding this application. Mr. Cucchiaro asked Mr. Alfieri if his presentation was complete and he said he was done. Mr. Cucchiaro suggested that there would only be questions regarding only this evening, but also any comments or testimony that they would like to put on the record.

Mr. Brad Berger, 45 Hedgerow Lane, Manalapan had comments regarding the application. He asked about the third lane of traffic and asked for someone to show that on the map. Mr. Stevens said the intention for the third lane on Route 33, is that we have always had a right turn lane on Route 33 for our project. It was asked by the Board that we extend that all the way to the intersection of Millhurst Road, and that is what we are proposing to do, provided the DOT will approve our plan. Mr. Berger asked how many units of affordable housing there would be and Mr. Alfieri said there will be 58. Mr. Alfieri said as proposed, the State has agreed that we can have up to 25%, so there would be 16 that are built in quads, so there would be four quads. The remainder of the units are one bedroom, handicap accessible units for other types of special needs or disabled Veterans that do not qualify under the special needs support under the DDD. Mr. Berger asked if the affordable

housing requirement is that the resident is a senior citizen as well and Mr. Alfieri said no. Mr. Berger asked can they be families, but Mr. Alfieri said they are only one bedroom units. Mr. Berger said the odds are there not going to be any children in this development then, correct? Mr. Alfieri said yes.

Mr. Berger asked for someone to show him where the clubhouse is and Mr. Stevens pointed it out. Mr. Alfieri asked if there was anything to prevent the people from the affordable housing to just be hanging out? Is this going to be a solid fence or wall? Mr. Alfieri said K. Hovnanian is a gated community. Mr. Cucchiaro said whether or not people are acting in a disorderly manner is not a Planning Board matter. Mr. Berger asked what are Buildings B and C? Mr. Alfieri said B is a mixture of restaurants, retail and other commercial uses, no uses have been identified yet however.

Mr. Berger said he is against Manalapan Crossing. He believes the traffic that is going to happen on Millhurst Road and the failure of the Board to ask the traffic expert to please plod out all of Millhurst Road, and the failure of anyone to see how the two lanes are going to merge before the bridge is a failure of the Planning Board and the traffic expert. The failure to consider and discuss emergency traffic and school busses is not worthy of approval at this time. The community, after this construction starts, will realize that it is too late. There has never been a traffic study of Millhurst Road from Route 33 to Tennent Road and everyone has just accepted the traffic study of the builders. The question must be asked: what is the Town doing regarding their own traffic study and why wasn't a traffic study of Millhurst Road ever done? How can a traffic level of "F" be acceptable?

Mr. Berger said the Zoning Board, Planning Board and Township Committee have all become in favor of a plethora of senior citizen communities. The last three school board elections that were voted on were all denied. If this Town keeps getting older and older with all these senior citizen communities, he sees a problem happening in that there will be two factions of Manalapan. They'll be the people with children, and then there will be the senior citizens who don't want the educational benefits. A community should support their children and the schools.

Seeing there were no other comments from the public, Chairwoman Kwaak closed public.

A Motion was made for application PPM1724 by Ms. D'Agostino for Preliminary Site Plan and Preliminary Major Subdivision approval subject to all of the conditions placed upon the record, including bulk variance relief for the two lots, the setback for the parking lot and relief for the 50' buffer, Seconded by Mr. Castronovo.

Yes: Castronovo, Brown, Kane, Ginsberg, D'Agostino, Kwaak, McNaboe, Jacobson, Hogan, Fisher, Kastell

No: None

Absent: None

Abstain: None

Not Eligible: None

Mr. Alfieri thanked the Board for their time and said they will hopefully return soon for Final.

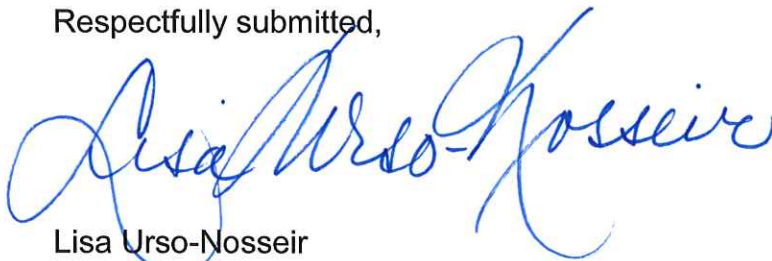
Chairwoman Kwaak opened the floor to the public for any non-agenda items. Seeing none, she closed public.

Chairwoman Kwaak stated that the next meeting will be February 14, 2019 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,

A handwritten signature in blue ink that reads "Lisa Urso-Nosseir". The signature is written in a cursive, flowing style.

Lisa Urso-Nosseir  
Recording Secretary

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