

Township of Manalapan

120 Route 522 & Taylors Mills Road
Manalapan, NJ 07726
(732) 446-8350

Planning Board Minutes

Virtual Meeting

January 28, 2021

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 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. Brown, Seconded by Ms. D'Agostino to approve the Minutes of January 14, 2021 as written.

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

No: None

Absent: None

Abstain: None

Not Eligible: Kastell, Shorr

**Applications: Toubin Realty III, LLC
305-333 Route 9 South ~ Block 10 / Lot 19
Amended Site Plan**

Jared Pape, Esq. of Heilbrun, Pape represented the applicant this evening. This is an application for amended site plan approval with bulk variance relief in regard to the parking requirement. Mr. Pape explained that the Toubin family has owned this 20,000 sq ft shopping center known as Alexander Plaza for about 40 years. Over the years, the uses and tenants have changed. About a year and a half ago, the zoning officer said the parking lot no longer complied with the current parking ordinance and site plan approval would be required before accepting any new applicants and this is the reason he is appearing tonight.

John Rea of McDonough & Rea, Traffic Engineer was sworn in by Mr. Cucchiaro. Mr. Rea completed the parking study for this site. He visited the site four separate times during peak business hours to observe parking conditions. The maximum parking demands are typically between 11:00 am - 2:00 pm. There are 12 tenants in the shopping center right now with a demand of 40-45 vehicles at a maximum. They all have different peak times and it is spread out throughout the day. There are 124 parking spaces available for the public and the tenants. Assuming every suite had a tenant, we are looking at a maximum of 75 parking spaces being used during peak time and we have 124 available parking spaces. This shopping center is performing as one would expect with multiple tenants and uses.

Mr. Boccanfuso said his report had a breakdown of parking requirements applicable to the site and we indicate that 179 spaces were required, but Mr. Rea stated a number of 186. There was a discrepancy because the vacant space was identified as medical use. Mr. Cucchiaro asked Mr. Rea about the dimensions of the parking spaces and Mr. Rea said he would confirm the measurements. Mr. Cucchiaro asked if the dumpsters take up any parking spaces and Mr. Rea said they do not.

Allison Coffin, Professional Planner, was sworn in by Mr. Cucchiaro. She explained that the applicant is requesting a variance for parking due to a change in the tenancy. It is her opinion that this variance can be granted under the C2 standard. The parking variance advances purpose A, promoting public safety and health and other appropriate purposes. It is her opinion that positive reasons exist that the variance can be granted.

Ms. Beahm asked Ms. Coffin if she is basing her opinion on Mr. Rea's assessment of the parking lot that the parking spaces are adequate. Ms. Coffin said she did reference Mr. Rea's report. Mr. Rea stated that the parking spaces are 10' x 20'. Mr. Boccanfuso recommended that the parking lot be striped since it is quite faded. Mr. Pape said his client would be willing to restripe the parking lot.

Mr. Shorr asked if the tenants are long-term leases. Although Mr. Pape couldn't answer the question per se, he did note that there was little substantial change to the make up of the tenants. Mr. McNaboe asked about the garbage enclosures. Ms. Beahm asked if the tenant would please follow up with the status of the enclosed garbage enclosures. Mr. Rea said there are two refuse enclosures in the rear of the parking lot and they are not taking up any of the parking spaces. Mr. Fisher noted that he was in the site recently and it is his opinion that the parking lot and the center in general, are well maintained with an abundant amount of parking. Ms. D'Agostino agreed that she has never had a problem trying to find parking either.

Chairwoman Kwaak opened the floor to the public for questions and comments regarding this application. Seeing there were none, public was closed.

A Motion was made to include all the conditions made on the record by Mr. Fisher, Seconded by Mr. Castronovo to approve the application of PAM2050 ~Toubin Realty III, LLC.

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

**PPM2031~ K. Hovnanian at Manalapan V, LLC,
"Pinebrook Crossing"
Wilson Avenue @ Sobeckko Road
Block 30 / Lots 2, 3.01, 3.02, 4 & 7.01
Preliminary and Final Major Subdivision
Preliminary and Final Major Site Plan**

Salvatore Alfieri, Esq. appeared on behalf of the applicant, K. Hovnanian, for the application of Pinebrook Crossing. This is a 250 unit subdivision and the zone was created in the affordable housing settlement with the town. There is a 30% set aside for the affordable housing units out of the 250.

Mr. Cucchiaro swore in David Fisher, Vice President, Governmental Affairs for K. Hovnanian Homes, North East Division - Edison, New Jersey. Mr. Fisher displayed Exhibit A1 - Aerial Location Map for the subject property on the screen. It is located along Sobeckko Road and Wilson Avenue. The property has been outlined in a yellow dashed line and is roughly 31.8 acres. The frontage on Sobeckko Road is opposite the Englishtown Auction. There are two sellers for this development - one is the Englishtown Auction, and the other is the Carisimo Family. We entered into a Developers Agreement with the Town in December 2019.

Mr. Fisher continued and displayed on the screen Exhibit A2 - Site Plan Rendering. This represents the layout of the development. Mr. Fisher pointed out on the screen the different entrances to the development and the layout of the blocks. The affordable homes are five condominiums, three stories high. Mr. Fisher spoke of Exhibit A3 - Color Rendering of three story market rate townhouse. All the townhouses have two car garages and two car-wide driveways.

Mr. Fisher displayed Exhibit A4 - Architectural Rendering of three story condominium for the affordable homes. There are two level townhomes with two bedrooms in it and there are others with three bedrooms as well as some having a one-car garage. These are for sale, they are not rental units. The way buyers qualify for a low income household means the total gross annual income would be around \$50-60,000. Moderate income would be around \$75-95,000.

Mr. Fisher brought the rendering of the Site Plan to the screen again. He showed where the children's play area would be along the trails. The parking complies with the RSIS standards. There is no parking on the street, but there are areas where parking will be permitted. There is a small parking lot near the condo buildings. The utilities consist of sanitary sewer and water planned for this development. There is a sewer line we will connect to. There will be a HOA established to maintain the common areas in this development. There will be two associations, and the purpose is to act as a master association for all the common areas, including the stormwater maintenance basin and a wet pond. All the common area landscaping and roadways will be maintained by the HOA since they will be private, any signage and certain exterior facilities. The second association will maintain different building features for the condominiums to maintain the common areas.

The Board took a ten minute break at 8:30 pm. When the Board returned at 8:42, Mr. Fisher continued with his testimony.

Mr. Fisher wanted to go over the professionals review letters as well as the Environmental Commission. After meeting with the professionals and the Environmental Commission, they submitted revised materials. They also met with the other internal departments. Mr. Fisher referred to the January 22, 2021 CME Engineering Review Letter. There was a request for deck variances. The initial submission showed the 10' decks going into the perimeter buffer. The perimeter buffer restricted us and it triggered a variance for the encroachment. We believe this variance can be granted since there is plenty of room behind the two townhomes. There is an arrangement of landscaping surrounding the homes. Our planner will speak more of these variances at a future hearing.

Mr. Fisher continued regarding the dedication of land to the Englishtown Auction. Part of the Carisimo land will be dedicated to parking for the Auction. The balance will also be used for parking, therefore they are not losing parking for their business. Mr. Fisher said this project will not be done in phases where we would separate it out. The stormwater basin portion will be developed first since it services the whole

project. The mechanical equipment, including the A/C condensers for the three story market rate townhomes will be placed at the rear of each of the townhomes. The condo buildings will also have the condensers on the ground, they are narrow and will be set to the side.

Mr. Alfieri asked Mr. Fisher to touch on the other variances that were listed. Mr. Fisher said the lot sizes will be adjusted so they don't need a variance for that. All of the townhomes will meet the zoning requirements for lot size, setbacks, etc. We will pull the drainage pipe through the parking lot and it will run under the street. There will be more space for landscaping and a more substantial fence. If the Board agrees that adding two feet to the height of the fence to make it 8' high, we would like to provide that screening for the residents.

Mr. Fisher said there are two permitted entry signs. One would be on the Wilson Avenue side and one on the Sobechko Road entrance. We didn't meet a clearance requirement which is 2 1/2'" above grade, and we are willing to make that change. It will be a bit longer so we will make that adjustment. Ms. Beahm said she reviewed the sign dimensions. The Town would have jurisdiction over the internal roadways. The traffic engineer will speak in detail to this matter. There will be appropriate signage within the development letting the public know that this a private community and no parking is allowed. Mr. Fisher said the Fire Official requested a restriction from the conversion of garage space into living space and this restriction will be placed in the HOA papers.

Mr. Fisher said there was a question regarding parking distribution throughout the development. There are parking lots next to the buildings. We will dedicate one space for each of the ground floor units that don't have a garage. There will be a reserved space with markings on the ground. Each building will have reserved spaces. There is additional off-street parking as well. There are extras spaces in one area, and an additional 9 spaces down at the end of the street. Mr. Fisher spoke of the bus stop on Wilson Avenue below our entrance, near Lone Star Lane. The Board Engineer asked us to consider extending the sidewalk down to that area so people can walk. Mr. Fisher said there needs to be adequate ROW, we can't build the sidewalk on someone's front yard. Mr. Boccanfuso said he anticipates that we may need clarification - if you agreed to a condition, you must follow through with it. Mr. Cucchiario said the condition would be that they would agree to extend the sidewalk so long as there is a ROW that permits them to do so and it doesn't require them to acquire a portion of private property. Mr. Fisher said that would be fine.

Mr. Fisher said the next item is cluster mailboxes. In every multi family development an area must be designated for cluster mailboxes. We will touch base with the Post Master and he will let us know if the location is suitable.

When Mr. Fisher first contacted Gordons Corner Water company, they wanted us to reserve an easement for them for a future interconnection to be built. Our plan

shows a small easement for that. We will provide an easement for the water company for future interconnection building at that location.

We submitted phase one environmental reports for both properties. We entered into contracts to purchase the properties. During that time, we investigated environmental issues. We neglected to submit a pesticide report for the Carisimo site. Back in the 1940s, part of this property was used for agricultural use and therefore the need to investigate any historic pesticide contamination. There are no residual pesticides on the property. We have to obtain a Response Action Outcome, or a no further action letter. The letter would state that the property is clean. Mr. Cucchiaro asked Mr. Fisher to submit any outstanding matters to the Board Secretary.

Mr. Fisher said the next matter was the Flood Hazard Issue. There are wetlands that are in the wooded portion of the property that we are not disturbing. There is a transition area, or a 50' buffer around those wetlands. We may modify the buffer which will be reduced in some areas, and increased in others. We will have a buffer averaging for this area regulated by the DEP. The pipe under the parking lot is old, so we are going to replace the pipe.

Mr. Fisher spoke about garbage collection. He said the Building Department issues COs, they notify Public Works and they begin collections. The homes would have traditional trash cans that would be taken care of on the designated days. The condos with no garages will have a refuse cabin which will accommodate a trash can and recycling can per each two homes. It would be a cedar enclosure maintained by the HOA. There will be three cabinets per building. We've had meetings with all the outside County agencies over the past year. Mr. Fisher said he submitted architectural plans which Ms. Beahm has received. Mr. Fisher said a Planner will be in attendance at the future hearing for additional details.

Mr. Cucchiaro asked Mr. Fisher if the tot-lot area is the only recreation area that is proposed and Mr. Fisher said yes it is. It would be shared by residents of both HOAs. Mr. Fisher confirmed that the cluster mailboxes would not be in a buffer area.

Mr. Cucchiaro swore in Jason Burneyko, Project Manager and Engineer from DW Smith Associates. Mr. Burneyko shared the Site Plan on the screen. Mr. Burneyko explained the grading and topography of the site, which is relatively flat. There is a wetlands area to the east. The grading flows towards the perimeter of the property. We tried to maintain the existing grading patterns where practical. The roadways are 24' width with Belgian block on both sides and there is a 4' sidewalk on both sides. The roadways are designed with crowns and proper slope requirements for drainage. Road B, the small entrance driveway, the slope of that road is slightly over and we have agreed to look into this and modify this roadway. Silt fences will be installed while construction is taking place. The impervious coverage for the development will be controlled by the stormwater runoff. We designed a stormwater management system which captures the runoff and routed through pipes south of the existing dwelling that will be removed. The infiltration basin is typically dry and has a sandy

bottom the stormwater collects through the pipes and it sits there for up to 72 hours and will eventually infiltrate into the ground. There is a DEP requirement that this must be maintained from pre- to post-construction condition.

Mr. Burneyko continued and spoke about the wet pond. It has a permanent water surface. When larger storms come in and fill up the infiltration basin, there is an overflow into the wet pond. The wet pond has its own stormwater system with pipes directly tying into it. When it fills up, there is an outlet control structure and it regulates the amount of flow. The outlet pipe is routed from the wetpond, up to Sobeckko Road, over to the east into an existing inlet. It is designed with safety features, since it has a permanent water surface. There are two safety ledges constructed within the wetpond - one is below the water surface, one is above the water surface in order to prevent any accidents. We will further investigate the existing pipes to see if they are in good condition or need to be replaced by the applicant. We are providing access to these basins off of Sobeckko Road for maintenance by the Township or HOA. The system meets the Township requirements for stormwater quality. The wetpond has two fountains associated with it to prevent that water from getting stagnant.

Mr. Burneyko continued and stated that there is an existing wetlands area at the eastern portion of the site. The total area of the wetland is approximately two acres and there is a 50' transition area buffer from the DEP. There is an existing ditch that runs through this wetlands area. It picks up drainage from the Dortmund Drive and the adjacent development along Pension Road. The wetlands will not be disturbed.

Mr. Burneyko said that water exists in the area from Gordon Corner Water Company. We have met with the engineer of the water company and they offered some valuable guidance. The system will be looped connection to maintain service. On Sobeckko Road, there is an 8" water main that extends out. Gordons Corner has asked to extend it further all the way to the east where it will tie into the system on Pension Road. It is about 2,200' of water main that we are agreeing to install in order to make this an efficient loop system. Fire hydrants and values are provided throughout the development as recommended by the Fire Bureau.

Mr. Burneyko spoke about the landscaping within the site. All the proposed trees and plantings are designed throughout the site in accordance with Township code. Trees will line the roadways. Each of the buildings will have foundation plantings around the perimeter. The overall landscaping plan is continued throughout the site and the adjacent properties. We will be planting over 900 trees throughout the development and additional shrubs. The privacy fencing behind the multi family units and adjacent to the commercial property. The fence will be 6' bordering the Carisimo lot which will be used for Auction parking. We would like to get a 8" high fence, as recommended by the Board Planner. Our landscape architect has spoken with Ms. Spero who has given us direction regarding the layout.

There is also a lighting plan that has been submitted. There are 14' decorative lights along the internal roadways. The fixtures are equipped with a shield preventing any light spillage into adjacent lots. There is some flood lighting on the multi family buildings. There will be lighting in the parking areas.

Mr. Burneyko spoke about Wilson Avenue, County Route 527. We have submitted applications to the Monmouth County Planning Board and they have provided us with comments regarding some improvements they would like to see for the site frontage along Wilson Avenue, including the addition of curbing and sidewalk and a ROW dedication of 40'. Sobeckko Road will have a curb installed at the intersection of proposed Road B. We will provide 1,400' of new curbing along Sobeckko Road. Mr. Fisher stated that there may be the opportunity in the future to have all of Sobeckko Road resurfaced with the municipality. We may either make a contribution for the improvements that we would have installed and cooperate with them for the combined effort to get it all done at the same time. Mr. Burneyko stated he has reviewed all the comments by the Board Engineer and we will make the modifications to address such comments.

Mr. Boccanfuso spoke about the frontage and off-site improvements. There is curbing proposed for the subdivision. The proposed pavement half width is about 10' - 11', but the Township Ordinance calls for a 15' half width. That is something Mr. Boccanfuso would like to review with the applicant to make the pavement compliant with the Ordinance. Mr. Boccanfuso recommended that the applicant speak with the Township Committee regarding paving the entirety of Sobeckko Road. Mr. Boccanfuso spoke about the drainage and he encouraged the applicant to finalize those designs and forward them to the professionals for their review as well as a landscaping plan for the rear of the building so we can determine where the buffer is.

Ms. Beahm said in the rear of the multi family buildings that she wants to see the drainage moved into the front and more landscaping in the rear since there is a grading differential. She noted that about 8-9 lots looked like less than 1760'. She asked if these lots would comply and Mr. Burneyko agreed that this matter has been addressed. Ms. Beahm said there are still some decks that need relief for encroachment into the buffer.

Mr. Jacobson asked if it possible to have a generator for the residents of the townhouses. Mr. Fisher said the market rate lots have room, it might be near a A/C condenser, but we will consider it for our association documents.

Mr. Castronovo asked about the sidewalk near Pension Road. Mr. Fisher said Mr. Winckowski said people would want to walk south, that is why we proposed this idea. Mr. Boccanfuso said the thought was, there is shopping by Gordons Corner Road that residents might want to walk to.

The majority of the Board members agreed to ask their questions at the next hearing for Pinebrook Crossing. All the applicants professionals will be present.

Mr. Alfieri said the applicant's team will be ready to be heard again on February 25, 2021. The virtual instructions will be up on the website ten days before the meeting along with the documents available for review. No further noticing was required.

Chairwoman Kwaak opened up the meeting to the public for any non-agenda items; seeing none it was closed.

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