

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

Planning Board Minutes

Virtual Meeting

May 27, 2021

The meeting was called to order with the reading of the Open Public Meetings Act by Chairwoman Kathryn Kwaak at 7:31 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, Daria D'Agostino, Kathryn Kwaak, Jack McNaboe, Barry Jacobson, Richard Hogan, Steve Kastell

Absent from meeting: Alan Ginsberg, Brian Shorr

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 May 13, 2021 as written.

Yes: Fisher, Brown, Castronovo, Kwaak, McNaboe, Jacobson, Hogan, Kastell

No: None

Absent: Shorr

Abstain: None

Not Eligible: D'Agostino, Ginsberg

Application: **PPM2036 ~ Toll Bros., Inc.**
 Iron Ore Road
 Block 72 / Lots 10.01, 11.06, 11.07
 Preliminary Major Subdivision (Phase 1 & 2)
 Final Major Subdivision (Phase 1)
 Preliminary and Final Major Site Plan (Phase 1)

Salvatore Alfieri, Esq. appeared on behalf of the applicant. Mr. Brown recused himself from this application. Mr. Alfieri said there were two issues that remained open from the May 13, 2021 Planning Board hearing. One matter was the fence along La Valley Drive and the second was the stormwater management report being reviewed by Mr. Boccanfuso.

Jay Kruse, engineer for the project remained under oath. Exhibit A11, a fence exhibit was shared on the screen. Mr. Kruse explained that Mr. Boccanfuso, Ms. Spero and he walked the property examining an appropriate spot for fence installation between their property where it meets La Valley Drive. Mr. Kruse showed the proposed path of the fence along their property. There is an area close to the property line where we can put the fence with minimal disturbance of the existing vegetation. The fence will start from the northeast corner, at the back of 41 La Valley Drive. Then the fence runs south along 37 La Valley and the rest of the properties from 37 La Valley down to 15 La Valley. The fence would be angled so existing vegetation will not be removed, and ends at 20 La Valley Drive, which fronts Iron Ore Road. We will have the fence at 20 La Valley Drive drop down to a 3' height to remain in compliance with the fence zoning ordinance. No design waiver or variance would be needed for this proposed fence. Ms. Spero noted a large amount of invasive overgrowth that will be removed prior to fence installation, and then supplemented with additional landscaping. Mr. Kruse stated that some of the neighbors preferred a beige fence and Toll Brothers has no preference of beige or white and they defer to the Board for a color determination of the 6' solid vinyl fence.

Mr. Boccanfuso said he reviewed the stormwater management and that he can confirm that the design that has been modified for the Route 33 access drive does comply with the applicable stormwater management regulations. There are some technical comments that he reviewed with Mr. Kruse and Mr. Giacobbe. Mr. Boccanfuso is comfortable that they will be able to address those concerns.

Ms. Beahm said the fence proposal and color are acceptable to her.

Ms. D'Agostino thanked the applicant for agreeing to put up the fence.

Chair Kwaak asked Mr. Alfieri about the Boy Scout easement and during what phase this work will be done? Mr. Alfieri said since we are getting Preliminary and Final for Phase 1 only, and Preliminary for Phase 2, assuming it is approved, Toll Brothers will be closing on Phase 1 only. They can't extend that easement until they finish Phase 1 to finish the driveway. Mr. Kruse said this should hopefully take about another six months to get through the sewer service approval process, and then we'd have to come back for Final approval. Mr. Boccanfuso said the Boy Scout easements are within the Phase 1 part, not Phase 2. Is there any reason the road can't be completed before we get into Phase 2. Mr. Kruse said it is in Phase 1.

Chief Hogan stated that there was a reduction in the number of fire hydrants that the Fire Prevention Bureau requested. Chief Hogan said after reviewing the plans, he can confirm that the applicant does comply with the standards. The access from Route 33 is an added plus for fire prevention into the development. He asked if there was a stub, either water or sewer available in the La Valley Drive area for future expansion. Mr. Boccanfuso said there is a 16" water stub that comes from the water tower that fronts out on Iron Ore Road. The applicant is not proposing any extension of the water because those properties are not within the Township water franchise service area. That is something the municipality can look this, but the applicant's site is fully within the water franchise area so they didn't require any expansion. Now with the sewer, part of the applicant's site is out of the sewer area. They have filed an application to expand that sewer area. The Township has issued a letter of support to that application, but he is unaware of the status of this application. The expansion did not include the properties on La Valley Drive.

Mr. Kruse said they have received preliminary adoption notice from the DEP for inclusion of the rear portion of the service area. We received the WMUA Resolution in mid April. We will continue with the process towards the goal of final adoption.

Chief Hogan asked Mr. Alfieri if there was anything else on the Fire Bureau's report that he wanted to discuss. Mr. Alfieri said he was in agreement with the report and will address any and all comments in the report. Mr. Kruse said we have extended the water service from the round about to Iron Ore Road. The Fire Bureau asked to extend it both north and south. We will extend it to the north for any future development.

The floor was opened for public comment.

Mr. Cucchiaro swore In Richard Concato of 21 La Valley Drive. Mr. Concato stated he bought his home in the woods and is not happy that he is going to be looking at apartment buildings. He asked for access to water and sewer and why can't the residents get this services. He is upset that his whole lifestyle is going to turn upside down for him, his family and his neighbors. He said La Valley is normally a quite area and it's going to be very different now. Why can't the apartment buildings be on the other side by the industrial park? The residents of La Valley Drive are being ignored in his opinion. Mr. Concato asked where the fence is going to be, Toll Brothers came to his house to talk to him. Mr. Kruse said the fence ends at the common properties to benefit the residents of both properties. Mr. Concato said his wells went dry 19 years ago when the other development was put in. Why can't the Township help us - we are only 14 residents asking for some help. The settlement the Township made is really affecting La Valley Drive residents. Mr. Concato asked when was the Ordinance put into place that a three story building could be constructed here? Mr. Cucchiaro said the Township Committee set the Ordinance. Mayor McNaboe said in 2018, the process of adjusting the zone had begun. Mr. Concato asked does the Town have any sympathy for us at all? If not, he'll just stop right now. Mr. Cucchiaro said that is not a question. We are required to follow the MLUL laws. Mr. Boccanfuso said the water would be subject to the Township governing body. They could investigate the feasibility of expanding the water service area to include the La Valley properties. There are capacity issues in Town. The governing body just adopted a budget to include a substantial water main project to increase the capacity. Mr. Concato said there is a water main on the Boy Scout Camp and Mr. Boccanfuso said we are aware that there is a main. Mr. Alfieri said procedurally, we would have to start over and do the paperwork to expand that area, which would delay the project and add an additional expense. The developer is not obligated to do this. Mr. Concato stated that once this is voted on tonight, it's done. We'll never get the services. Chair Kwaak suggested that he and his neighbors get together and speak to the Township Committee and request the services.

Mr. James Phillips remains under oath. He represents the Boy Scouts, Monmouth Council. He asked about the entrance and clarification if it is being built in Phase I or Phase II? Mr. Alfieri said it is part of Phase I.

Chairwoman Kwaak closed public seeing there were no additional comments or questions.

Mayor McNaboe asked about the plans being reviewed and signed off by the Fire Bureau. Are all the curbs within this development mountable curbs? Mr. Kruse said the curbing in the development is not mountable. The mountable curbing is around the roundabout. We have provided an emergency vehicle turning template to show it can maneuver without crossing any curbs. Mr. Kruse said there is an

overhang, but it is not the wheelbase that touches the curbs. Mr. Kruse said he would be in complete compliance with the Fire Bureau's recommendations.

A Motion was made by Mr. Fisher for Preliminary and Final Major Site Plan-Phase I; Preliminary Major Subdivision-Phase I and Phase II, and Final Major Subdivision-Phase I approval, subject to all of the conditions discussed, including the Route 33 access, the fencing separating the two communities, access for the residents to the pool facilities as well as any other stipulations that were placed on the record, and Seconded by Mr. Kastell.

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

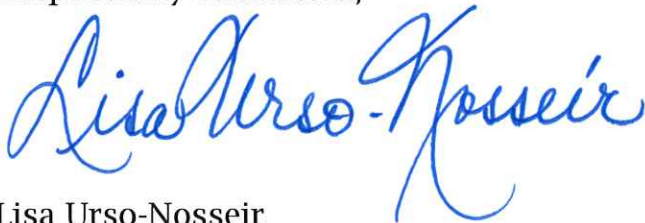
Mayor McNaboe thanked the applicant, the professionals and the Board. The application was thoroughly examined and adjusted to include the fence, as well as the Route 33 access, making it a better project overall.

Chair Kwaak opened the floor to the public for any non-agenda items. Seeing none it was closed.

Chair Kwaak reminded the Board that the next meeting is June 10, 2021.

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

Respectfully submitted,



Lisa Urso-Nosseir
Recording Secretary