

Township of Manalapan
120 Route 522 & Taylors Mills Road
Manalapan, NJ 07726
(732) 446-8367

Planning Board Minutes

Virtual Meeting

September 23, 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 Mr. Shorr to approve the Minutes of September 9, 2021 as written.

Yes: Brown, Ginsberg, Castronovo, Kwaak, McNaboe, Jacobson, Kastell, Shorr

No: None

Absent: Hogan

Abstain: None

Not Eligible: Fisher, D'Agostino

Resolutions: **PMS2129 ~ The Place at Manalapan
c/o Community Investment Strategies, Inc.
Route 33 ~ Block 72.01 / Lot 69
Preliminary and Final Major Site Plan**

A Motion was made by Mr. Fisher, Seconded by Mayor McNaboe to approve the Resolution for PMS2129 ~ The Place at Manalapan, as written.

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

**PFM1724EX ~ Cardinale and Associates, LLC,
"Manalapan Crossing"
162 HWY 33 ~ Block 66 / Lot 8.01
Final Major Subdivision and Final Major Site Plan
Extension of Time**

A Motion was made by Mr. Castronovo, Seconded by Mr. Fisher to approve the Resolution for PFM1724EX, Manalapan Crossing, as written.

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

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

Catherine Kim, Esq. of Cleary, Giacobbe, Alfieri and Jacobs represented the applicant, K. Hovnanian at Manalapan V, LLC, this evening. They are seeking Final Major Site Plan approval for the development known as Pinebrook Crossing. David Fisher of K. Hovnanian will be speaking on behalf of the applicant. Their engineer is on standby for any additional testimony.

Mr. Cucchiaro reminded the Board that the applicant received Preliminary and Final Subdivision approval, as well as Preliminary Site Plan approval. Final Site Plan approval was not granted until the applicant could update the Board on the trash enclosures and placement of such.

Mr. Cucchiaro swore in David Fisher of K. Hovnanian Homes, Edison, New Jersey. Mr. Fisher is a Professional Planner, but he is not testifying as a Planner this evening. Mr. Fisher referred to the two review letters from the Board's professionals and he will use the CME letter as a guide. Mr. Fisher said Pinebrook Crossing is an approved Fair Share Housing Plan as an inclusionary development which includes 175 market rate townhomes and 75 low and moderate income condos. Mr. Fisher reviewed with the Board some of the items that were brought up by the Board professionals. There have not been any substantive changes since the prior approval. The dumpsters for the ground floor units and condos will be addressed. There were some readjustments of some water and sewer lines to meet the requirements of Gordons Corner Water Company. The architecture is consistent with what was approved earlier this year.

Mr. Fisher said there were some questions about traffic and parking and the traffic engineer, John Rea, is testifying at another hearing this evening, but he can be reached by cell phone if necessary. They have returned plans to the Monmouth County Planning Board and they are awaiting the status their approval. Mr. Fisher spoke about the improvements along Sobecko Road as well as drainage improvements. There are improvements along the entire frontage along Sobeckko Road including sidewalk and curbing. However, there was some thought given to holding off on installing the half-width improvements on our side of Sobeckko Road and wait for the Township to do a paving project for the entirety of Sobeckko Road, from Pension Road to Wilson Avenue and we can work out an arrangement with the Town. We will provide an in lieu payment for our obligations to repave half-width improvements. There was a question about our parking requirements and that we are seeking a *di minus* exception, but that is incorrect and the table on the plans will be revised to eliminate that. There will be three spaces per townhouse, which still puts us well above the parking space requirements. The Resolution states there is a reference to the possibility of installing sidewalk along Wilson Avenue to get to the bus stop. The ROW does not exist and there is no opportunity for us to install sidewalk. Mr. Cucchiaro asked Mr. Fisher to provide the Board's professionals with the title searches that he has which proves he cannot install the sidewalk. Mr. Fisher spoke about the internal signage for the no parking signs. Each entrance will have a sign that states parking is for residents and their guests only. Mr. Fisher did a video inspection along with Mr. Boccanfuso of the drainage along Sobeckko Road as well as the drainage pipe that they are proposing to connect to for the stormwater basin that runs through the auction property and down to the

Pinebrook. The auction owners have given us a drainage easement that follows the storm drain that runs through their property to the Pinebrook. The installment of the pipe was many years ago and an easement was never put into place.

Mr. Fisher spoke about various environmental issues. He noted that the Carissimo property across the street has been cleaned up. We are going to apply for an updated Phase I Environmental Report and apply for the Response Action Outcome, or RAO. All of the debris has been removed and there is one small hot spot of lead that will be cleaned up by our environmental consultant. There is no underground storage tank and will provide this information to the Board's professionals. There is a pending application with the DEP, the Flood Hazard Applicability Letter, we submitted it in April and it took five months for DEP to get back to us, and Mr. Fisher believes they will get back to him shortly. There hasn't been any substantial modifications to the landscaping plan, but some of it was adjusted to allow space for the dumpsters.

Mr. Fisher spoke about the shade trees along Wilson Avenue and Pension Road. We will establish a 20' wide shade tree easement on the Final Subdivision Plat. All the landscaping will be maintained by the HOA. Mr. Fisher said they proposed a number of street names and they are on the plans. Both the Fire Bureau and Tax Assessor confirmed there were no conflicts with the street names.

Mr. Fisher displayed Exhibit A2, Revised Site Plan, on the screen for all to see. He showed where the applicant would like to do in lieu payments instead of sidewalk and curbing along Sobechko Road, for about 1,100 linear feet. That work can be done in conjunction when the Township will repave Sobechko Road. The front portion of the Carissimo track is being conveyed to the Englishtown Auction. This is not part of the Pinebrook Crossing development. Ms. Beahm asked if and when the Town is going to do the paving. Mr. Boccanfuso said the understanding is that the Town is not going to pave Sobechko Road until this project is complete. It wouldn't be sensible for the Town to go through the effort and expense until the project is complete. Ms. Beahm said unless the road is on the list of paving projects, she isn't 100% supportive of deferring the improvement. It could be years before the project is done. Mr. Boccanfuso said he is not aware of when it will be done. Ms. Beahm said then she would like to have the improvements done now because it could be years before Sobechko Road is paved by the Town. Mr. Fisher said it was his understanding that the paving of Sobechko Road was closer to reality. Mr. Boccanfuso asked Mr. Fisher if he spoke to Mr. Winckowski and what was the result of that conversation? Mr. Winckowski said it would be a good idea to hold off until the road was paved. Mr. Fisher said he understood from Mr. Winckowski that it wouldn't be that far off in the future. Mr. Cucchiario said with the uncertainty as to the timing, the applicant can come back for an amended approval.

Mr. Fisher shared the refuse storage Exhibit A1 with the Board. The PVC boards create more of a residential feel over the masonry structures. Mr. Fisher showed where the refuse storage would be placed on the site plan. The dumpsters are double wide, one container for garbage and one for recycling. Ms. Beahm said she prefers the masonry containers over the PVC structures for longevity.

Mr. Boccanfuso asked if Mr. Fisher if he had any issue in connection with CME's technical comments and he did not. Mr. Boccanfuso said it is acceptable for a blanket easement for the shade tree easement.

Mr. Brown asked why the dumpster is immediately next to the tot lot. Is there a more appropriate spot for the dumpster? Mr. Fisher said the one near the tot lot is smaller, it only services five homes. We would be providing garbage cans for all the ground floor units and they will be numbered. Ms. Beahm asked is it possible to be relocated though? Mr. Fisher said it would have to be out by the sidewalk, but if the Board is so inclined, we can move it to wherever the Board would like.

Mr. Schorr asked if the tot lot only has one entrance. Mr. Fisher said there is only entrance with a gate. Mr. Schorr asked if there is parking right by the tot lot and Mr. Fisher said there are two handicap spaces in front.

Mr. Castronovo said he agrees with Ms. Beahm about the sidewalk and curbing being done before Sobeckko Road is paved.

Barry Fisher asked who maintained the sidewalks from snow? Dave Fisher said he believes it would be the owners responsibilities, or the HOA. Barry Fisher asked where is the nearest crosswalk? Dave Fisher said there is no crosswalk, but the nearest place to cross would be on the auction's property.

Chief Hogan asked Mr. Fisher about the paving on Sobeckko Road. Mr. Fisher replied that Mr. Winckowski agreed that it would be wise to do the curbing and sidewalk at the same time. Chief Hogan asked approximately how long would be the build-out for a project such as this - months, years? Mr. Fisher said he would estimate it to be around 2 ½ - 3 years. Chief Hogan states he likes the PVC trash enclosure, providing the brackets are secured in the corners or bollards. He has no objection to the location of the trash enclosures.

Chairwoman Kwaak agrees with Mr. Brown to move the garbage enclosure away from the tot lot. She like the look of the PVC, and reinforcement would be a good idea. In regard to the paving, could we put a time limit on the applicant? Mr. Cucchiaro said we cannot do that. A possible solution is that the applicant could come back for an amended site plan.

Mayor McNaboe said the road should be done towards the end of the project. He asked about the remainder of the Sobechko lot and the Carissimo lot. Mr. Fisher explained that both lots will be conveyed to the Englishtown Auction at closing. Those lots will be created when we get our subdivision filed. We will have to coordinate with them regarding installing sidewalk and curbing. Mayor McNaboe asked how you are going to demarcate where their property ends and your property begins during the construction phase? Mr. Fisher said we are required by Freehold Soil to install silt fence along the entirety of our property. We are also installing a fence between our property and the Englishtown Auction parking lots. It will help screen the parking lot and keep things from blowing around in the wind. Mayor McNaboe asked if this project is going to be done in phases? Mr. Fisher said it is mostly going to be done in one shot - we have utilities and have to loop the water around to the other end. We'll probably start on Sobechko Road, but we are going to have to put infrastructure through almost the entire development in order to service the models and begin the condos for the affordable homes. Mayor McNaboe asked if the road capping will be done when the final homes are being finished and Mr. Fisher said that is correct. Mr. Boccanfuso said he agrees that doing the curbs would be fine, but the sidewalks could be a potential challenge. He's not sure there is sufficient ROW width to fit a sidewalk in there as the lot is currently laid out. Secondly, there is a substantial number of trees which may have to be removed. With lot 4.01 the conflicts don't exist and it would be easier to put in both sidewalk and curb. Mayor McNaboe said the half width cost of that road would run from Pension Road, past the K Hov development, including the two newly created lots, is that correct? Mr. Boccanfuso said what is currently proposed is just the half width milling and paving along the developed portion, not the newly created lots. There are no improvements proposed on the two lots. The paving is not a specific ordinance requirement that the applicant pave the half width, it is something that we had recommended going back to preliminary. The current proposal is to do a payment in lieu of the developed portion and the applicant doesn't have Final yet, so it is an open issue. Mr. Cucchiaro asked for the exact area for clarification in the Resolution. Mr. Boccanfuso said the half width paving of Sobechko Road from Pension Road up until the end of Lot 31.04, across from the entrance. Mr. Fisher said they did not anticipate paving the lots that aren't ours in the development.

Mr. Jacobson added that he like the reinforced PVC trash enclosures.

Chairwoman Kwaak opened the floor to the public for questions and comments.

Mr. Cucchiaro swore in Vadym Nazarchuk, 16 Dortmunder Drive. He had a question regarding the drainage between Dortmunder Drive and the new buildings. Right now the water drains into the woods, but with the new buildings

it will flood our backyards because the buildings are higher than our existing homes. Mr. Fisher said when we submitted the plans initially, we had swales that would steer the water out to the front yards and stormwater drainage. Mr. Fisher said the drainage plan is that we run a parallel pipe that is about 15' off of the property line and it ties to inlets that brings the water out of the street which will be known as Primrose Court and there are swales that are designed to direct the surface runoffs into those inlets and that drainage system to it does backup to the adjacent property. Mr. Fisher shared the exhibit on the screen showing the grading and drainage plan. Mr. Nazarchuk asked Mr. Fisher to point out inlet 66 and explain where will the water go. He is concerned with his backyard getting flooded since the new buildings are going to be elevated. Mr. Cucchiaro said the plan provided by K Hov was reviewed by the Board and Township engineers to prevent the flooding. Mr. Nazarchuk is also concerned by all the traffic this development is going to bring to an already congested area as well as disturbing wildlife. The A/C units will be noisy and directly facing his backyard by 50'. He would like to know if the project could be downsized to make less of an impact on the residents on Dortmund Drive. So much time was wasted tonight on minor things like garbage instead of flooding out existing residents.

Mr. Cucchiaro swore in Michael Malizioso, 32 Dortmund Drive. He asked Mr. Fisher to share the site plan on the screen. He asked Mr. Fisher to explain the inlets and grading. Mr. Malizioso said there is a WMUA drain on Lone Star Lane across from Mount Avenue and the problem there is that the water accumulated so much from the adjacent property. He is very concerned with the drainage and how it is going to affect their properties. What if there is a problem - how will this get resolved? Mr. Fisher said he understands the resident's concern, however we will maintain the system until the development is complete and then turned over to the HOA and that would include routine inspection. Mr. Malizioso said is it possible for the Township engineer to do an inspection as well? Mr. Cucchiaro said that option is available if there is a failure of the system. Mr. Fisher showed him where the 6' fence would be installed separating the properties.

Mr. Cucchiaro swore in Alex Zabarum, 18 Dortmund Drive. He asked about the retention basin. Mr. Fisher explained it is a way to manage water in the development, we have to control it. The stormwater management plan follows all State and New Jersey Department of Environmental Protection requirements. Mr. Zabarum said most of this land is wetlands. Mr. Fisher said we have a wetlands buffer, and we are not building upon the wetlands. Mr. Zabarum had a question about security and fencing. Mr. Fisher said the landscaping will be done effectively to screen and create privacy.

Chairwoman Kwaak closed the public portion of the meeting.

Mr. Cucchiaro said the only issue the Board has to vote on tonight is Final Site Plan approval. Is the Board going to require the sidewalk and curbing as part of the approval? Which material do you want the garbage enclosure to be? Where do you want the garbage enclosure to be place, near the tot lot, or on the other side?

The Board discussed the location of the dumpster to move it to the other side of the development. Mayor McNaboe suggested a side door on the dumpster. Mr. Fisher said he would look into it.

A Motion was made by Mr. Fisher to approve the conditions discussed and placed on the record for PFM2031 ~ K. Hovnanian at Manalapan V, LLC, and Seconded by Chief Hogan.

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

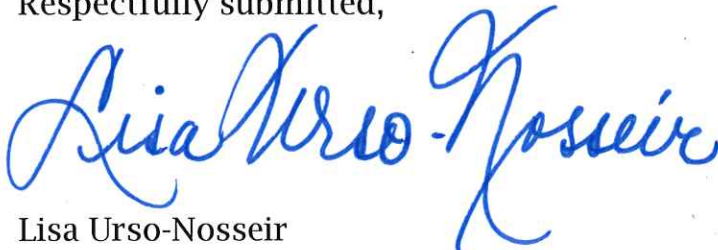
Chair Kwaak asked for any correspondence and Ms. Nosseir stated there wasn't anything to share this evening. Chairwoman Kwaak opened the floor for any non-agenda items. Seeing none, the public portion was closed.

Mayor McNaboe mentioned the Volunteer Breakfast is scheduled for November 21, 2021 and more details will follow.

Chair Kwaak reminded the Board that the next meeting is October 14, 2021, which will remain virtual.

Chief Hogan made a Motion to end the meeting at 9:53 pm and it was agreed to by all.

Respectfully submitted,



Lisa Urso-Nosseir
Recording Secretary