

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

Planning Board Minutes

Virtual Meeting

April 14, 2022

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 D. Cucchiaro, Planning Board Attorney
Brian Boccanfuso, Planning Board Engineer
Jennifer Beahm, Planning Board Planner
Christine Bell, Planning Board Planner
Lisa Urso-Nosseir, Recording Secretary

Mr. Cucchiaro swore in Brian Boccanfuso, Professional Engineer, Jennifer Beahm, Professional Planner and Christine Bell, Professional Planner.

Minutes:

A Motion was made by Mr. Brown, Seconded by Ms. D'Agostino to approve the Minutes of March 24, 2022 as written.

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

Ordinance 2022-04: An Ordinance of the Township Committee of the Township of Manalapan, Amending and Supplementing Chapter 95, “Development Regulations,” of the Code of the Township of Manalapan, Section 95-3.4, “Certificates and Permits”

Ms. Beahm and Mr. Cucchiaro explained that this Ordinance is a readjustment of the fees and does not deal with any land use regulations. They stated that this Ordinance is substantially consistent with the Master Plan.

A Motion was made by Mr. Fisher and Seconded by Mr. Castronovo that Ordinance 2022-04 is substantially consistent with the Master Plan.

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

Ordinance 2022-05: An Ordinance of the Township Committee of the Township of Manalapan, Amending and Supplementing Chapter 95, “Development Regulations,” of the Code of the Township of Manalapan, Section 95-3.14, “Fees, Escrow Deposits and Other Charges”, Pertaining to Informal Reviews

Mr. Cucchiaro and Ms. Beahm informed the Board that this Ordinance is similar to the previous Ordinance. It is just an adjustment of fees when an applicant is requesting an informal concept review before submitting a formal application. Again, it is not a developmental regulation and is not discussed in our Master Plan, however it is substantially consistent with the Master Plan.

A Motion was made by Mr. Castronovo and Seconded by Ms. D’Agostino that Ordinance 2022-05 is substantially consistent with the Master Plan.

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

**Ordinance 2022-06: **An Ordinance Amending Chapter 96, “Gaitway
Redevelopment Area”, Section 96-2, “Adoption of
Redevelopment Plan”, of the Code of the Township of
Manalapan, Amending and Supplementing the Gaitway
Redevelopment Plan****

Mr. Cucchiaro said this Ordinance is an amendment to the previously adopted redevelopment plan that the Planning Board found to be substantially consistent with the Master Plan. This amendment has some ‘clean-up’ language as the plan matures and we have a better understanding of what we want to see on the property. Ms. Beahm said this is a minor amendment calling out that there is specifically recreational space associated with any proposed development of the redevelopment plan, as well as a preservation of the equine farming operation on the site. Ms. Beahm stated that she would submit that number one, the Redevelopment Plan in and of itself is substantially consistent with the Master Plan, as it promotes economic development and furthers farmland preservation, Open Space preservation, recreation and all those items are substantial with the Master Plan and she would submit that the Board act affirmatively in their recommendations to the Governing Body.

A Motion was made by Mr. Fisher and Seconded by Mr. Castronovo that Ordinance 2022-05 is substantially consistent with the Master Plan.

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

**Applications: **PPM2104 ~ Stavola Asphalt Company
Manalapan Landing
Stavola Woodward Road-Office
Stavola Woodward Road-Retail
Woodward Road and Route 33
Block 7232 / Lots 1.04, 1.06 and 2.04
Preliminary and Final Major Site Plan
Preliminary and Final Major Site Plan
Carried from February 10, 2022****

Mr. Cucchiaro said we are carrying this application to May 12, 2022. There will be no further notice to property owners.

**PMS2132 ~ Yeshivas Tiferes Naftoli
Torah Institute of Central Jersey, Inc.
364 Union Hill Road, Block 3.03 / Lot 8.01
Minor Site Plan**

Jared Pape, Esq. of Heilbrunn, Pape represented the application this evening. Mr. Pape confirmed with Mr. Cucchiaro that the noticing was sufficient and that the Board exercise jurisdiction.

Mr. Pape explained that the applicant operates the synagogue known as the Union Hill Congregation on Union Hill Road. The applicant is proposing to renovate the existing accessory structure on the site which is currently in disrepair. There is a technical variance for a side yard setback. This is an existing variance and the variance relief is triggered by the proposed changes to that structure. There is also a request to install a temporary 12' x 20' tent for eight days of the year to celebrate a Jewish holiday.

Mr. Cucchiaro swore in Matthew Pultorak, licensed architect in the State of New Jersey. Mr. Pultorak shared the architectural plans on the screen with the Board. He described the structure and the property that has an existing driveway, as well in the back corner, the existing accessory structure which will be rehabbed. The existing structure is a two-car garage with one single door entry and it requires a new roof structure. They will eliminate the garage doors. The proposed plan will have the intended use of the structure to be a meeting space in conjunction with the use of the principal structure. By replacing the roof, it raises the height of the structure by 1'4", making the overall height become 16'3" which is below the allowable height. The structure has an existing electrical panel and we are not adding any new utilities. The existing structure has a two bulb flood light on the front and we will relocate the light and add a single down light outside of the main entry to illuminate the new walk. We would be proposing a new wall hung sign by the main entry door.

Mr. Pultorak said the temporary structure would be 12' x 20' and it will be placed in front of the existing structure for eight days out of the year. Mr. Cucchiaro asked Mr. Pultorak to explain the temporary structure for sukkot. The temporary structure will be erected with one inch poles and it is typically for members of the congregation to pray during the holiday. This holiday is typically in the September-October range and would run for eight days. Ms. Bell asked how long does it take down the structure and store it? Mr. Pultorak said is it easy to disassemble and store, there are no walls associated with it, it's a tarp-like material.

Mr. Pape asked Mr. Pultorak to review the variances. Mr. Pultorak said the existing structure is in the setback and that variance has been identified.

Mr. Boccanfuso asked Mr. Pultorak if the renovated structure will be heated at all. Mr. Pultorak said yes it will be heated with a ductless system and have the outdoor unit just behind the structure so it is blocked from sight on the street. It will be an all electric system and no other utilities will be installed. Mr. Boccanfuso asked if the maximum size of the temporary structure would not exceed 12' x 20'. Mr. Boccanfuso asked about the parking indicating that 12 spots were proposed, however there is no parking space delineation on the plan and he asked Mr. Pultorak to please point out where the spaces are. Mr. Pultorak said the spaces are on the left side of the house and there is some crushed stone for additional parking. He was using a 9' wide space module to achieve the 12 parking spaces, with the sukkot in place, it will be 10 spaces. Mr. Boccanfuso said our ordinance requires 10' wide spaces, not 9' wide. Mr. Boccanfuso said the site has been functioning with the parking the way it currently is, however he stated the non-compliant condition should be noted on the record to avoid any issues going forward. Mr. Cucchiario suggested that they request the relief tonight.

Mr. Ginsberg asked why is a permit needed for a sukkot? Mr. Cucchiario said it's not necessarily needed for the sukkot, but there are setback requirements and the parking involved. He explained the applicant is being thorough making sure all their approvals are in place.

Mr. Jacobson asked if there would be any food preparation in the structure? Mr. Pultorak said there will not be any food prep in the renovated existing structure.

Mr. Fisher asked what were the changes from the original application that came before us? Mr. Cucchiario said they have not come before the Board recently. There will not be any bathrooms in the existing renovated structure. Mr. Fisher asked if there would be any handicap parking? Mr. Pultorak said the primary building has ADA compliant restroom facilities and access to the existing structure would be ADA compliant.

Mr. Cucchiario swore in Allison Coffin, Professional Planner licensed in the State of New Jersey. She explained that the variance the applicant is requesting is the side yard setback, 50' is the setback and the structure is at 38.3'. There is also temporary variance relief for the temporary sukkot which will be in the side yard setback. These are both C variances. It is her opinion that the variances can be granted without detriment to the Master Plan. The renovations will be aesthetically pleasing.

Mr. Cucchiario said the nature of the improvement is just for office and counseling space? Mr. Pultorak said that is correct. Mr. Cucchiario asked if anyone would be residing in the renovated structure and Mr. Pultorak said no one will be living in the office space.

Ms. Bell said that variances are met under the C2 criteria and the renovated structure will benefit the existing use of the site currently. Mr. Boccanfuso said the only question he has is dependent upon whether or not they need relief for the parking space dimensions or quantity and we will wait upon Mr. Pultorak's analysis.

Mr. McNaboe had a statement saying he was not sure if this building being occupied requires a bathroom and he would recommend that the applicant should check with the Township construction office to ensure that this can be done the way they are proposing it.

Mr. Pultorak said the existing driveway is 111', which can accommodate the required parking. Ms. D'Agostino asked him to please point out where the driveway is on the plans. Mr. Boccanfuso said for the days that the sukkot is not in use, the applicant is in compliance with the parking requirement. Mr. Boccanfuso was looking for confirmation as to whether or not the applicant needs variance relief. Mr. Cucchiaro asked if the spaces are striped and Mr. Boccanfuso said they are not. Ms. Coffin said for the eight days a year, the parking is deficient by one space which she believes can be granted without any detriment. If the spaces are striped, they will lose a parking space.

Mr. McNaboe said this driveway needs to be striped. We need to determine if the spaces are 9' wide or 10' wide as well. Mr. Castronovo agrees the spaces need to be striped. Mr. Brown also agrees that this would be a wise idea to have the area striped.

Chief Hogan asked Mr. Pultorak what the occupant load is of the meeting area? Mr. Pultorak said the maximum occupant load would be four people.

Mr. Kastell asked about the fire suppression in the renovated structure. Mr. Pultorak said it is his understanding that the space would not be required to be sprinkled, therefore this matter was not discussed.

Chairwoman Kwaak opened the floor to the public for questions or comments. Seeing none, the public section was closed.

The Board discussed the striping of the parking spots and they were in agreement with 10' wide parking spaces

A Motion was made by Mr. Ginsberg and Seconded by Mr. Fisher for Minor Site Plan Approval with ancillary design waiver and variance relief for the application of Yeshivas Tiferes Naftoli Torah Institute of Central Jersey, Inc. with the conditions mentioned above.

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

**PMS1909 ~ Elton Point Partnership
Route 537 ~ Block 84.01 / Lot 9.03
Preliminary Major Subdivision**

Peter Licata, Esq. of Sonnenblick, Mehr & Licata of Freehold, New Jersey spoke on behalf the applicant. The applicant, Elton Point Partnership, is seeking Preliminary Major Subdivision approval for five proposed residential lots on Route 537 near at intersection by Shira Lane.

Mr. Licata asked Mr. Cucchiaro if the notices were satisfactory, and he stated that the Board has jurisdiction.

Mr. Cucchiaro swore in John J. Ploskonka and Bhaskar Halari, engineers for the project. Both engineers are licensed in the State of New Jersey. Mr. Ploskonka explained that this is a 24 acre parcel on Route 537, it's close to where Johnny B's Diner used to be. Mr. Halari shared a map of the area on the screen. He pointed out that Case Tractor is in the middle of the property and they have been there for years selling and renting construction equipment. There is another portion of the property that is on Route 537 and Shira Lane is to the East. There is single family housing all around the property in Manalapan, as well as Freehold across the street. Route 537 is under consideration by the County of Monmouth to put a light at that intersection where Johnny B's Diner used to be. We have met with them and they have asked us to do certain things along the roadway frontage for this property which would include putting in concrete curb and making sure it is 20' half width. They also were concerned with driveways out to Route 537 and they asked us to combine the lots. There are four lots to the left of Case Tractor. They will have common driveways which will have less of an impact on the County road. This was also asked by the Fire Commissioners to have less driveways. The four lots between Case Tractor to the west will have two driveways. Mr. Halari shared the plan showing the driveways. Mr. Cucchiaro stated Mr. Ploskonka can only share on the screen materials that have already been submitted. Mr. Ploskonka went back the originally submitted plans and he pointed out where the driveways are located on it. The fifth lot is on the corner of Route 537 and Shira Lane, and it has access to Shira Lane. The proposed lots are in the RAG40 zone and require four acres, all the lots exceed four acres and meet the requirements of the Ordinance in terms of frontage, depth, etc. One lot doesn't meet the criteria by 3,000', Lot

3 that has a required improvable area of 20,000, and we have 16,000', and that is one variance that we will need. We also need variances for the fact that we have combined driveways which were requested by the Fire Bureau and the County. The property has a lot of constraints to the rear, there are wetlands, flood plain buffer and we obtained the DEP approvals to identify the LOI and the FHA. In addition, there is a Township stream corridor buffer and this area will also be preserved in the conservation easement and is about 60% of the site, or 13/14 acres. The size of the houses would be four bedrooms, two car garage and parking spaces in the driveways, which would be between 6-10 excluding the two car garage. We will provide better maps of the housing at the time of Final, we are only here for Preliminary and we have to go back to DEP for some other permits that we are now getting ready to submit. We will fine tune the Stormwater Management Plans.

Mr. Halari met with the Environmental Commission and we provided the EIS and they made some recommendations that we agreed to meet. They asked for a vinyl fence that would identify the conservation area and will run along the Township flood plain line from start to finish. We do have a buffer averaging for the Township flood plain ordinance. We will meet with the Shade Tree Commission at the site to identify which trees can be saved.

Mr. Licata asked Mr. Ploskonka if the application needs any variance relief in connection with retaining walls and setbacks? Mr. Ploskonka said we have retaining walls in one section where we try to minimize disturbance of the wetlands areas. They will vary in height in from 3' - 8'. Mr. Licata asked Mr. Ploskonka about the proposed improvable area for Lot 3. Mr. Ploskonka said the proposed improvable area is going to be 16,492', so it's short about 3,500'. A single family house and a pool can easily fit in this area.

Mr. Boccanfuso wanted the Board to be clear regarding the Township's stream corridor regulations. The applicant is proposing Township stream corridor buffer averaging. It is at the Board's discretion, it doesn't require variance relief, but it does require an approval from the Board. If the Board doesn't approve it, what would happen is Lot 4, which is the middle of the stream right now, would not have a compliant improvable area or diameter. It would then trigger the need for additional variance relief. On Lot 5, there is a basin outflow, there is a rain garden there for Stormwater Management and the outfall pipe from that basin is going to extend through the Township stream corridor buffer. This is also something that the Board has the jurisdiction to approve, it doesn't require variance relief, but the measuring stick on this one is a little bit different. It says that Stormwater Management is permitted in the Township stream corridor buffer, including outfalls when there is no reasonable or prudent alternative. The Board would have to find that there is no reasonable alternative to installing this basin outfall within the Township stream corridor buffer. With regard to the retaining wall setbacks, the retaining walls in question are along

the shared driveways along Lots 1 and 2. The DEP would likely require the retaining walls to be installed because they are going to want to limit the amount of disturbance within their regulated areas. The alternative to the retaining walls would be to grade the property, which would extend the footprint of the disturbance and further encroach into the wetlands buffers.

Mr. Boccanfuso asked if curbing will be provided along the entire frontage of the site along Route 537, either by the applicant or either by the County. Mr. Ploskonka said the County would like us to put in curbing 30' off the road in accordance with their standards for the frontage on Route 537. On Shira Lane, we would ask for a waiver for the curb and pay into the Township sidewalk fund. They will be maintained by the HOA. Mr. Halari said there is curbing along Shira Lane. Mr. Boccanfuso said there is no sidewalk in Elton Point. Mr. Boccanfuso asked for confirmation that the driveways will have a turnaround provision. Mr. Ploskonka said all driveways will have a turnaround provision. If the DEP does not approve the encroachments for the driveways, it would trigger the need for further relief from the Township stream corridor buffer.

Ms. Bell asked for confirmation that the wetlands and stream corridor buffering numbers and review the reduction areas. Mr. Ploskonka sent the information to Ms. Beahm. Mr. Halari said we have a reduction in the stream corridor buffer of 5,851 sq ft and we are adding 6,200 sq ft. In the wetlands buffer, we are reducing it by 12,882 sq ft and we are adding 12,912 sq ft.

Mr. Cucchiaro swore in Allison Coffin, Professional Planner. Ms. Coffin reviewed the application materials and visited the site, the professional reports and the zoning ordinance. The property is just under 24 acres and is an irregularly shaped lot, it is vacant and contains significant areas of wetlands and a cemetery easement. The five new lots proposed are over four acres in size. Lot 3 is just under the 20,000' improvable area due to environmental constraints on the property. Variance relief is needed for the retaining walls and the shared driveways. The C1 variance is a hardship variance and it is appropriate because of conditions effecting the lot create a situation of a hardship. The C2 variance is justified when the purposes of the municipal land use law are advanced by the deviation and the benefits substantially outweigh any detriments. It is Ms. Coffin's opinion that the variance tonight can be granted primarily under the C2 standard although there is a degree of hardship that exists in these situations. The hardship is the heavily encumbered environmental constraints which makes the appropriate use of this site impossible without a variance for the minimum improvable area for Lot 3. This lot does exceed all other requirements for the zone except for the environmental hardship to provide an improvable area of 20,000 sq ft. Ms. Coffin reviewed the benefits of the variances with the Board. The granting of the variances are within the intent and purpose of the Master Plan.

The Board took a break at 8:54 pm

Ms. Bell agrees with Ms. Coffin's assessment and that the encumbrances on Lot 3 will not be detrimental. Mr. Boccanfuso asked Ms. Coffin if the proposal meets the criteria in connection with the stream corridor buffer requirements. Ms. Coffin said we have a unique property with an accumulation of constraints on it and to allow for this property have the appropriate amount of usable area for each of the homes.

Mr. Jacobson had a question about the sidewalks on Route 537. JB's Diner is being rebuilt. He believes that sidewalks on Route 537 would be justified. Mr. Ploskonka said if the Board wants sidewalk, they will get sidewalk on Route 537.

Mr. Brown wanted confirmation that the basin is to be maintained by the HOA. Mr. Ploskonka said that is correct. Mr. Brown said there is an easement dedicated to the Town on page 3 and Mr. Ploskonka said that would be corrected.

Ms. D'Agostino asked if there is any pesticide contamination on the site since it was once farmland. Mr. Ploskonka said the pesticide report, Phase 1 and the EIS were submitted to the Environmental Commission and there are no issues. Mr. Boccanfuso said the property was farmed, so soil testing was performed and the only presence was arsenic. The supplemental testing proved it was natural occurring arsenic and no additional remediation was required. Ms. D'Agostino had a question regarding vapor mitigation. Mr. Ploskonka said the Environmental Commission had this as one of the recommendations. Mr. Cucchiaro told Mr. Ploskonka to please ready to address this matter at the time of Final. Ms. D'Agostino asked about the HOA taking care of the shared driveways and retaining walls and that would be a deeded HOA? Mr. Ploskonka said yes, it will be approved the attorney. Ms. D'Agostino asked about the cemetery easement and Mr. Ploskonka said they are not disturbing that area at all.

Chief Hogan asked about the family burial plot. At Final, he would like something put in the Resolution that there is someone present to observe that no clearing and/or excavation of the burial area is taking place.

Mr. McNaboe referred to the driveway between Lots 1 and 2. What is the width of the driveway when it is a single driveway? Mr. Ploskonka said it will be 18' and he will confirm the width with the Fire Bureau. Mr. McNaboe asked about a moving van or delivery trucks? Mr. Halari said we are going to install a turnaround in the driveway which will be depicted on Final.

Mr. Castronovo asked if a shared driveway is owned by each owner, 50/50? Mr. Ploskonka said it is a driveway that has an easement so either homeowner can use either side of the driveway. Mr. Cucchiaro said one property owner would own the driveway; the other user of the shared driveway would have an easement to use the driveway.

Mr. Shorr said he is glad that the applicant is open to install sidewalks and believes they are a good idea.

Chair Kwaak asked about the HOA maintaining the fence that marks the conservation easement. Mr. Ploskonka said yes, they will. Chair Kwaak asked about the fifth house - is the house facing Shira Lane, or Route 537 and will it have a turnaround? Mr. Halari said that lot doesn't need a turnaround since it is on Shira Lane and the house can face either way.

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

Mr. Cucchiaro swore in Frank Amato, 9 Shira Lane. Mr. Amato said when he put a pool in, he had to keep his retaining wall under 6'. Why are they allowed to install an 8' retaining wall? Mr. Ploskonka said in the wetlands area it can be 8' high, that is a variance because it is in the side yard, but it is required by the DEP. Mr. Amato asked about the septic and well, is there a reserve spot in case that septic fails? Mr. Amato said his septic failed because they were put in too shallow. Mr. Ploskonka said now septic have to be 25' deep. Mr. Amato said the wetlands have become increasingly wetter over time. Where is this water going to go? It's going to be filled with mosquitos and stagnant. Mr. Ploskonka said the area closer to his home is going to be untouched. We have DEP permits and will follow all the regulations required.

Mr. Cucchiaro swore in Michael Maysilles, 14 Shira Lane. He is very concerned with the water in the area. It appears the water will flow into the creek. The conservation easement is being encroached upon. The DEP maps didn't consider the conservation easement that runs through all of Elton Point. His home borders this area and 1/3 of his property is under water. Any additional flow of water can be detrimental. There is additional stagnant water that can cause a health issue. Who is liable when the HOA does not follow through, and the fences need to be repaired? Mr. Halari said the HOA must maintain it, but if not, the Township can issue a summons to the owners. They could put a lien on the property owner. Mr. Maysilles asked that the Thompson Family burial area remain undisturbed, as it is a historical marker for the County.

Mr. Cucchiaro swore in Ellen Grinshpion, 45 Shira Lane. She is concerned about the construction causing traffic issues for residents of Elton Point. Mr. Halari said we would not be impacting Shira Lane. She said the residents get into the development from Route 537. Ms. Grinshpion is concerned about the noise

from the construction as she and others work from home. She is concerned about the safety of her child and other children in the area. Mr. Halari said the construction will be at least 500-800' feet from her home. He explained it would be basic construction equipment, not loud heavy-duty machinery. Mr. Ploskonka said all the construction vehicles will enter from Route 537 and not go into Shira Lane. Mr. Ploskonka offered to meet Ms. Grinshpion at the site and she said would appreciate that.

Mr. Cucchiaro swore in Jerry Buchansky, 22 Shira Lane. He would like to hear more details about the project. He is concerned about the traffic and noise that the project is going to bring to the neighborhood. Is there any plans to put traffic lights up? Mr. Ploskonka said the County has been working on a plan of a number of years to install a traffic light where Johnny B's Diner used to be. Mr. Buchansky asked how will people pull into the community - cut across the traffic to pull in to turn left? Mr. Ploskonka said they would be turning left into the combined driveway. There are two driveways on Route 537 for these five homes. Mr. Ploskonka said we are not using Shira Lane at all.

Mr. Cucchiaro swore in Wade Morris, 6 Tamar Court. Mr. Morris said he prefers this proposal over the initial warehouse proposal. He asked about the soil testing. Mr. Ploskonka said there was no contamination outside of DEP standards. The arsenic is a naturally occurring substance. Mr. Morris asked if the arsenic is disturbed, is there a possibility it can leech into the well water? Mr. Ploskonka said he doesn't believe so, but he will have a definitive answer when he returns to the Board. Mr. Morris requested that the water be tested before and after construction. Mr. Morris asked how far is the entrance into Shira from Route 537? Mr. Halari said it is 150' from the driveway to Route 537. Mr. Morris requested to be updated regarding the Shade Tree meeting and Mr. Ploskonka said he would be able to take care of that.

Mr. Cucchiaro swore in Joe Pustizzi, 512 Monmouth Road, owner of Case Tractor. He stated he has been in business since 1978 he has been paying commercial taxes since then. He doesn't understand how this proposal is not a commercial application. Mr. Cucchiaro said this is what the zoning provides for this property.

Mr. Cucchiaro swore in June Duck, 11 Shira Lane. She had a question regarding the fence and retaining wall. What happens when the HOA doesn't maintain their property? Mr. Licata said the HOA would have to answer to the Township enforcement. She wanted to know what will she see when this project is done - will she see a garage? A wall? She is concerned about the creek behind her home. When she moved in, it was basically dry. Now it flows like a river, there is so much water. What happens when this development diverts water from the front of the property to this creek? Mr. Halari said Ms. Duck's home is over 900' away from our proposal. There is a significant area behind this house that

is undisturbed. The fencing will be a split-rail fence with existing vegetation. Mr. Halari said it is his assessment that Ms. Duck will not see the house that they are constructing, or the fence. Mr. Halari said the retaining wall is near Route 537 where the common driveway entrance is going in. She is concerned with the stagnant water and the mosquitos. She asked if anything could be put in place, such as a pump to keep the water moving? Mr. Halari offered to meet her in the field to see if there was any way to mitigate the stagnant water. Ms. Duck would like to have the traffic light put into place as soon as possible. Mr. Ploskonka said he would stay in touch with Ms. Duck and keep her updated.

Chair Kwaak closed public. The Board stated that they need more information from the applicant before they move forward. Mr. Licata confirmed the items that need further clarification so they could provide more information. Mr. McNaboe wants to see the driveway turnarounds on the plans and all the loose ends tied up before the applicant returns to the Board.

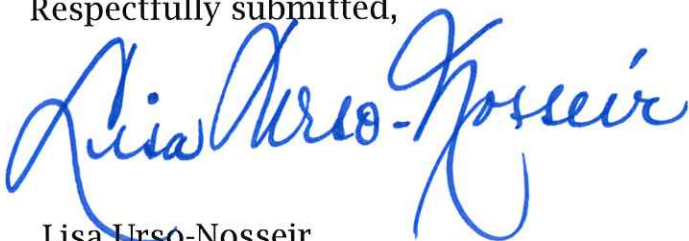
Mr. Cucchiaro announced that the application of Elton Point Partnership will be carried without further notice to the Thursday, May 26, 2022 Planning Board meeting.

Ms. Nosseir said the next meeting on April 28, 2022 will be back in-person in the courtroom and additional seating has been added so Board members are more spaced out on the dais. Materials will continue to be uploaded to the google drive for Board member's review. Chief Hogan asked if Board members could bring their laptop to the in-person meetings and Mr. Cucchiaro said it is acceptable.

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

Mr. Fisher made a Motion to end the meeting at 10:35 pm and it was agreed to by all.

Respectfully submitted,



Lisa Urso-Nosseir
Recording Secretary