

Township of Manalapan
120 Route 522 & Taylors Mills Road
Manalapan, NJ 07726

Planning Board Minutes

August 10, 2023

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.

Ms. Urso-Nosseir read the TV Disclosure Statement and took the Roll Call of the Board.

In attendance at the meeting: Barry Fisher, Todd Brown, John Castronovo, Kathryn Kwaak, Jack McNaboe, Barry Jacobson, Richard Hogan, Steve Kastell, Brian Shorr, Nunzio Pollifrone

Absent from meeting: Daria D'Agostino

Also present: Austin Mueller, Alt. Planning Board Attorney
Jordan Rizzo, Alt. Planning Board Engineer
Danny Lopez, Alt. Planning Board Engineer
Jennifer Beahm, Planning Board Planner
Lisa Urso-Nosseir, Recording Secretary

Mr. Mueller swore in Jordan Rizzo and Danny Lopez, Professional Engineers, and Jennifer Beahm, Professional Planner.

Minutes:

A Motion was made by Chief Hogan and Seconded by Mr. Fisher to approve the Minutes of June 22, 2023 as written.

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

A Motion was made by Mr. Castronovo and Seconded by Mr. Brown to approve the Minutes of July 13, 2023 as written.

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

Resolution: Ordinance 2023-10 ~ An Ordinance 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

A Motion was made by Mr. Fisher and Seconded by Mr. McNaboe to approve the
Resolution for Ordinance 2023-10 as written.

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

PMS2266 ~ Rising Sun Properties, LLC
148 Freehold Road ~ Block 21 / Lot 4.01
Minor Subdivision Approval

A Motion was made by Chief Hogan and Seconded by Mr. Castronovo to approve the
Resolution for application PMS2266~ Rising Sun Properties, as written.

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

Application: Monmouth Battlefield Flex Co., LLC
Route 33 ~ Block 79.02 / Lots 2, 3 & 5
Preliminary and Final Major Site Plan
Carried from June 22, 2023

John Giunco, Esq. of Giordano, Halleran & Ciesla represented the applicant this evening. This is a continued application. Mr. Giunco asked the traffic consultant, John Rea to the stand.

Mr. Mueller swore in John Rea, Traffic Engineer. Mr. Rea reviewed the access, circulation and traffic conditions of the proposed development. He prepared a report which is dated June 14, 2023 which has been submitted with the application. Mr. Rea said we did a full traffic impact analysis for the project. Traffic counts were conducted at the intersection of Business Route 33 and Wemrock Road, which is the signalized intersection just to the east of the property during the morning and afternoon peak hours. Those traffic counts were compared to counts that were done by Colliers Engineering, who did the traffic study for the flex building which is proposed just to the west of our property. After comparing our counts to the Colliers' counts, we found that the Colliers counts were higher, so we utilized the Colliers traffic counts for the balance of the traffic study in order to do a conservative, or worst case analysis. We did traffic generation estimates on the Institute of Transportation Engineers 11th Edition of the ITE Trip Generation Manual. Prior to doing the traffic generation analysis, we reviewed the Manalapan ordinance with respect to the permitted uses that are in the zone for a flex building. We read the ordinance, we went into the ITE Trip Generation Manual to find a land use code that was as similar to what the ordinance permits in the zone. We think we found that land use code, and it's called an industrial park. In his report, he has included a copy of the definition of what an industrial park is from the ITE and compared it to what is permitted in the zone and he believes it fits quite nicely. Based on that data, we are projecting a total of 67 driveway movements during the morning peak hour, and 67 driveway movements during the afternoon peak hour. We distributed that traffic east and west along Business Route 33 in accordance with what we anticipate will be the origins and destinations of site generated traffic. We broke it down into cars and trucks. Cars we would assumed would be employees approaching the site and we basically felt that would be a 50/50 proposition from the east and from the west on Business Route 33. With respect to the truck traffic, we anticipated that a higher percentage would be oriented to towards the west, towards the New Jersey Turnpike, so that percentage was 75% to and from the west, 25% to and from the east.

Mr. Rea continued and said we projected traffic volumes to a design year of 2024 and included traffic from the adjacent flex space project, the Mercer Realty project. We included that traffic in our traffic projects and we conducted a level of service capacity analysis for the site driveway to Business Route 33 with a finding that our driveway would operate at level of service C during the morning peak hour, and a level of service D for the afternoon peak hour. Mr. Rea explained that

traffic engineers calculate how well an intersection will operate based on the delay that motorists will experience at the intersection and we relate that to what we call a level of service. Levels of service range from A - F and generally speaking, any intersection operating at level of service E or better is considered to be operating within an acceptable traffic engineering parameters and our findings were that our driveway would operate at level of C during the morning peak hour and level of service D during the afternoon peak hour, and that is within acceptable traffic engineering parameters. Part of our plans include a restriping of Business Route 33 at the entrance to our property. There is a left turn lane for eastbound traffic turning left into Monmouth Battlefield State Park and on the opposite side of that left turn lane, there is cross hatching that basically shadows the left turn lane for the State park. We are going to remove that cross hatching and replace it with a head to head left turn lane for traffic turning left into our site so we will have a full left turn lane turning into our site which will be opposite the left turn lane in accordance with proper traffic engineering principles and that application will be made as part of our application to the NJ DOT. In conclusion with respect to the property and the levels of service, they will be acceptable. We will be restriping Business Route 33 to provide a left turn lane into the site.

Mr. Rea said as far as the parking is concerned and the circulation, he would like to refer to the engineers exhibit, but he is not present tonight to share the site. Mr. Giunco said our engineer's wife was diagnosed with Covid today and that is why our engineer is not present this evening. However, Mr. Wagner, our architect, has exchanged information and he will put it up on the screen. Mr. Rea said up on the screen is a rendering of the site plan and when traffic enters the site, the majority of the parking for employees and the entrances to the 10 flex spaces, you can see when you come in from Business Route 33, the parking for the employees and the visitors will be to the right. There will be a double row of parking down along the west side of the building. The truck traffic will split off to the east side of the building, so we have separated the truck and car traffic by just separating it into two different traffic aisles for circulation around the building. Based on parking code, 272 parking spaces are required, but we are providing 259, but 116 of those spaces will be land banked, and in his opinion, based on some of the projects he has done for these types of buildings, he doesn't believe they are going to need to build the land banked spaces, but we can provide them if they are necessary. Ms. Beahm said we discussed the land banking of the parking spaces at the last meeting. Ms. Beahm said there's also a question as to what is the trigger, who decides what is needed, etc., and then you guys said you were going to put the spaces in. Mr. Rizzo said the revised plan does show them being built. Mr. Rea said good, then they will be built, therefore we meet and exceed the parking requirement.

Mr. Rizzo had a few questions that were addressed in the CME letter. Mr. Rizzo requested that the June 14, 2023 traffic report be resubmitted and Mr. Rea said he would check on it. Mr. Rizzo referred to the June 30, 2022 traffic report, he believes the total square footage with the overall building and offices is different and wants to make sure Mr. Rea reviewed the latest building they are proposing, and how it impacts the total number of trips. Mr. Rea said the June 14, 2023 report does speak to that and he will make sure everyone gets a copy of the report. Mr. Rizzo said you mentioned levels of service C and D at the site driveway. Can you just walk through the level of service F that you discuss at the Business Route 33 and Wemrock? Mr. Rea said that is actually Freehold Township, it is an off-site intersection. We did do an analysis of the intersection at Business Route 33 and Wemrock Road, due to the fact that the DOT might want to take a look at that. There are some inadequacies at that intersection. For safety reasons, the DOT came in and did a split phase and changed the phasing of the traffic signal, where the north and south approach to Wemrock Road got their own separate green phase. When they did that, it backed up Route 33 because it took green time away from Business Route 33 and created a level of service F condition. Mr. Rizzo asked if the current addition today going to be the same, worse? Mr. Rea said it will still be an F during certain peak hours, he believes it's the afternoon peak, not the morning peak. Mr. Rizzo asked Mr. Rea to walk the Board through the status of the DOT access permit and what you are seeking from them, and the timeline. Mr. Rea said he thought Concept Engineering was making the DOT application, and he doesn't have any paperwork in his file regarding the DOT application. Mr. Guinco said we have not filed the DOT application. Mr. Rizzo said which permit do you intend to file? Mr. Rea said it would be a major without planning. There are two levels of major permits that the DOT has available. The first one is a major without a planning review, which is for land use that generates less than 200 peak hour trips; we are going to generate 67 peak hour trips and we fall below that threshold. The major application with planning review, and that is for something such as the Manalapan Crossing project which generates more than 200 peak hour trips. When you get into a major application with planning review, you have to expand your study and the DOT has certain criteria and you'd have to stretch your study out along the Route 33 corridor and other intersections along the corridor, depending on how much traffic you generate. Again, this will be a major without planning review.

Mr. Rizzo asked Mr. Rea if he considered a second driveway to the south of Route 33? Mr. Rea said Route 33 freeway is a limited access highway; it's access level 1, which is no access permitted. There is no chance of getting that, the DOT will say no. Mr. Rizzo said he understands Mr. Rea has not submitted an application to the DOT, but have you had any pre-application meetings? Will they be requesting any ROW dedications from your property? Mr. Rea said he doesn't believe they will be

requesting any ROW dedications. One of the items in the CME report is in regard to the DTS, the desired typical section. Right now there is a 66' ROW on Business Route 33, but the DOT also has something called the DTS and what that is, for future planning purposes, the DOT does not want a developer to put any buildings or any improvements such as buildings or parking spaces within the DTS in the event they decide to come along in the future and expand the roadway. We are staying out of the DTS with our improvements. Mr. Rizzo said the significance of how it impacts this Board, is that if they do ask for dedication, that would therefore reduce your total lot area as far as your setbacks as well. Mr. Rea said if they did require that, that would be the case, but again he doesn't see them doing that because there doesn't appear to be any need for it. Mr. Rizzo asked about curbing and sidewalk along both Route 33s, anywhere where you are not proposing it? Mr. Giunco said we would do it on both Route 33s. Ms. Beahm said at the prior hearing, the applicant had agreed to provide sidewalk along both frontages and curbing. Mr. Rizzo said do you foresee the DOT having any issues with that? Mr. Rea said no.

Chief Hogan asked Mr. Rea that he indicated that the development for the level of service in the afternoon peak is a D. Is there any way that this can be brought up? Is it a D because it is an existing D, or does your development impact that? What would it take to improve that level? Mr. Rea said we can do something to mitigate the D. We are showing a single approach lane at the Business Route 33 entrance, he believes we could probably widen our driveway to provide for a separate right and left turn lane and that could probably bring the D down to a C. We will investigate that. Chief Hogan requested that he share that information with the Board engineer please.

Mr. McNaboe said if you are coming eastbound, and turning into your property, the trucks will obviously slow down, and then start to make their turn on a one lane highway. All the traffic behind it would then back up. Why have we not considered a deceleration lane the full length of your property to get those trucks over to line up with your driveway? Mr. Rea said he thought we did, but if we haven't, we will. Mr. McNaboe said so that would be a full lane that's in there - is that in the drawings? Mr. Rea said we can propose a deceleration lane. Mr. Rizzo said the plans don't currently show it.

Chairwoman Kwaak asked when do you intend to submit the application to the DOT? Mr. Giunco said within a week or so of the Board's decision. Chairwoman Kwaak said please ask the DOT for the freeway access, she has been asking for this for some time now. The DOT has given previously applicants before the Planning Board access to Route 33 - it doesn't hurt to ask.

Mr. Kastell asked about the traffic study that was done for the facility that is west of you - was that done by another firm? Mr. Rea said it was done by Colliers Engineering. Mr. Kastell said you know that 75% of the traffic is coming from the west, and 25% from the east. Do you have any concerns because of the location there - all of the truck traffic that is coming from the west is coming over that viaduct. Mr. Kastell said we've had concerns about the viaduct during snow and bad weather, what about the increase of traffic over there? Mr. Rea said he doesn't have concerns because we have studied that intersection, and as a result of that, we proposed improvements to that intersection which the DOT has approved. We are going to be making some geometric improvements to that intersection where the entrance to Business Route 33, after you come over the overpass. Mr. Kastell said going westbound from the facility - what bothers him is at the stop sign, getting onto Route 33 where they come together, there are about 3-4 driveways that are about a tractor trailer in length. Have you addressed the fact that it is going to make it difficult for those people in the associations to get out of their driveways? Mr. Rea said any increase in traffic will make it a little bit more difficult, but site distance is good from those driveways and based on the volumes that are on Business Route 33, they'll be able to get out.

Mr. Shorr said the merge is a big concern, and he hopes it will be discussed further. His question is, will cars be exiting in the same lane that trucks will be from your facility, or is that going to be separate? Mr. Rea said we are going to provide separate right and left turn lanes coming out of the facility. Once that re-design has been done - yes they will be in the same exit lane.

Mr. Pollifrone said to Mr. Rea that some of these questions have to do with your June 30, 2022 submission, and he hasn't seen the other report yet, so that would be the background for this. In the June 30, 2022 submission, it was indicated that the design year used was 2025, and you just mentioned in your most recent submission that the design year is 2024. Is there a reason for the change? Mr. Rea said he would have to go back and double check. He doesn't have the 2022 report in his file this evening, but he will make adjustments accordingly. Mr. Pollifrone said in that report, it indicated that for Route 33, which is an actively growing corridor, that you assume the traffic expansion of 1% per year. In your professional opinion, do you feel that is still appropriate? Mr. Rea said yes, it is and that is based on NJ DOT's historical data for the area. They publish growth rate tables for each one of the 21 counties and they require you to use that when you do a DOT application. Mr. Pollifrone said so you used the latest background growth rate? Mr. Rea said yes he did and he also included traffic from the adjoining flex property that he mentioned before; he's not sure if that has been approved yet, but he did include traffic from that as well. Mr. Pollifrone said on the Collier's analysis, which you indicated had higher trip rates, did that analysis,

to the best of your knowledge, include seasonal affects on Wemrock Road? Mr. Rea said not on Wemrock Rock because they didn't analyze Wemrock Road, they just analyzed their driveway and the intersection where the overpass comes to Business Route 33. Mr. Pollifrone said the reason he is bringing this up is because there are orchards there and seasonal picking in the Fall therefore, there is an increase of traffic in the area and that is something you may want to look at. Mr. Rea said he's been there many times, usually on the weekends with his grandchildren. Mr. Pollifrone said also in that report, you indicate that on Wemrock Road that the afternoon service level at the intersection of Route 33 and Wemrock Road was at a service level F, but that there is a nine second increase from the no-build. Mr. Rea said that is correct. Mr. Pollifrone said is that something that you would be addressing? Mr. Rea said there is no requirement to address that from the DOT. That intersection is an off-site intersection in a different town, and the DOT will not require us to do any mitigation to that. Mr. Pollifrone said then what you are saying is that at a level of service F, if there is an increase in delay, that there is no requirement by the applicant to mitigate that and get it back to the no-build level. Mr. Rea said yes, and the reason why that is the case is because we are major without a planning review does not require a DOT traffic study. It is only with a major with a planning review, which is over 200 peak hour trips, which requires an off-site DOT traffic study.

Mr. Mueller swore in Steven Denholtz, owner of Denholtz Properties and they own and manage roughly 5-6 million sq ft of industrial property, primarily flex property in New Jersey, Pennsylvania, Florida and the Carolinas. Mr. Denholtz said the term flex came from flexible, and basically you have a space of open area that can be used for a variety of business purposes. It fills all the businesses that are industrial in nature and don't fit within an office or retail or professional category, but provide business services for the community. Flex is a broad category, so it can cover a variety of situations, but in general flex buildings are long, rectangular buildings that are divided in slices ranging from 50' - 150' wide, from 100'-250/300' deep. There are multiple entrances, generally in the front of the building where the office and visitors enter. There is generally some office space in the front, which could be as small as 2%, maybe up to 25%, it depends on the business and the back portion which is generally the majority of the space is open space which will have clear open bays from 25' wide to maybe 50' wide. There is generally a bathroom in the back for the users. There is an exit door along the back wall and there is a loading dock. We generally try to provide one loading door for every 5,000 sq ft of usable space. Mr. Giunco asked Mr. Denholtz, in his opinion, do you believe our proposal to be flex space? Mr. Denholtz said yes, the architectural of the building was created to have multiple tenants. Mr. Denholtz said generally the flex user requires a shorter term lease, he's not making a tremendous investment in machinery or equipment, nor a large investment in

sophisticated warehousing racking systems. We will sign a lease as short as three years, we shoot for seven years and ten years is not unusual and there may be options which could extend the ultimate term out to about 20 years. Mr. Giunco said our building is prepared for the roof to be solar and there is service equipment on the roof - is that typical for a flex space? Mr. Denholtz said yes, almost all space in an industrial zone has the mechanical equipment on the roof and there can be screening requirements. Mr. Denholtz reviewed the plan and that there was going to be multiple locations for trash pick-up and generally it is by private service. Mr. Giunco asked if there is adequate parking for the site and Mr. Denholtz said yes and it is a well designed site and the separation of the truck traffic is a good way to split off the traffic.

Ms. Beahm asked Mr. Denholtz to talk about typical hours of operation for flex buildings. Mr. Denholtz said flex buildings generally operate during business hours. They will open as early at 5:30 am and generally close by 8:00 pm. Sometimes depending on the operation there will be a need for many of them to stay open to 10/11:00 pm, sometimes 12:00. In some of the towns we operate in, there is a ban on trucking after 12:00 and before 5:00 am for the convenience of the residents. Ms. Beahm said she is aware that they don't have any tenants yet, so it is difficult to nail down hours of operations. Mr. Ploskonka has provided information that talks about the facility not operating 11-6:00, in her opinion, that seems kind of late on the 11:00 pm end, and a little early on the 6:00 am end when you have residents in such close proximity. Mr. Giunco said the ordinance states 11:00-6:00. Ms. Beahm says she understands that, but we're trying to be sensitive to the residents that are living across the street and at 6:00 am, back-up beeping from trucks and coming in at 11:00 pm - that's not being a good neighbor. She is asking for a limitation of hours because you recognize where we are in proximity of the residents. Mr. Giunco said that is a difficult question, we have to look into some of the factors that impact it. It is on a state highway, it's hard for him to understand the proximity of residents to this site, but we'll look at that and maybe understand it better. Ms. Beahm said we can put this off to the next meeting, but this is a subject that needs further conversation than just that the ordinance says 'x'. Mr. Denholtz said restricting access after 6:00 am will be a problem for many businesses that generally open early. Ms. Beahm said so what kind of businesses are we talking about? Part of the reason that we asked Mr. Giunco to bring you here is that the building is little taller and bigger than what we would typically envision with flex space. We envision flex space being an HVAC contractor that needs some place to put their hot water heaters and materials, etc. She just needs to understand what we are dealing with a building of this size; it still has that general warehouse feel which is not permitted here. Mr. Denholtz said there are many different types of businesses there and the fascinating ways that people have figured out to provide services efficiently. For instance, he understands her

concern that you don't want a fulfillment center here, and he doesn't believe there is any intention in the design of this building and he doesn't think it works. Ms. Beahm said well it's not permitted anyhow. Mr. Denholtz is gathering from what Ms. Beahm is saying is that there will not be heavy truck users here and he thinks it is pretty obvious from the design of the building. These are the types of businesses that will have one or two deliveries a day, but this isn't designed for constant lining up for loading docks.

Mr. Rizzo asked about trash pick-up - have you had a chance to look at this plan just to see the number of trash enclosures and their locations? Mr. Giunco asked Mr. Rizzo if he was able to review the transcript, because at the last meeting, this issue was reviewed and Mr. Halari resubmitted those plans. Ms. Beahm said he added one trash enclosure and what Mr. Rizzo is asking is, based upon his expertise, is the number and location adequate for a building that is almost 200,000 sq ft? Mr. Giunco said even on the old plan there is more than one. Mr. Rizzo said there are three enclosures - he is just asking for Mr. Denholtz's opinion. Mr. Rizzo said the enclosure itself is 24 x 11. Mr. Denholtz said that is a substantial enclosure and the proximity is not an issue at all. Mr. Giunco said if you want another trash enclosure we can figure it out. Mr. Rizzo said he was simply asking Mr. Denholtz's opinion.

Chief Hogan asked Mr. Denholtz in his experience, what type of tenants and uses are typically using flex spaces locally in New Jersey? Mr. Denholtz said there are 200-300 types of users. Contractors are common, boxing up of materials, preparing display units, sheet metal workers, fabricators of all kinds of materials, pre-fab buildings/enclosures, etc.

Mr. McNaboe asked why the building has to be 42' high for flex space and even 46' with the docks? We have flex space and they are not that high. Mr. Giunco said the 3' deviation is because of the loading dock and the elevation of the floor and the way the ordinance requires it. Mr. McNaboe said we are talking about a building that is over 40' high. Why is a flex space building over 40' high? Mr. Denholtz said it is at the upper limit of what he has seen. As a builder, you see two things. First, it is more expensive to build a taller building, and it is more expensive for the tenant to heat, and the other is that you don't know that the tenant won't have some testing need or some other manufacturing need to hang equipment inside the building from high up. If you build a 22' high building, you exclude a large number of tenants.

Mr. Castronovo said to Mr. Denholtz that he mentioned that a typical tenant may lease initially for three years and then they may renew for longer. Typically, based on your experience, how many tenants actually then occupy additional space

within the flex space, and how often does that occur? Mr. Denholtz said it does occur maybe 5% of the time a tenant will take additional space. One of the reasons for that is that the state doesn't have enough flex space and the buildings are all full. Therefore the ability to expand to an adjacent space is not generally available and many landlords prefer the diversity of a lot tenants, rather than the concentration and risk of losing a large tenant. Mr. Castronovo said he didn't hear if there would be any tenant that would require customers walking in and out - can you give us an example of a flex space user that would have customers walking into the building? Mr. Denholtz said there is a flooring contractor who within his office area has a showroom which displays his samples. So generally they are coming in the front door to see showrooms. Mr. Castronovo asked about a tenant who may have a fleet of vehicles? Mr. Denholtz said we have a UPS service facility which has a lot of vehicles. Mr. Castronovo asked if any of those facilities turned into a warehouse? Mr. Denholtz said many of our flex buildings are built in zones that permit warehousing. It can happen over time, but it must be in a zone that permits warehouses.

Mr. Brown asked what would the typical vehicle for a flex user be? Mr. Denholtz today he sees more vans, they are cheaper and easier to operate. Most of our tenants have some need for a tractor trailer, so we couldn't build it without it. Mr. Brown asked if any of his facilities have trailer parking spaces on the side, other than at the loading dock? Mr. Denholtz said trailer parking has become a big issue in the state. It's a tough thing to manage. About 75% of the flex spaces do not provide for, or permit any trailer storage there. We try to keep the trailers at the loading docks if they have to stay overnight. There are exceptions, generally you are looking not to have too many trailers trashing up the buildings. Mr. Brown said there are 10 parking spaces for trailers on this site. Mr. Denholtz said 10 trailers over this amount of space is a relatively small amount, it is in a controlled location. Mr. Brown said your testimony is conflicting. Mr. Denholtz said he didn't mean to cause any confusion. Many of these have been built over 20 years ago. In a more modern situation, we have the capability to design it properly. Mr. Brown asked if there is a need for outdoor storage for a typical flex warehouse tenant? Mr. Denholtz said no. Mr. Brown said then to restrict that, it will not be an issue? Mr. Denholtz said tenants like to put things outside because it is free storage, but we do not permit storage, nor outside work.

Mr. Fisher asked if he had problems with vehicles idling while unloading? Mr. Denholtz said he doesn't believe that anybody likes to be walking past an idling truck. This is not a facility where you are going to have 50 trucks lined up waiting to get loaded. Mr. Fisher said the applicant has agreed to post No Idling signs. Mr. Giunco said yes we will do this. Mr. Fisher asked if there was going to be enough recycling bins provided? Mr. Denholtz said there is ample room for this.

Mr. Kastell said you mentioned the 40' height and that there is a strong demand in New Jersey for flex space. Mr. Kastell did a quick internet search and he sees a demand for warehouse space. Mr. Denholtz said those days are over, that was 2014-2020 maybe where there was an incredible amount of 1 million sq ft warehouses built all over the state. Mr. Kastell said he is reading something about warehouses from 2023, not 2020. Mr. Denholtz said we do not have a single sq ft of vacant space.

Mr. Pollifrone asked Mr. Denholtz if he was familiar with last mile distribution facilities - is there any possibility that this could be one of your tenants? Mr. Denholtz said in some of our facilities we have last mile tenants. Mr. Denholtz said they are not building on speculation, so they don't know what their tenancy will be. Mr. Pollifrone said but if there one that was interested, would there be any reason why you would deny that individual? Mr. Denholtz said if they met the zoning criteria, they could. Mr. Pollifrone said you could almost look at it as if it were a warehouse, and you mentioned earlier that your flex space is not set up as a distribution facility. Yet, a last mile distribution facility is a distribution facility. Mr. Denholtz said last mile is a very broad term. When Amazon uses last mile, they are talking about building a one million sq ft facility and having a 1,000 trucks servicing that. We are not talking about a last mile facility here - we are talking about someone having a 10,000 sq ft space. They may take something from a warehouse in the mid-west, take it into his warehouse and distribute it to some local wholesalers or something like that. Mr. Pollifrone said it's become very popular and you'd have these tractor trailers coming in, unloading and then those goods get loaded onto smaller vehicles, like the vans you mentioned. Mr. Denholtz said it is tricky from your standpoint, but you're really talking about a fulfillment center, not a flex space like what we are presenting. Mr. Pollifrone said it's probably a use that the Board would have to take a look at. Mr. Denholtz said you could put any kind of restrictions that are reasonable on it. Mr. Pollifrone said in addition to being a good neighbor, there is a noise ordinance and there is an assumption that you will meet the noise ordinance. There is a threshold that changes at 10:00 pm which drops down and that lower level continues until 7:00 a.m. There are some advantages in not having trucks pulling in and making loud sounds between 10:00 p.m. and 7:00 a.m.

Mr. Castronovo asked in the last three years, how many buildings have you developed? Mr. Denholtz said we have four that are finished, and four that are under construction. Mr. Castronovo asked how high they are. Mr. Denholtz said they range from 24' - 32'.

Chairwoman Kwaak opened the floor to the public for questions for Mr. Denholtz only.

Mr. Mueller swore in James Chirido, 6 Crawford Road. Mr. Chirido asked Mr. Denholtz for a specific name of a flex space that you built that is across the street from homes? Mr. Denholtz said he bought a building in Bridgewater at the intersection of Route 22 and Chimney Rock Road. We are building in Fort Monmouth which is across the street from a housing project. The key thing is to try to avoid having the traffic come into residential roads. We don't want to have properties where the trucks are going to run through residential areas. Mr. Chirido said that Business Route 33 West is as close as a road as 40' to our houses. Are these two other flex spaces only 40' from homes? Mr. Denholtz said no, he doesn't believe so.

Mr. Mueller swore in Glenn Gladney, 11 Turtle Hollow Drive. Mr. Gladney said in the last mile question that tenants would be using the larger trucks to bring in products that they would then use the vans to distribute locally. You indicated that was the general plan for many other tenants in this particular type of facility. Of the number of positions that you have planned for this facility, how many of those tenants do you expect to be these last mile local distributors? Mr. Denholtz said he did not mean to indicate that at all. First, maybe 20% of the tenants. Mr. Gladney so two of these units having 18 wheelers bringing in products as a last mile distribution activity. Mr. Denholtz said but we are talking about a facility that is going to take in maybe one truck a day; not a true fulfillment center.

Mr. Mueller swore in Eileen Volpe, 34 Crawford Road. She asked if there were any buildings this size across the street from a state park? Mr. Denholtz yes, on Route 206. In Fort Monmouth we are across the street from Victory Field. Ms. Volpe said but it's not a state park with historic element to it? Mr. Denholtz said he isn't 100% sure. Ms. Volpe said if this building is going to be flex space, why must it be 40'? She learned today that most flex spaces are much lower. Chairwoman Kwaak said that would be an appropriate question for the architect. Ms. Volpe asked how would tenant expansion of additional spaces be handled? Mr. Denholtz said there is a possibility.

Mr. Mueller reminded Eric Wagner, Licensed Architect, that he remains under oath. Mr. Wagner said two of the major items that we had to go back and look at again were roof screening from the north side of the building facing Route 33. We've added roof screening and he has images of what they are proposing. Mr. Wagner displayed his plans on the screen. This will be now known as Exhibit A2 - Monmouth Battlefield Flex Building - Proposed Rooftop Equipment Screens dated August 10, 2023. We are keeping the rooftop equipment back considerably from

the edge of the roof, but there is still some concern that from the north side of the building, you may be able to see it. The screening is essentially a fence that is put on the roof. We are proposing it in three locations across that end of the building; two corner L shaped screens, and one small U shaped screen to protect the rooftop equipment from view. Mr. Wagner introduced Exhibit A3 - Revised East Elevation Rendering. This view would not be seen because of the heavy wooded screening, but as you would come closer to the driveway entrance, you'd be more head onto the building and you could see the three screening elements that we are proposing. In addition, there was some thought that we may want to carry the design schemes that we had on the other side of the building, the office entrance, and the north elevation. We have now added these blue panels, they break the roof plane so they are similar to the ones on the north side of the building and that theme is also carried around to the east side. We didn't revise the east side rendering. For some daylight, we have 10 windows, one for each of the ten proposed spaces and then we've added these four visual elements just to break up that rear elevation.

Mr. Giunco introduced a mural to enhance the north wall, but we're not sure we can produce this exactly as the screen is showing. These murals are related to the Revolutionary War. We don't have the size yet, and the cost is not yet settled. Ms. Beahm said this is a lot, but she defers to the Board. Mr. Giunco said you cannot see it from the road. Ms. Beahm said she would have to do some research into this to see if that constituted as a sign, which would need relief. Mr. Rizzo brought up the point that people might drive into the site just to see the mural and could create traffic.

Ms. Beahm had a question regarding roof screening. What do those roof screens do to the overall building height? Our ordinance goes to the highest point on the roof so the screens would be added to your building height. How tall are the screens? Mr. Wagner said they would be 6-8'. Ms. Beahm said that could push you over the permitted height and your planner can speak to that.

Mr. Rizzo said the height noted on the site plan is 45.08', so you're even a little closer to the 50'. Mr. Wagner said the site plan accurately picked up the fact that you want us to measure the height of the building from the loading dock grade. He can revise it to match, but on three sides of the buildings it's 42'. Mr. Rizzo said as part of your revised plan, you also removed the sign on the northern elevation of the building. Is Mr. Halari going to speak to the new directory sign? Ms. Beahm said there is a planner going to speak as well.

Chief Hogan asked Mr. Wagner about the screening of the mechanicals - is that also for sound? Mr. Wagner said no, it's not for sound.

Mr. Brown said what are you going to do about screening for the sound, knowing there is residential across the street? Mr. Wagner said we don't have any provisions for sound beyond the unit itself. Typically, the screenings have an acoustic lining on it and these are not overly large units. Mr. Brown said the concern came from our engineer that a large monstrosity would pop up and it was an issue for view scape. His concern is also on sound. Is there a type of screening that would damper down the sound? You said they are not going to be noisy, but Mr. Brown's question is, if you do get a noisy one and that could be the nightmare of our engineer, they could be tall - is there a type of screening available that could damper down the sound as well as the view scape? Mr. Wagner said yes. Mr. Brown asked if that could be considered by the applicant. Mr. Wagner asked would you want that around every unit regardless, or if there is a unit that is deemed to be noisy? Mr. Brown said you're only doing it on the northerly side of the building that is closest to the resident across the street. The opposite of the building is against Route 33. The first third at least, closest to the residential, would be of the biggest concern. Mr. Wagner said we could consider it. It's not typically in his experience it's not the type of thing that caused a problem. The screening that we suggested was for visual. Potentially since the grade goes up towards Route 33, we acknowledge that that end of the building would be the one area of the building that you could see it. Again, you do have a pretty good distance separating the building even from Route 33. Mr. Brown said the irony is it is set back 200' and you said you'd probably start seeing it at about 200', so he's just putting the math together that you could potentially see this from the curb. Mr. Brown asked can the applicant consider the screening that is good for visual, as well as sound? Mr. Wagner said we can consider it.

Mr. Fisher asked if in between each of the driveway entrances are plants going to be put in? Mr. Giunco said yes there will be.

Mr. Pollifrone spoke about the floor to area ratio that was brought up at the last meeting. Mr. Wagner said that is for the engineer to address.

Mr. Rizzo asked Mr. Wagner if he has compared his plan with the site engineer to make sure that the two plans match as far as loading docks on the east side? Mr. Wagner said did he check his to make sure they match mine, but we will coordinate and if there is a discrepancy, we will fix it.

Mr. Giunco requested that the rest of his expert witnesses speak at a future meeting. The application of PMS2238~Monmouth Battlefield Flex Co. was carried to the Planning Board meeting of November 9, 2023 at 7:30 p.m. No further noticing is necessary all materials are in file in the office of the Planning Board.

The Board took a recess and returned to the dais at 9:30.

Remand: PPM1823~Countryside Developers, Inc.,
“Manalapan Logistics Center”
203 HWY 33 ~ Block 78 / Lot 12.02
Remand Pursuant to an Order of the Superior Court
Requiring the Planning Board to Approve the
Application for Preliminary and Final Site Plan
Approval with Ancillary Design Waiver Relief along
With Reasonable Conditions

Mr. Mueller said this is a result of a court order. The Board had denied this application approximately two years ago. The court ruled against us, and they have approved what Countryside Developers had requested. They remanded us to put in on the record as an approval. We do not have any discretion on whether to approve it or not; we have to approve it and memorialize this resolution. There are 14 conditions, some of which we did ask for. It was the court decision and unfortunately, we had no discretion.

A Motion was made by Mr. Fisher to approve the Resolution for PPM1823~Countryside Developers, Inc., as written, with all 14 conditions, and Seconded by Mr. Brown.

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

A Motion was made by Chief Hogan to memorialize the Resolution for PPM1823~Countryside Developers, Inc., and Seconded by Mr. Fisher.

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

Ordinances: 2023-13 ~ An Ordinance of the Township of Manalapan Amending Chapter 95, “Development Regulations”, Article V, “Zoning District Regulations”, Subsection 95-5.6N”, “AH-AP Affordable Housing Overlay District”, of the Code of the Township of Manalapan

This Ordinance is being revised and the Planning Board will review it at the August 24, 2023 meeting.

2023-14 ~ An Ordinance of the Township of Manalapan Amending and Supplementing Chapter 95, "Development Regulations", of the Code of the Township of Manalapan, Section 95-5.5, "Limited Business District Standards"

Ms. Beahm explained that this Ordinance recognizes that in that Limited Business district there are obviously some single family homes. This Ordinance would allow that if it is a single family home in this district, they would be allowed to put in a swimming pool as an permitted accessory use in the zone. That is the extent of this Ordinance, it is pretty straight forward. That being the case, Ms. Beahm would submit that it is substantially consistent with the Master Plan and would request that the Board act in the affirmative.

A Motion was made by Mr. Kastell that Ordinance 2023-14 is substantially consistent with the Master Plan, and Seconded by Mr. Castronovo.

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

2023-15 ~ An Ordinance of the Township of Manalapan Amending and Supplementing Chapter 95, "Development Regulations", of the Code of the Township of Manalapan, Section 95-9.2, "Improvement Standards", Subsection 95-9.2B, "Off-Street Parking", Pertaining to Parking Required in Shopping Centers

Ms. Beahm said this Ordinance modifies the parking requirement for developments that have multiple tenants. It basically says that if more than 35% of the total floor area is occupied by a non-retail use whose parking requirements are higher than that for shopping centers, than the shopping center parking would apply. What we have found over the years is that a lot of these centers, because we keep taking things individually, are over-parked putting additional pavement and increasing drainage. This is an attempt to be more practical if it functions as a shopping center, then the shopping center parking standards should apply. That

being said, she finds it substantially consistent with the Master Plan and requests that the Board act in the affirmative.

A Motion was made by Chief Hogan that Ordinance 2023-15 is substantially consistent with the Master Plan, and Seconded by Mr. Kastell.

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

2023-16 ~ An Ordinance of the Township of Manalapan Amending and Supplementing Chapter 95, "Development Regulations", of the Code of the Township of Manalapan, Section 95-3.4E, "Certificate of Continued Occupancy"

Ms. Beahm said this Ordinance, if you look at the actual documentation, the only changes to the existing sections are those items that are underlined. The section itself exists already, but what this requires is that in a change of ownership, a survey be submitted to the Township. That survey needs to be prepared by an actual surveyor. In addition, it identifies the scale at 1' = 50', which gives somebody an opportunity to really see what is going on and shows the dimensions such as setbacks, locations of environmentally sensitive areas and accurately delineates the dimensional lines; so if a setback is 30', etc. It is consistent with our Master Plan. She is aware that some members are questioning it, if there are questions please raise them now.

Chairwoman Kwaak said 99% of people that submit the surveys to downstairs are done by licensed surveyors. She doesn't understand why that is even in there. When you have to sell in this Town, you have to submit to the Zoning Officer a certified survey by either the seller and the buyer. Why do we need this language? Mr. McNaboe said he has been down there and has seen some of these surveys, for example, somebody will show a pool with concrete, but no delineation between the concrete and the pool. In other words, down and dirty trying to do a survey quick. This is saying we need the environmentally sensitive areas pointed out. We need site triangles, which has become a concern. The idea that the guy that is doing the detail is going to put details onto it. Those who draw great plans are not the ones we are talking about tonight. It's the ones who say how little can we get away - they are the ones that are being held to the standards of the professionals.

Ms. Beahm added with that being said, she does think this Ordinance is substantially consistent with the requirements that are outlined in our Master Plan and she would respectfully request that the Board vote in the affirmative.

Mr. McNaboe said his particular survey is 30 years old. In 1987 the word 'wetlands' was brand new, conservation easements on surveys were unheard of. We deal with this now on an everyday basis. Mr. Brown had a question on the language of the Ordinance. Mr. Brown said he does not see the word dimension anywhere in the Ordinance. It says 'setbacks from property lines and street lines'. Ms. Beahm said it says yard distances - that is a dimension. Mr. Brown said why are we requiring setbacks from street lines, when setbacks per our Ordinance are from the property lines? Why would we have a setback to an improvement like a patio? Setbacks are typically offset from the property line of 'x' number of feet. Are you asking for a dimension from the property line to the patio or to the pool? You have setbacks for accessory structures; setbacks from principal structures; setbacks from wetlands, etc. Obviously show the required setbacks, but if anything showed dimensions to key improvements? Ms. Beahm said a pool has to be a certain distance away from the house, so all we get is a circle with a hand-drawn walkway around it with no dimension and it is done shaky; it's hard for Zoning to determine whether or not it meets that setback. Similarly, things like that, accessory structures/sheds, etc. there are dimensional requirements off the property line as well. Mr. Brown said that could be determined when you get a licensed professional to produce this survey. Mr. Brown said maybe the re-wording of this because this can get crazy on plans that you are showing setbacks every which way. Mr. Brown asked if it would be better to amend it to say 'dimensions'? Mr. McNaboe said if you want to make the motion, make that suggestion to the Township Committee. If the majority agree with it, it will get changed. If not, it shall remain.

Mr. Fisher asked if the patio is raised are there different setbacks? Ms. Beahm said there are different dimensional requirements depending on what it is. Mr. McNaboe said the wording of this Ordinance is being recommended by the people who have to do the enforcing of it.

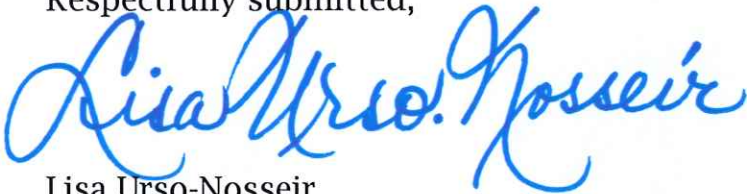
A Motion was made by Mr. Brown for Ordinance 2023-16 with the proposed amendments mentioned above, and Seconded by Mr. Castronovo.

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

Chairwoman Kwaak stated that the next Planning Board meeting is Thursday, August 24, 2023 at 7:30 in the courtroom. She opened the floor to any non agenda items, no one came forward and it was closed.

Chief Hogan made a Motion to end the meeting at 10:30 pm and it was 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