

**Call to Order:**

The regular meeting of the Monroe Township Planning Board was called to order at 7:00 p.m. by Chairman O'Brien. The Board saluted the flag. Roll call was as follows:

Present – Mr. Agnesino, Mr. Caligiuri, Mr. Crane, Mr. Masterson, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. Cotton, Mr. O'Brien. Absent – Mr. Cooper, (excused), Ms. Flaherty, (excused). Also present – Mr. Rocco, Solicitor, Mr. Kernan, Planner, Mr. Jordan, Engineer, Maurice Rached, Traffic Engineer, Maser.

Proper notice of this meeting was given as required by the Open Public Meetings Act on January 8, 2016.

Chairman O'Brien read the following statement: "Be advised, no new item of business will be started after 10:30 p.m. and the meeting shall terminate no later than 11:00 p.m."

**Memorialization of Resolutions:**

1. PB-96-16 - #WSP-66-16 – Steven Boorstein – Site Plan Waiver Approved

Motion by Mr. Agnesino, seconded by Mr. Crane to adopt resolution PB-96-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Mr. Cotton, Mr. Scardino, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

**Site Plan Waivers for Board Action:**

1. #WSP-67-16 – David Nieves – Site Plan Waiver

Present – David Nieves, applicant.

Member's packets contained: 1. A copy of the applicant's site plan waiver application. 2. Letter dated December 2, 2016 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is seeking site plan waiver approval in order to be allowed to operate a motorsport mechanical repair shop in an existing building located at 6 W. Black Horse Pike, also known as Block 6201, Lots 28-32, 35, and 36 in the RD-C Zoning District.

Mr. Nieves was sworn in by Mr. Rocco. He stated that he would like to open a motorsport vehicle repair shop as well as sell parts. He will repair all-terrain vehicles, dirt bikes, jet skis, etc. Customers will leave their vehicles at the property for repair. The property is approximately six acres. There was a comment in the Zoning Officer's letter concerning the cement wall and if it is used for anything. Mr. Crane commented that the concrete walls were used as dividers to store mulch. Mr. Rocco reviewed some issues in the Zoning Officers letter. He stated that the entrance must be ADA compliant. The applicant agreed to this condition. Mr. Nieves testified that he will have façade signage as well as using the existing freestanding sign with his new signage. The old signs will be removed. He understood that he needed to submit renderings of the proposed signage and obtain a zoning permit for same. The four steel poles will be removed. Mr. Nieves stated that they have removed a lot of trash and debris from the site already and they are still working on cleaning it up. He agreed to install some low lying landscaping in the front adjacent to the fencing. The Board did not have any problem with the concrete walls staying in place.

Motion passed to open the application to the public. There being none, motion passed to close the application to the public.

**Site Plan Waivers for Board Action: (continued)**

1. David Nieves (continued)

Motion by Mr. Crane, seconded by Mr. Agnesino to grant site plan waiver approval subject to the conditions stated in Ms. Flaherty's letter and agreed to on the record. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Crane, Mr. Masterson, Mr. Scardino, Mr. Cotton, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

2. #WSP-68-16 – Mandy Nieves – Site Plan Waiver

Present – Mandy Nieves, applicant.

Member's packets contained: 1. A copy of the applicant's site plan waiver application. 2. Letter dated December 2, 2017 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is seeking site plan waiver approval in order to start a kickboxing center with childcare for her clients in an existing building located at 6 W. Black Horse Pike, also known as Block 6201, Lots 25-32, 35, and 36 in the RD-C Zoning District.

Ms. Nieves was sworn in by Mr. Rocco. She stated that she is a certified kickboxing instructor and would like to use a portion of the same building her husband is going to use for his business to offer classes with childcare provided for her clients. She will be painting the interior and just providing mats and bags for her classes. Mr. Rocco indicated that the bathroom must be ADA compliant. Ms. Nieves understood this requirement. With regard to signage she stated she will be using the same freestanding sign as her husband. They will remove the poles and continue to clean up the property. Ms. Nieves stated that she will provide the landscaping as indicated in Ms. Flaherty's letter. Ms. Hui asked if the facility has bathrooms. Ms. Nieves replied that it does have a bathroom. There was a question about lighting with Ms. Nieves stating they will add lighting on the site where necessary. There was some discussion on the issue of a small corner of the property being located in Folsom with the applicant agreeing that if any permits or approvals are required they will get them. Mrs. Farrell asked the applicant if she needed any licenses or certifications with regard to the childcare aspect of the business. Ms. Nieves stated that she would get whatever permitting or licensing required.

Motion passed to open the application to the public. There being none, motion passed to close the application to the public.

Motion by Mr. Agnesino, seconded by Mr. Caligiuri to grant site plan waiver approval with the conditions stated in Ms. Flaherty's letter and on the record. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Crane, Mr. Masterson, Mr. Scardino, Ms. Hui, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

3. #WSP-69-16 – Timothy Krulikowski – Site Plan Waiver

Present – Timothy Krulikowski, applicant.

Member's packets contained: 1. A copy of the applicant's site plan waiver application. 2. Letter dated December 6, 2016 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is seeking site plan waiver approval in order to open a tax preparation business in an existing multi-tenant building located at 1085 N. Black Horse Pike, also known as Block 1301, Lot 3 in the Commercial Zoning District.

**Site Plan Waivers for Board Action: (continued)**

3. #WSP-69-16 – Timothy Krulikowski (continued)

Mr. Krulikowski was sworn in by Mr. Rocco. Mr. Krulikowski stated that he would like to open a tax preparation business in an existing building on the Black Horse Pike. The space is approximately 275 square feet. The entrance is ADA compliant and the office space is located on the first floor. There will be two full time employees and two part-time employees. There is plenty of parking on the site in front and the rear. He will have a sign placed in the existing freestanding sign. Mr. Rocco asked if there is a bathroom in the office. Mr. Krulikowski replied that there is a bathroom. He also agreed to provide a sign rendering and obtain the zoning permit for the business and the sign.

Motion passed to open the application to the public. There being none, motion passed to close the application to the public.

Motion by Mr. Teefy, seconded by Mr. Caligiuri to grant site plan waiver approval subject to the conditions stated in Ms. Flaherty's letter and agreed to on the record. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Crane, Mr. Masterson, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Mr. Caligiuri could not vote on the next application and excused himself from the meeting. Mrs. Farrell announced it was Mr. Caligiuri's last Planning Board meeting. The Board thanked him for his service.

**Public Hearing:**

1. #1839 – Grandview Mews, LLC – Preliminary Major Subdivision

Present – Bill Ziegler, applicant's attorney, Ken Schatz, applicant, Jay Simms, applicant's engineer, Mike Brown, applicant's traffic engineer.

Member's packets contained: Letter dated May 11, 2015 prepared by Maurice Rached, Traffic Engineer, Maser Consulting. 2. Letter dated February 9, 2015 prepared by Tim Kernan. 3. Letter dated January 8, 2015 prepared by Ray Jordan. 4. Letter dated February 17, 2015 prepared by Jay Simms. 5. A copy of Resolution PB-14-15.

The applicant is proposing a residential townhouse subdivision located between Main Street, and Grandview Avenue, also known as Block 801, Lots 7, 8, 10, 11, 14, and 15.01 in the R-2 Zoning District. The application was deemed complete on February 26, 2015 and granted a continuance on the same date. They are before the Board to continue the hearing for preliminary major subdivision approval.

Mr. Ziegler introduced himself as the applicant's attorney. He stated that they had a full hearing the first time they were before the Board, the professionals reviewed their letters, and the public spoke about their concerns. The applicant has submitted revised plans to address comments in Mr. Kernan's report with regard to required variances. At the end of the last hearing the Board asked the applicant to investigate other options for the access to the development. The applicant spent considerable time investigating other options. The submitted plan is a conforming seventy-five lot subdivision. Mr. Rocco stated that he wanted to introduce Mr. Rached and have him sworn in. Mr. Rached stated he is a traffic engineer with Maser Consulting and testified to his professional background and education. Mr. Rached, Mr. Schatz, Mr. Simms, and Mr. Brown were sworn in by Mr. Rocco.

**Public Hearing: (continued)**

1. #1839 – Grandview Mews, LLC (continued)

Mr. Schatz stated a public hearing was held in February 2015 for Grandview Court which is a proposed townhouse community that fronts on Grandview Avenue and Main Street. The townhouses will have two or three bedrooms with garages. In order to comply with comments in Mr. Kernan's report they reduced the number from seventy-eight townhouses to seventy-five. They made the buildings smaller in one area to allow for more open space. The buildings are two and three story buildings. The two story buildings will have a basement and the three story buildings will not. The development will be serviced by public water and sewer. Seventy percent of the site is open space and all of the open space, basins, and lawn maintenance will be the responsibility of the homeowner's association. There is one ingress and egress proposed and two courts; the courts will have one way traffic only. There are 252 off-street parking spaces proposed which exceeds the ordinance requirements. The will continue to work with the Board's Planner on the landscaping in order to encourage the use of the dry basin for open space as well as working with the Planner on the buffers. In order to use the dry basin as open space they are requesting the Board to waive any fencing.

Access to Main Street was requested by the Board and after the original hearing they went to the County with that request and the County discouraged that option due to the site triangles and widening of the road. They also tried to obtain the additional easement necessary but were unsuccessful. However they did purchase the easements on both corners of Grandview and Main Street and improved the site triangles. The exhibit showing the site triangles at the intersection was marked as A-2. With regard to recreation the applicant agreed to provide recreation on-site. The applicant will comply with the one and half percent affordable housing fee per unit. They will work with the Planner on landscaping and buffers, submit the architectural plans, and the homeowners documents prior to the submission of final approval. Mr. Ziegler added that the homeowner's association will be responsible for snow plowing and maintaining the parking areas. Mr. Kernan commented that trash removal was also proposed to be private.

Mr. Jordan commented that the Board has to make a decision on the basin fencing. Mr. Simms stated the basin is approximately three acres and ranges from three feet to six or eight feet in depth. It will outfall into the drainage system adjacent to the water tower and it is a dry infiltration basin with a grass bottom. It should be dry within seventy-two hours after a rain event. There was discussion on the issue of the fence with Mr. Schatz stating it's a large basin that will make a great place for kids to play. A fence is an attractive nuisance; they prefer to provide landscaping. Mr. Jordan commented that the streets are proposed to be dedicated and maintained by the Township.

Mr. Kernan stated the revised plan will not require any variances; however there are still waivers required. The sidewalk contribution only relates to Main Street as the applicant is proposing sidewalk on Grandview along their frontage as well as internal sidewalk. Mr. Kernan commented that the Township can no longer collect a sidewalk contribution. Mr. Crane commented that he did not see any problems with not having the fencing around the basin but asked if the applicant would be willing to install a fence along the property line with the residential lots that back up to the basin. Mr. Simms referred to his drainage calculations and stated that based on a conservative one inch per hour rate the basin will drain within twenty-two hours. Mr. Jordan stated his office has asked for some additional test pits to confirm the calculations and the applicant has agreed to provide those additional test pits.

Mr. Agnesino questioned where the outfall drains. Mr. Simms replied that there is an outfall pipe that goes from the basin to the MMUA's catch basin that is metered out to reflect the current flow. After it goes into the MUA basin it goes out through a series of inlets that eventually leads out to the Black Horse Pike. Mr. Agnesino replied that it goes across the back of the Knights of Columbus property and ends up in an open ditch that goes underneath the Black Horse Pike on the other side of the property.

**Public Hearing: (continued)**

1. #1839 – Grandview Mews, LLC (continued)

Mr. Simms stated that they are required to attenuate the storms coming out of the basin; so what's leaving the basin is less than what is going there now. Mr. Agnesino commented on the roads being maintained by the Township. Mr. Ziegler stated the original proposal was to dedicate the streets to the Township. Mr. Agnesino commented that if the Township truck goes back to maintain the road it can't get out without going onto private property. He also inquired about the rear yard drains and who is going to maintain those drains. Mr. Ziegler stated that there are rear yard drains and they will be maintained by the homeowner's association. There was further discussion concerning the streets with it being decided and agreed to by the applicant that there will not be any on street parking.

There was some concern with the one way in and one way out in the event of an emergency. Ms. Hui inquired about the sidewalk on Main Street for people waiting for public transportation. Mr. Schatz noted that there is a New Jersey Transit bus stop at the corner of Grandview and Main Street. Mr. Kernan replied that Grandview does have sidewalk in many locations on the south side of the street and suggested maybe the gaps in that sidewalk could be installed. Mr. Heffner commented about the school aged children who live at the back of the development walking out through the property to Main Street in order to get the school bus; they will not walk all the way to the front of the development. He commented that the school bus stops in that location on Main Street now. The applicant agreed to install sidewalk along their frontage on Main Street. Mr. Rached suggested the applicant reach out to the school board before final approval to find out where the school bus will stop so the Board can make an informed decision. Mr. Ziegler agreed to keep the issue open until final. Ms. Hui stated that the Township has a complete streets policy and this development should consider all users, bicyclist, pedestrians, etc. which is why she suggested the sidewalk. She also commented that the applicant should consider the use of solar lighting for the street lighting which will save the town money and the lighting is much better. Mr. Ziegler stated they will look at that option before final; however he is aware that ACE won't install them right now.

Mr. Rached stated he reviewed the traffic study done by CES and it is accurate. Unfortunately the applicant couldn't get access to Main Street. Mr. Schatz commented that if somehow the easement can be acquired between now and final they will revise the plans and change the access to Main Street.

Motion passed to open the hearing to the public.

1. Mike Calvello, 1401 N. Main Street, was sworn in by Mr. Rocco. Mr. Calvello commented on the shared snow plowing. He stated that if the streets are dedicated to the Township and Township plows snow and then the private snow plow goes in to plow the parking areas they will be working against each other. Mr. Ziegler replied that the homeowner's association will be responsible for all the snow plowing in the development including the streets. With regard to the trash removal there were comments about the development not having enough room in front of the units for trash receptacles. Mr. Schatz replied that they will look into providing a dumpster area before the submission of final. Mr. Calvello also commented on the ladder truck being able to maneuver on the site. Mr. Simms stated they did look at that but they will confirm before final.

2. Michael Ander was sworn in by Mr. Rocco. Mr. Ander stated that he is before the Board on behalf of his mother's estate. The estate owns Block 701, Lots 12, 13, and 14 next to the Knights of Columbus. He stated that his mom was at the first hearing and commented that she owned those lots that could be used for access to the Black Horse Pike rather than Grandview Avenue. He also expressed his concern with the drainage onto the estate's property. Mr. O'Brien commented that that would have been a better access to the development but the applicant did not want to pursue that avenue. Mr. Schatz replied that they would have had to deal with the NJDOT for access and they did not want to go through that process because there wasn't a need to.

**Public Hearing: (continued)**

1. #1839 – Grandview Mews, LLC (continued)

Mr. Simms stated the drainage will not affect the estate's property because the regulations require them to maintain the current rate of flow or reduce the rate of flow which is what they have done with the basin. Mr. Calvello commented that there is a pipe that runs through the estate's property that will now have to handle water from this development. Mr. Simms replied that it handles the water that drains there now and that there will not be any additional water.

Motion passed to close the hearing to the public.

Mr. Teefy asked how many cars can fit in the driveways. Mr. Schatz replied two can fit if one is in the garage. Mr. Teefy stated most people do not put their cars in the garage. They will try to fit both cars in the driveway and then one will overhang onto the sidewalk. Mr. Rached replied that the development has an overflow of parking spaces. Mr. Agnesino commented on the issue of a four inch curb face as opposed to a six inch curb face as it relates to future repaving. Mr. Rached replied that this issue has been debated for many years but most State agencies are going to a four inch curb face for safety reasons and more significantly for handicap accessibility.

Mr. Rocco stated he wasn't going to review all of the conditions the applicant previously agreed to but asked the applicant to affirm agreement to those conditions. Mr. Schatz stated his agreement to the conditions previously discussed. The applicant has also agreed to provide sidewalk along their frontage on Main Street, provide a crushed stone emergency access out to Main Street along the northerly edge of Lot 14, and the applicant will continue to pursue the alternative access on Main Street. There was further discussion on the fence around the basin with it being decided that if the basin doesn't drain as proposed, the applicant will either fix it or install the fence. The applicant agreed to install no parking signs on the streets. The homeowner's association will be responsible for the parking areas, trash and snow removal, the open space, basins, and rear yard drains. The Township will maintain the streets within the curblin only on Road A, the thirty foot cartway, and the homeowner's association will maintain the twenty-five foot roadway in Court B and Court C.

Mr. Kernan commented on the material proposed for the emergency access and the applicant agreed to work with him and Mr. Jordan on the material to be used on the emergency access road. The applicant will comply with all the comments discussed and submit preliminary compliance plans for review.

Motion by Mr. Agnesino, seconded by Mr. Teefy to grant preliminary major subdivision approval. Roll call vote: Ayes – Mr. Agnesino, Mr. Masterson, Mr. Teefy, Ms. Hui, Mr. O'Brien. Nays – Mr. Crane, Mr. Scardino. 5 ayes, 2 nays; motion passed.

**Approval of Minutes:**

1. 11/3/16 regular meeting.

Motion by Mr. Crane, seconded by Mr. Masterson to approve the minutes from the November 3, 2016 regular meeting. Voice vote; all ayes, motion passed.

**Reports:**

1. Mrs. Farrell announced that the reorganization meeting will be held on January 5, 2017. There will be two other meetings in January, the 12<sup>th</sup> and the 26<sup>th</sup>.

**Reports: (continued)**

2. Mr. Teefy thanked everyone for a good year; he commented on how busy it was and how much was accomplished. He wished everyone a nice holiday.

3. Mr. O'Brien also thanked everyone for a good year and wished everyone a Merry Christmas and Happy New Year.

**Adjournment:**

The meeting was adjourned at 9:15 p.m.

These minutes are an extract from the meeting that was held on the above date and are not a verbatim account or to be construed as an official transcript of the proceedings. The tape of the meeting is stored in the office of the Board.

Ninette Orbaczewski  
Clerk Transcriber