

Call to Order:

The regular meeting of the Monroe Township Planning Board was called to order at 7:01 p.m. by Chairman O'Brien. The Board saluted the flag. Roll call was as follows:

Present – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Mr. Kozak, Mr. Masterson, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. Cotton, Mr. O'Brien. Also present – Mr. Rocco, Solicitor, Mr. Kernan, Planner, Mr. Jordan, Engineer.

Proper notice of this meeting was given in accordance with the requirements of the Open Public Meetings Act on January 15, 2015.

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-19-15 –Approval Granted for Professional Services of Maser Consulting - Traffic Report.

Motion by Mr. Agnesino, seconded by Mr. Kozak to adopt resolution PB-19-15. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Mr. Crane, Mr. Kozak, Mr. Masterson, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Public Hearings:

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

Mr. O'Brien announced to the Board and public present that application #1839, Grandview Mews, has been continued to a date uncertain. The applicant will have to send public notice again once a hearing date has been confirmed.

2. #429-SP – M3 Hotel Developers, LLC – Preliminary & Final Major Site Plan

Present – Mayur Chheda, M3 Hotel Developers, LLC, David Patterson, applicant's attorney, Brian Peterman, applicant's engineer.

Member's packets contained: 1. Report dated March 27, 2015 prepared by Ray Jordan. 2. Report dated March 26, 2015 prepared by Tim Kernan. 3. Response letter dated April 6, 2015 prepared by Brian Peterman. 4. A copy of the applicant's preliminary and final major site plan.

The applicant is proposing a third floor expansion onto the existing two story Best Western Hotel. The expansion will include twenty-six guest rooms as well as additional parking and stormwater management. The property is located on the east side of the Black Horse Pike also known as Block 1202, Lot 23. The applicant was granted site plan approval for an expansion in 2008 and is amending that approval.

Mr. Patterson introduced himself as the applicant's attorney. Mr. Chheda, Mr. Peterman, Mr. Kernan, and Mr. Jordan were sworn in by Mr. Rocco. Mr. Chheda gave a brief overview of the proposal. He stated that the hotel is currently a forty-six unit hotel with a pool, some meeting space, and a fitness center. They are proposing to add an additional story to the building which will bring the number of units to seventy-two. The applicant submitted a document which contained information on the operation of the hotel including the number of employees and the existing conditions of the hotel. That document was marked as Exhibit A-1.

Public Hearings: (continued)

2. #429-SP – M3 Hotel Developers, LLC (continued)

The hotel operates twenty-four hours a day, seven days a week with nine full time employees and two part time employees, which will be increased to four part time and one additional full time employee as well as the minimum number required for housekeeping. Mr. Chheda stated that the hotel guests are predominately corporate guests during the week and guests in town to attend weddings on the weekends. No tractor trailers enter the site and trash removal is done twice a week typically during an hour when the guest would not be in their rooms so as not to disturb them.

Mr. Peterman displayed an aerial photograph of the site which depicted the existing hotel, stormwater management basin, pool and parking areas. The applicant is proposing additional parking to the left of the building along with another access out to the Black Horse Pike. He displayed the proposed site plan which shows the additional thirty-five parking spaces and the proposed new access. An additional stormwater basin is proposed to the rear and left of the new proposed parking area. They do have an application in to the NJDOT for the second access; however they have not heard any decision on their proposal to date. Mr. Kozak asked the current height of the building. Mr. Peterman replied that the building is thirty-five feet in height and with the proposal the height will be raised to forty-four feet. Mr. Kernan commented that the ordinance allows a height of forty-five feet that can go up to fifty feet depending on the side yard setback. The façade will remain the same for the new addition. The new stormwater management basin will handle the runoff from the new parking area. Mr. Cooper asked the distance from the existing access drive to the proposed second access drive. Mr. Peterman replied the distance is approximately two hundred and sixty feet. Mr. Agnesino asked if the Board will be provided with certification from an engineer stating that the existing building can accommodate a third floor addition. Mr. Peterman stated that the Structural Analysis will be required by the Construction Official and is not really an issue for the Planning Board. The applicant did receive a structural report from a structural engineer in order to determine if he had the option to put the addition up instead of out to the side of the building. As a result of those findings he is asking to amend the approval to put the addition on top of the building.

Mr. Jordan reviewed his report for the Board. He stated that the applicant is asking for a submission waiver from providing an update to the Environmental Site Assessment in order to be deemed complete. The applicant stated that the waiver is being requested because environmental conditions have not changed on the site. The applicant was previously granted a waiver from providing the topographic conditions within 200 feet of the property as well as from showing all existing structures within 200 feet of the property. They wish to continue with those waivers. Mr. Jordan asked if there was an access easement for the septic field. Mr. Patterson stated that they will contact the owner and make sure there is an access easement in place. The applicant will provide all documentation with regard to the utility companies and service to the new addition. Mr. Jordan asked to see a lighting schedule on the plan; the applicant agreed to comply. The lights are on a photo cells and a timer with a dusk to dawn operation. The applicant will include a rodent control plan. He asked that the existing playground for the adjacent daycare be added to the plans; the applicant agreed to comply. Mr. Jordan asked that the MMUA provide comment on the water pressure going up to the third floor for domestic water as well as for the fire suppression system. As previously stated, an easement should be in place for the existing septic system for the daycare which is on the applicant's property. Mr. Patterson indicated they will obtain that easement. Mr. Peterson commented that they have reached out to the Atlantic City Electric Company with regard to the parking spaces being within the easement that straddles the property line between the applicant's property and adjacent Lot 1. Mr. Jordan asked that the guy wires from the existing utility poles be located on the plan to insure that they are not in conflict with the new construction. The applicant is requesting a waiver from providing an eighty percent total suspended solids removal from the proposed new access drive to the Black Horse Pike. Mr. Jordan commented that they would work with the applicant's engineer on that issue.

Public Hearings: (continued)

2. #429-SP – M3 Hotel Developers, LLC (continued)

The applicant agreed to comply with Mr. Jordan's other comments regarding stormwater management. With regard to fencing around the proposed basin, the Board prefers a five foot chain link black on black vinyl clad fence. After some discussion the applicant agreed to the Board's request. The applicant is providing two six inch pipes to control the outflow from the basin where a twelve inch pipe is required. In addition the outfall is required to have a trash rack. Mr. Peterman explained that they are providing the two six inch pipes as per comments from Soil Conservation; they will provide the trash rack. Mr. Jordan commented that the twelve inch pipe is easier to maintain; however since the applicant must maintain the pipes he doesn't have a problem with the two six inch pipes. The applicant must post a performance bond and inspection escrow prior to the plans being signed. The applicant must also receive all outside agency approvals. Mrs. Farrell commented that she will provided a copy of the plan to the Fire Marshall.

Mr. Kernan reviewed his report for the Board. He stated that bulk variances are required for this application; the first being for the front yard building setback where the maximum allowed is sixty feet and the existing building is setback ninety-one feet with a double row of parking in the front, the second bulk variance is for the rear yard setback which is thirty-five feet and the applicant has approximately twenty-three feet. Mr. Kernan noted that these are pre-existing non-conforming conditions but require the variances to be affirmed since the applicant is adding a third floor. A waiver is required for one parking space that only has a seven foot setback to the property line. The applicant agreed to replace the shrubs along the front parking lot that have died. Mr. Kernan also asked the applicant's engineer to work with his office to improve the landscaping around the new basin. He stated that there is a nice tree line along the back property line and thought the proposed trees would be better used somewhere else. The applicant will be required to pay a development fee for COAH of two and one half percent as set by the State. The amount will be determined by the Tax Assessors Office and the Construction Official based on the improvement value.

Mr. Teefy commented on the height of the building at forty-four feet and asked if the applicant considered the impact on the neighbors in the adjacent development with guests being able to see into their townhomes. He asked if the applicant considered planting some taller trees along the rear property line for screening. Mr. Patterson stated that there is an existing tree line and there are drapes on the windows. Mr. Masterson commented that it's approximately twenty-eight feet to the top of the third floor window; the roofline is forty-four feet but the guests rooms aren't at that height. Ms. Hui asked the applicant when he plans to begin construction on the addition. Mr. Chheda replied they are hoping to begin in the fall but if not definitely next spring. Mrs. Hui asked approximately how long he thought it will take to complete the project and if the hotel will be open during the construction. Mr. Chheda stated it will take approximately six to eight months since it will be done in sections and he did not know if they will be open for business during the construction.

Motion passed to open the hearing to the public.

1. Jan Abrams, 173 Kerry Lynn Court, was sworn in by Mr. Rocco. Ms. Abrams expressed her concern with the hotel guests hanging out the windows and smoking as well as throwing the lit cigarettes out the window. They do call the hotel when they see this activity and the hotel does address the issue but they are the ones having to initiate the call to the hotel. They are concerned a lit cigarette may start a fire. She asked that the existing vinyl fence along the rear property line be extended to hide the new parking lot. Ms. Abrams also commented on the trash being picked up in the middle of the night and disturbing her family. Mr. Agnesino commented that there is a noise ordinance and that she should call the police when that happens. She replied that she calls the hotel first and then the police. Mr. Chheda commented that he did not want that to happen because it also disturbs his hotel guests. Mr. Patterson stated that they will address the issue with Waste Management.

Public Hearings: (continued)

2. #429-SP – M3 Hotel Developers, LLC (continued)

Ms. Abrams also inquired if the windows can be restricted from opening all the way. Mr. Chheda commented that he did not think so per the fire code. She inquired as to an ordinance for the length of time people can stay in the hotel. The Board did not believe there was an ordinance to address the amount of time someone can stay in the hotel. She commented that there were families living at the hotel at one time. Mr. Chheda replied that there were some families staying there for an extended time after Hurricane Sandy because they did not have anywhere else to go; however there are not families living in the hotel as there are other motels in the town to accommodate long term stays that are much cheaper than staying in his hotel. After some discussion on the rear buffer, it was determined that Mr. Kernan would work with the applicant's engineer with regard to the fencing and supplemental trees along the rear property line.

2. Robert Abrams, 173 Kerry Lyn Court, was sworn in by Mr. Rocco. Mr. Abrams also expressed his concern with hotel guests hanging out the windows smoking and throwing their lit cigarettes out the windows. He also commented on the rear buffer and would like to see tall trees planted to shield their view from the hotel.

3. Rocco Pinto, speaking for his son John Pinto who lives at 163 Kerry Lyn Court, was sworn in by Mr. Rocco. Mr. Pinto stated that his son was opposed to the proposed third floor addition to the hotel. If it is approved, he would like to see fifteen or twenty foot trees planted to block their view of the third floor. He also commented on being able to smell the smoke when the hotel guests are hanging out the windows smoking and commented on the fact that people can walk through the end of the fencing in the rear. Mr. O'Brien replied that the hotel is on commercially zoned land and that the applicant has a right to expand. He stated that it was already established that Mr. Kernan would work with the applicant's engineer with regard to the fencing and the tree line at the rear of the hotel. Mr. Pinto commented on the structural integrity of the hotel in being able to hold a third floor. Mr. O'Brien stated that the issue was raised and the applicant has already established that the hotel is structurally able to accommodate a third floor which is why he is before the Board. In addition, the Construction Code Official will be reviewing that issue as well.

Mr. Kozak commented that the applicant could address the issue of hotel guests hanging out the windows, opening the windows, and smoking, on the placards that are usually on the room doors or dressers that state the rules that should be followed when staying at the hotel. Mr. Chheda agreed to address the issue.

Motion passed to close the hearing to the public.

Mr. Rocco reviewed the conditions of approval for the Board. The applicant will provide a five foot black on black vinyl clad chain link fence around the new basin. Mr. Kernan will work with the applicant's engineer concerning the issues raised about the fencing and the rear property tree line. The applicant must obtain all outside agency approvals. Variances are required for the front yard building setback and the rear yard setback as noted in the Mr. Kernan's report as well as waivers for the setback for the one parking space and from providing an update to the Environmental Site Assessment.

Motion by Mr. Agnesino, seconded by Mr. Cooper to grant preliminary and final major site plan with the conditions, variances, and waivers as stated and discussed on the record, as well as addressing completeness. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Mr. Kozak, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Approval of Minutes:

1. 3/26/15 regular meeting.

Motion by Mr. Crane, seconded by Mr. Kozak to approve the minutes from the March 26, 2015 regular meeting. Voice vote; all ayes, motion passed.

Reports:

1. Mrs. Farrell stated that the Pinelands accidentally omitted one zone, the FD-40 Zone, from the sign ordinance; it must now be added to the ordinance. The Board agreed that Mr. Rocco would send an email to Mr. Fiore to let him know the Board discussed the matter and felt the issue could be handled administratively by Council.

2. Mrs. Farrell distributed the changes to the RG-TC Zone ordinance and asked the Board to review them and mark down any questions or comments they may have which will be discussed at the next Planning Board meeting.

3. Mr. Teefy commented on the positive response from Sue Grogan on the RG-TC ordinance. He also reported that he attended the Main Street Committee meeting and spoke with Dr. Briller on possible uses for the building he acquired next to his dental office. They spoke of possibly having a restaurant use and office space. Mr. Teefy suggested the possibility of a bike shop as well. They also discussed the façade and giving some consideration to the facades of the fifties and sixties. Dr. Briller mentioned that he plans to refurbish the existing apartments in the building now they are vacant.

Adjournment:

The meeting was adjourned at 8:28 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