

FREEHOLD BOROUGH PLANNING BOARD
MINUTES OF MAY 11, 2016

MONTHLY MEETING

The monthly meeting of the Freehold Borough Planning Board was held on Wednesday, May 11th at 7:00 p.m. in the Council Room of the Municipal Building.

Mr. Reich stated that this meeting was provided in accordance with the Open Public Meeting Act, by providing a copy of the agenda to the official newspaper and posting same on the official bulletin board of the Municipal Building.

Chairman Reich opened the meeting with a Salute to the Flag.

ROLL CALL

PRESENT	MR. WILLIAM BARRICELLI
PRESENT	MR. CORNELIUS BEGLEY
PRESENT	MS. JAMIE BENNETT
PRESENT	MS. MICHELE GIBSON
PRESENT	MR. GARRY JACKSON
PRESENT	MS. ANNETTE JORDAN
PRESENT	MR. ADAM REICH
PRESENT	COUNCILMAN GEORGE SCHNURR
PRESENT	MR. JEFF FRIEDMAN
PRESENT	MS. DANIELLE SIMS

Chairman Reich read Item 3 on the Agenda as follows:

Approval of Minutes from the meeting of April 27, 2016.

Ms. Sims certified that she listened to the tapes from the previous two meetings. Mr. Cucchiaro confirmed she is able to vote on approval of minutes.

Mr. Jackson made a motion to approve the minutes, Ms. Jordan seconded.

Yes	8	Barricelli, Begley, Friedman, Gibson, Jackson, Jordan, Reich, Sims
No	0	
Abstain	2	Bennett, Schnurr
Disqualified	0	
Absent	0	

Mr. Ronald Cucchiaro, Board Attorney, notified the board the application for Use Variance and Site Plan Review for the Amazing Escape Room (PB-UV-2016-001) will not be heard. The applicant's attorney sent a letter on May 10th stating the applicant has decided to bifurcate the application and have a resolution memorialized on the interpretation of the zoning ordinance. They would like to

challenge the interpretation in Superior Court. Therefore the Use Variance application will be held until the interpretation matter is adjudicated with regards to the interpretation.

Mr. Cucchiaro informed the board there was nothing that needed to be done at this time. If there needs to be a Use Variance Application after the legal proceeding, there will be new notification. Mr. Guinco, attorney for the application objectors, was notified and acknowledged the application would not be heard at this time.

Chairman Reich read Item No. 4 on the Agenda as follows:

Application Number PB-UV-2016-003
Applicant: Pass Enterprises, LLC (Subash Talwar/Domino's)
Location: 540 Park Avenue, Block 110, Lot 9.06
Zone: B-2B
Request: Preliminary and Final Site Plan Approval.

Attorney for the applicant, Mr. Frank Accisano asked for his exhibits to be marked.

Mr. Cucchiaro stated some exhibits have been pre-marked:

- Exhibit#A-1 Application and Check List
- #A-2 March 18, 2016 letter to Mr. Cucchiaro enclosing the notice for review
- #A-3 Site Plan dated March 22, 2016 prepared by John J. Ploskonka, P.E.
- #B-1 March 28, 2016 Memo from J. Bellina
- #B-2 March 28, 2016 Memo from J. Bellina attaching tax certification
- #B-3 April 15, 2016 Memo from J. Bellina to Mr. Accisano Re: completeness
- #B-4 April 13, 2016 Engineering Report by Abbington Engineering
- #B-5 May 5, 2015 Report by Abbington Engineering

Ms. Sims asked if there was a conflict as she is the Freehold Twp. Planning Board Administrator and Mr. Accisano is the Board Attorney for Freehold Twp.

Mr. Accisano had no objection.

Mr. Cucchiaro did not see a conflict and advised Ms. Sims could sit for this application.

Ms. Michele Gibson reported she is a colleague of one of the applicants.

Mr. Cucchiaro recommended Ms. Gibson recuse herself.

Chairman Reich reported Ms. Bennett stepped down from the dais.

Mr. Accisano submitted additional Exhibits:

- Exhibit#A-4 Aerial View of site (Board and Handout)
- #A-5 Colored rendering of site plan
- #A-6 Multi-page packet of pictures of existing building and surroundings
- #A-7 Architectural Rendering of new building and sign

Mr. Accisano stated the application is driven by the fact that Domino's would like its franchisees to freshen up their locations. By looking at the architectural rendering compared to the pictures of the current building, there is a marked improvement. The improvement is reflected on interior changes as well. The addition is primarily in the front and a small retail space is proposed in the rear. A tenant has been identified yet, but a lease stipulation would be any occupant must be a conforming use of the zone.

Mr. Accisano introduced his witnesses and all were jointly sworn in.

Mr. John J. Ploskonka, P.E. gave his credentials to the board.

Chairman Reich accepted Mr. Ploskonka.

Mr. Ploskonka detailed the improvements and expansions the application is seeking. The current structure is 1200 sq. ft. A 550 sq. ft. addition is proposed for Dominos in the front of the existing building with a 28 foot wide patio in front of the addition. A 450 sq. ft. addition is proposed for the rear of the building to be occupied by another tenant. Mr. Ploskonka described the packet of pictures, (Exhibit #A-6). Mr. Ploskonka detailed the colored plans and described the proposed additions. (Exhibit #A-5).

Mr. Ploskonka stated the use is permitted in the zone. No waivers and variances are required. The exit and entrance have been changed to accommodate more parking, 11 spaces are required and 18 are planned. DOT approval is being sought for the change in the access to Route 33. Mr. Ploskonka stated the hours of operation is currently 10:30 AM to 12:00 AM weekdays and open until 1:00 AM on weekends. The existing sign will be relocated to match the new entrance. Mr. Ploskonka stated the applicant would comply with site recommendations from William Wentzien, Borough Engineer.

Mr. Wentzien made the applicant aware there is a drainage pipe under the area of the dumpster. Mr. Ploskonka acknowledged that concern and will move the dumpster to another location. Applicant will comply with enclosure requirements and not encroach on the wetland buffer and no additional pavement will be laid. Mr. Wentzien explained the wetlands proper is off-site, only the buffer is on-site. Mr. Wentzien will confirm if a DEP approval is required.

Mr. Ploskonka stated there is substantial landscaping and requested to not add more landscaping if possible. Mr. Wentzien reported the requirement of buffering headlights is generic in the ordinance. Mr. Ploskonka described the proposed landscaping and plants to be used. Mr. Ploskonka will meet Mr. Wentzien at the site to confirm any additional lighting needed while minimizing spillage of light onto other properties.

Mr. Wentzien expressed concern there is only one handicapped parking space on the plan as there will be a second business in the rear of the building. Mr. Ploskonka agreed to add an additional handicap space near the rear of the building with adequate additional dimensions and grading to ensure compliance with ADA requirements. There is excess spacing to accommodate the changes.

Mr. Cucchiaro asked if Mr. Ploskonka agrees to address the items raised in the Abbington Engineering report.

Mr. Ploskonka replied yes, except for the landscaping and buffering.

Chairman Reich called for board questions.

Mr. Friedman asked if a bicycle rack could be included in the plans.

Mr. Ploskonka agreed.

Mr. Friedman asked if the rear tenant would have signage and where would it be placed?

Mr. Subash Talwar, Domino's franchisee and principal applicant replied a sign has been designed for the pylon and an additional sign can be added and will conform with the ordinance.

Ms. Sims asked for details on the dumpster enclosure.

Mr. Wentzien read the ordinance requirements.

Mr. Ploskonka said they would comply with the ordinance requirements.

Ms. Sims asked if the tenant signage would also be added to the building.

Mr. Talwar replied it would be added on the side, over the door.

Ms. Sims asked if there is a minimum size requirement for a business in the B-2B Zone.

Mr. Wentzien answered there is no minimum size requirement.

Mr. Barricelli asked if Domino's provided any design specifications.

Mr. Talwar replied Domino's wanted a different façade, but the applicant wanted to be neutral. The interior is matching with Domino's look for layout and color scheme.

Mr. Barricelli asked for details of the proposed patio.

Mr. Ploskonka replied it will be a concrete slab with tables and chairs. There was a conversation regarding modifications to the existing wall. Mr. Ploskonka stated the wall will act as a barrier; the plantings will soften the area. All plans will be approved by Mr. Wentzien.

Councilman Schnurr asked any if changes will be made to the sidewalk.

Mr. Ploskonka replied the sidewalk along Route 33 will remain and the sidewalk along the building will be replaced. The current condition of the sidewalk in the front is fair. Based on the recommendation of Mr. Wentzen and DOT, if anything needs to be repaired or replaced, it will be.

Chairman Reich asked if a secondary exit is required for the tenant space and if there will be separate utility meters.

Mr. Wentzein stated that would be a code matter. It is understood that if that is necessary the site plan may change.

Mr. Talwar stated the utility meters and panels would be separate for each occupant.

Chairman Reich questioned lighting off the building. Mr. Wentzien stated the applicant will meet him there and all recommendations will be met for adequate and protective lighting for the neighbors, including light shields.

Mr. John Rea was called. He is a Principal with McDonough and Rea Associates, Traffic and Transportation Engineers. He gave his credentials and he was accepted by the board.

Mr. Rea described the traffic and circulation issues raised in the traffic report. The design will accommodate the bi-weekly truck deliveries. The design was made to meet DOT criteria. The driveways are wider and will facilitate a more efficient flow of traffic. There will be consideration taken for the new location of the dumpster. Signage will be posted to ensure the one way flow of traffic.

Chairman Reich asked for board questions.

Chairman Reich questioned how many parking spaces are used for employees and if they were marked.

Mr. Talwar stated about 3 or 4 employees drive. All delivery vehicles park at the end of the lot. Mr. Talwar will post signs that designate customer parking and delivery/employee staff parking.

Mr. Accesano added there would be stipulations in the lease to ensure the business tenant would not receive deliveries at the same time as Domino's.

Chairman Reich asked for any public questions.

There being none, Mr. Begley made a motion to close public questions, seconded by Mr. Friedman.

Yes	10	Barricelli, Begley, Bennett, Friedman, Gibson, Jackson, Jordan, Reich, Schnurr, Sims
No	0	
Abstain	0	
Disqualified	0	
Absent	0	

Chairman Reich opened board deliberation.

Mr. Friedman stated he believes the building will revitalize that area.

Ms. Sims has no problem with the application providing the conditions previously discussed are met.

Ms. Bennett is prepared to vote favorably and is pleased to see development in this important corridor in Freehold Borough.

Mr. Barricelli believes this is a welcomed renovation.

Mr. Jackson hopes the freshening up will be contagious and work its way up the street.

Ms. Jordan agrees and will vote in favor.

Mr. Begley agrees with the rest of the board and will vote favorably.

Councilman Schnurr congratulated the applicant.

Chairman Reich stated it is a welcomed improvement to the Route 33 Corridor. He hoped it will inspire others in the area to do the same. He recapped some of the points that need to be addressed.

1. A dumpster enclosure that meets the Borough Ordinance be located outside of the drainage buffer but does not impeded on the means of egress for any vehicle traffic.
2. Light shields as required on the parking lot lights.
3. A bicycle rack located near the main entrance.
4. Lighting fixtures to be similar style to those of the Monmouth County parking lot lights, consistent with the ordinance and approved by Mr. Wentzein.
5. Barrier wall on the Route 33 side of the patio with shrubbery between the wall and the road for soft-scaping.
6. Replace and derogated sidewalk on the Route 33 side.
7. Employee parking signage.
8. Abbington Engineering to determine if DEP approval is needed for the encroachment into the wetland buffer.

Ms. Sims made a motion to accept the application with a waiver on the buffering requirement because of the particular conditions on the site which restricts the buffering on those additional sides, seconded by Mr. Baricelli.

Yes	10	Barricelli, Begley, Bennett, Friedman, Gibson, Jackson, Jordan, Reich, Schnurr, Sims
No	0	
Abstain	0	
Disqualified	0	
Absent	0	

The motion is approved.

Mr. Begley made a motion to adjourn, seconded by Ms. Sims.

Yes	7	Barricelli, Begley, Bennett, Friedman, Gibson, Jackson, Jordan, Reich, Schnurr, Sims
No	0	

Abstain 0

Disqualified 0

Absent 0

Meeting adjourned at 8:14 PM.

Respectfully submitted,

Lynn Cannon