

DEVELOPMENT REVIEW COMMITTEE MEETING

The regular Meeting of the Development Review Committee of the Monmouth County Planning Board was called to order at 1:05 PM on MONDAY, MAY 23, 2011 in the offices of The Monmouth County Planning Board. Committee members in attendance were:

Paul Kiernan, Jr.
Robert W. Clark, PP
Joseph Ettore, PE
Joseph Rettagliata
Richard Kucinski, PE
Vincent Domidion

Members Absent:

None

Alternates Absent:

Bonnie Goldschlag, PP
James Giannell

Mr. Kiernan read the following statement: "In accordance with Public Law 1975, Chapter 231, "Open Public Meetings Act," adequate notice of this Meeting of the Development Review Committee of The Monmouth County Planning Board was given as follows:

- 1) On January 25, 2011 the Schedule of the Meetings to be held during the succeeding year of the Development Review Committee was forwarded for publication to The Asbury Park Press. The affidavit of publication is on file in the Monmouth County Planning Board Office.**
- 2) Also, on January 25, 2011, a notice of the Meeting was posted on the Freeholder's bulletin board located in the Hall of Records, and on January 28, 2011 on the Monmouth County Planning Board Bulletin Board and website.

There being no further business, the Meeting was adjourned at 2:40 PM.

Staff present included: Ed Sampson, PP, John Packowski, PE, Todd Ganghamer, Vince Cardone, PE and Mark Aikins, Esq. Also in attendance were Frank Lucia from Macerich, A. Richard Gatto from Freehold Township Planning Board and William Mehr, Esq.

**Date of publication attached.

Following a review and discussion of the Subdivisions and Site Plans on Schedules 1132A, 1132B, 1132C, 1132D & 1132E by the Committee, Mr. Kiernan offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the Monmouth County Planning Board Engineer and engineers of the Monmouth County Engineering Division on behalf of the Monmouth County Engineer have evaluated and reported on the Subdivisions and Site Plans on Schedules 1132A, 1132B, 1132C, 1132D & 1132E.

WHEREAS, the Monmouth County Planning Board staff has also reviewed the Subdivisions and Site Plans on Schedules 1132A, 1132B, 1132C, 1132D & 1132E in relation to planning matters and conformance with the adopted Master Plan of the Monmouth County Planning Board;

WHEREAS, it has been determined that certain of the Subdivisions and Site Plans on said Schedules require review by the Monmouth County Planning Board pursuant to N.J.S.A. 40:27-6.2, 6.3 AND 6.6.

NOW THEREFORE BE IT RESOLVED, that the actions of the Committee as herein indicated for those Subdivisions and Site Plans listed on the attached Schedules 1132A, 1132B, 1132C, 1132D & 1132E are hereby approved in accordance with the terms, standards and conditions noted on said Schedules.

BE IT FURTHER RESOLVED, that the Director of the Monmouth County Planning Board is authorized to grant Final Approval to all Subdivisions or Site Plans for which conditions have been established, provided there are not substantial modifications to the Subdivision Maps or Site Plans affecting County requirements and all the conditions and requirements established in these Schedules have been met as shall be determined by the Committee.

Seconded by Mr. Clark and passed upon the following vote:

In the affirmative:

Mr. Kiernan
Mr. Clark
Mr. Ettore
Mr. Rettagliata

In the Negative:

None

CERTIFICATION

I hereby certify the above to be a true copy of a Resolution adopted by The Development Review Committee of The Monmouth County Planning Board at a regular meeting on MONDAY, MAY 23, 2011.

Paul Kiernan, Jr.
CHAIRMAN
Monmouth County Planning Board Development Review Committee

SCHEDULE 1132A

SUBDIVISIONS SUBMITTED FOR THE DEVELOPMENT REVIEW COMMITTEE MEETING OF THE MONMOUTH COUNTY PLANNING BOARD ON MONDAY, MAY 23, 2011; CONTAINING 3 LOTS OR LESS.

NAME OF SUBDIVISION	MUNICIPALITY	FILE #	DATE REC'D	# OF LOTS	ACTION
Subdivision for Michael Hammer Block 37 Lots 2.01, 8.01, 10 & 26 Lanes Pond Road	Howell Township	HW1381	05-12-11	4 (Lot Line Adjustment)	Exempt
Subdivision for James E. Tyrell, Jr. Blocks 73 / 74 Lots 3 & 4 / 6 Windmill Lane / Pond Road	Rumson Borough	RM425	05-16-11	3 (Lot Line Adjustment)	Exempt
Subdivision for Louis P. Schurott Block 75 Lots 5.02 & 10 Floyd Avenue	Union Beach Borough	UB305	05-11-11	2 (Lot Line Adjustment)	Exempt

SCHEDULE 1132B

SUBDIVISIONS SUBMITTED FOR THE DEVELOPMENT REVIEW COMMITTEE MEETING OF THE MONMOUTH COUNTY PLANNING BOARD ON MONDAY, MAY 23, 2011; CONTAINING 3 LOTS OR LESS ON A COUNTY ROAD.

NAME OF SUBDIVISION	MUNICIPALITY	FILE #	DATE REC'D	# OF LOTS	ACTION
Subdivision for Borough of Keansburg Block 83 Lot 1 Carr Avenue (County Route 56)	Keansburg Borough (Proposed Use – Park – Open Space) (Total Area – 0.819 acres)	KS224 ROW3861	05-10-11	2 (1 new)	Conditional Final Approval

CONDITIONS:

1. Revise plans to show the right of way centerline of Carr Avenue (County Route 56).
2. Revise plans to show the right of way measured 30' from the right of way centerline along with a 25' corner right of way radius at the intersection of Carr Avenue and Seeley Avenue.
3. Revise plans to show all obstructions to be removed from within the required right of way.
4. Receipt of a deed to the County of Monmouth for the additional right of way along Carr Avenue (County Route 56). The **only** acceptable form for the deed can be found on our web site at www.monmouthplanning.com. Deeds should be forwarded directly to the Monmouth County Planning Board. Planning board staff will file the correctly executed deed with the Monmouth County Clerk.

Following a review and discussion of this application, a motion to adopt the action indicated above was offered by Joe Rettagliata, Seconded by, Bob Clark, and passed upon the following vote:

	Affirmative	Negative	Abstain	Absent
Robert Clark	X			
Joseph Ettore	X			
Paul Kiernan	X			
Joseph Rettagliata	X			
Richard Kucinski				
Bonnie Goldschlag				X
Vincent Domidion				
James Giannell				X

SCHEDULE 1132C

SUBDIVISIONS SUBMITTED FOR THE DEVELOPMENT REVIEW COMMITTEE MEETING OF THE MONMOUTH COUNTY PLANNING BOARD ON MONDAY, MAY 23, 2011; CONTAINING MORE THAN 3 LOTS.

NAME OF SUBDIVISION	MUNICIPALITY	FILE #	DATE REC'D	# OF LOTS	ACTION
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SCHEDULE 1132D

SITE PLANS SUBMITTED FOR THE DEVELOPMENT REVIEW COMMITTEE MEETING OF THE MONMOUTH COUNTY PLANNING BOARD ON MONDAY, MAY 23, 2011.

NAME OF SITE PLAN	MUNICIPALITY	FILE #	DATE REC'D	ACTION
Site Plan for Seacoast Commons, LLC Block 85 Lots 9, 10 & 18 Main Street (County Route 30)	Belmar Borough	BLSP8984	05-11-11	Conditional Approval
	(Proposed – 19,316 sq. ft. mixed residential/ commercial – 34 units) (Total Site Area – 1.20 acres) (Impervious Area – 1.15 acres existing - <u>0.05 acres proposed</u> 1.10 acres total)			

CONDITION:

1. Submit a performance guarantee (bond, letter of credit, bank/certified check) in the amount of \$250.00 to assure the satisfactory removal and restriping of parking spaces on Main Street (County Route 30).
- Prior to inspection of the installed improvements for release of the performance guarantee a \$50.00 inspection fee must be submitted.
 - Correspondence was received from Robbin D. Kirk, Borough of Belmar Administrator, indicating that the Borough of Belmar has awarded a contract for infrastructure improvements to Eighth Avenue to be completed by Fall 2011 and agrees to permit the Seacoast Commons project to connect to the Borough's new water, sanitary sewer and storm water improvements.

Following a review and discussion of this application, a motion to adopt the action indicated above was offered by Joe Ettore, Seconded by, Bob Clark, and passed upon the following vote:

	Affirmative	Negative	Abstain	Absent
Robert Clark	X			
Joseph Ettore	X			
Paul Kiernan	X			
Joseph Rettagliata	X			
Richard Kucinski				
Bonnie Goldschlag				X
Vincent Domidion				
James Giannell				X

NAME OF SITE PLAN	MUNICIPALITY	FILE #	DATE REC'D	ACTION
Site Plan for LGR Associates Block 2901 Lots 1 – 5 Wall Street (County Route 32)	Eatontown Borough (Proposed – 36,123 sq. ft. retail addition) (Total Site Area – 8.358 acres) (Impervious Area – 7.806 acres existing <u>- 1.145 acres proposed</u> 6.661 acres total)	ETSP9060	05-10-11	Conditional Approval

CONDITION:

1. Provide copy of October 20, 2010 settlement between Borough of Eatontown and LGR Associates.

Following a review and discussion of this application, a motion to adopt the action indicated above was offered by Joe Rettagliata, Seconded by, Joe Ettore, and passed upon the following vote:

	Affirmative	Negative	Abstain	Absent
Robert Clark	X			
Joseph Ettore	X			
Paul Kiernan	X			
Joseph Rettagliata	X			
Richard Kucinski				
Bonnie Goldschlag				X
Vincent Domidion				
James Giannell				X

Site Plan for Freemall Associates, LLC Block 69.01 Lot 18.01 Freehold-Smithburg Road (County Route 537)	Freehold Township (Proposed – new 7,842 sq. ft. restaurant) (Total Site Area – 62.4 acres) (Impervious Area – 62.4 acres existing – no change)	FRTSP3586E		Conditional Approval
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Prior Monmouth County Planning Board approvals for Freehold Raceway Mall were issued based upon the anticipated construction of an access road by Freemall Associates, LLC from the Freehold Raceway Mall ring road to Wemrock Road as required by the Township of Freehold in the General Development Plan and numerous municipal approvals including a written Developer's Agreement between Freemall Associates, LLC and the Township of Freehold. Presently County Route 537 experiences significant traffic congestion and traffic safety issues along the Freehold Raceway Mall frontage and at the County Route 537/Trotters Way entrance and extending to the County Route 537/Stillwells Corner Road/Wemrock Road intersection. Construction of the mall access road to Wemrock Road, or construction of a fourth mall access point at another location, will assist in reducing traffic congestion and improving traffic safety along County Route 537. In February 2010 the Township of Freehold deferred for five years the obligation of Freemall Associates, LLC to construct the access road to Wemrock Road. It is the determination of the Development Review Committee of the Monmouth County Planning Board (and endorsed by the County of Monmouth) that the Wemrock Road access road, or a fourth mall access point, must be constructed.

NAME OF SITE PLAN	MUNICIPALITY	FILE #	DATE REC'D	ACTION
Site Plan for Freemall Associates, LLC Block 69.01 Lot 18.01 (CONT'D)	Freehold Township	FRTSP3586E		Conditional Approval

Mr. Joseph Ettore moved the following and was seconded by Mr. Joseph Rettagliata:

1. Amend previous approval for the Lifestyle Center at Freehold Raceway Mall to permit a fourth access road from State Highway 33 Bypass to the mall ring road, as an alternative to the construction of the Wemrock Road access road.
2. Prior to Final Approval the applicant must post a performance guarantee (bond, letter of credit, bank/certified check) with the County of Monmouth in the amount of two million dollars (\$2,000,000.00) to guarantee the construction of the fourth access to the Freehold Raceway Mall. Bond or letter of credit must be in a form acceptable to the County of Monmouth and must reflect the conditions of this approval. Acceptable forms may be found at www.monmouthplanning.com.
3. If the developer has not constructed the fourth access road within the currently allowed extension by the Township of Freehold (by February 9, 2015) the developer shall replace the performance guarantee with a certified check and the County of Monmouth may use the funds to design and construct improvements to County Route 537 between the general limits of Route 9 and Wemrock Road/Stillwells Corner Road, at the County's sole discretion.

All Development Review Committee members present were in favor.

Following a review and discussion of this application, a motion to adopt the action indicated above was offered by Joe Ettore, Seconded by, Joe Rettagliata, and passed upon the following vote:

	Affirmative	Negative	Abstain	Absent
Robert Clark	X			
Joseph Ettore	X			
Paul Kiernan	X			
Joseph Rettagliata	X			
Richard Kucinski				
Bonnie Goldschlag				X
Vincent Domidion				
James Giannell				X

NAME OF SITE PLAN	MUNICIPALITY	FILE #	DATE REC'D	ACTION
Site Plan for Wilkath, LLC Block 1006 Lots 14.01, 16 & 16.05 Wayside Road	Neptune Township (Proposed – 104 unit residential townhomes) (Total Site Area – 10.42 acres) (Impervious Area – 4.382 acres new proposed)	NSP8888A (Also NSP8888)	05-11-11	Conditional Approval

Condition:

1. Prior to Final Approval the applicant shall be required to submit a fair share contribution toward the planned improvement of the West Bangs Avenue (County Route 17) and Wayside Road intersection in the amount of \$8,205.48. This amount is a re-calculation based on the revised proportion of projected traffic volume from the development that will use the intersection and the total future projected traffic volume at the intersection. This percentage was then multiplied by the total projected cost of the intersection improvements. The amount was calculated as follows:

Fair Share Contribution = (AT/(ET x (1 + GR)ⁿ + AT + ST)) x (CC x 1.1)

AT = Anticipated Applicant's Development Traffic	=	36
ET = Existing Traffic Volume Recorded at the intersection (from 2005 counts by Monmouth County)	=	1019
GR = Background Growth Rate (Generally 2-3 %)	=	2.00%
n = Number of years until build-out of the site (5 years since count date + 1 year to build date)	=	7
ST = Other Site Specific Development Traffic	=	0
CC = Capital Improvement Program Construction Cost Estimate.	=	\$250,000.00

The 1.1 multiplier provides a 10% contingency cost factor.

Fair Share Contribution = (AT/(ET x (1 + GR)ⁿ + AT + ST)) x (CC x 1.1) = \$8,205.48

- The Fair Share Contribution must be submitted in the form of a bank/certified check.
- Prior to final approval, the applicant must submit a letter formally withdrawing the prior application submitted to the county that was granted conditional approval on 02/22/10 (Our file #NSP8888).

Following a review and discussion of this application, a motion to adopt the action indicated above was offered by Joe Rettagliata, Seconded by, Bob Clark, and passed upon the following vote:

	Affirmative	Negative	Abstain	Absent
Robert Clark	X			
Joseph Ettore	X			
Paul Kiernan	X			
Joseph Rettagliata	X			
Richard Kucinski				
Bonnie Goldschlag				X
Vincent Domidion				
James Giannell				X

NAME OF SITE PLAN	MUNICIPALITY	FILE #	DATE REC'D	ACTION
Site Plan for Rumson Fair Haven Reg. Board of Ed Block 58 Lot 1 Ridge Road (County Route 34)	Rumson Borough (Proposed – Parking improvements at high school) (Total Site Area – 20 acres) (Impervious Area – 0.22 acres additional)	RMSP9057	05-16-11	Conditional Approval

- The applicant's request to waive the requirement for new curbing between the driveways and acquisition of additional right of way along Ridge Avenue was brought before the Development Review Committee for consideration. The committee agreed to waive the requirement for new curb. However, the committee voted to deny the request to remove the condition for additional right of way along Ridge Road (County Route 34).

Revised Conditions:

1. Revise plans to provide additional signage at the egress driveway as shown in red on the attached photocopy.
2. Revise plans to show the right of way centerline along Ridge Road (County Route 34) for the entire length of the property.
3. Revise plans to show the right of way along Ridge Road measured 30' from the right of way centerline.
4. Receipt of a deed to the County of Monmouth for the required right of way measured 30' from the right of way centerline along Ridge Avenue (County Route 34). The **only** acceptable form for the deed can be found on our web site at www.monmouthplanning.com. Deeds should be forwarded directly to the Monmouth County Planning Board. Planning Board Staff will file the correctly executed deed with the Monmouth County Clerk.
5. Posting of a performance guarantee (bond, letter of credit, bank/certified check) to assure the satisfactory installation of improvements along Ridge Road (County Route 34). The amount will be calculated upon receipt of revised plans.

Following a review and discussion of this application, a motion to adopt the action indicated above was offered by Joe Ettore, Seconded by, Joe Rettagliata, and passed upon the following vote:

	Affirmative	Negative	Abstain	Absent
Robert Clark	X			
Joseph Ettore	X			
Paul Kiernan	X			
Joseph Rettagliata	X			
Richard Kucinski				
Bonnie Goldschlag				X
Vincent Domidion				
James Giannell				X

Site Plan for Apple Food Services of Wall, LLC Block 156 Lot 1 State Route 35	Wall Township (Proposed – Alterations to façade and exterior planting area) (Total Site Area – 8.929 acres) (Impervious Area – 7.411 acres existing – no change)	WSP9071	05-13-11	County Approval Not Required
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SCHEDULE 1132E

APPLICATIONS SUBMITTED WHICH HAVE BEEN DETERMINED TO BE INCOMPLETE BY STAFF

NAME OF APPLICANT	MUNICIPALITY	FILE #	DATE REC'D	DATE INCOMPLETE
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