



Wednesday April 25th, 2012 ~ 7:00 P.M.  
Township Meeting Room ~ Second Floor  
Neptune Township Planning Board  
Hearing Agenda

The regular meeting of the Neptune Township Planning Board which has been duly constituted and advertised according to law is now called to order:

Fire exits are clearly marked at the side and rear of this room, if alerted of a fire, please move in a calm and orderly manner to the nearest smoke free exit. At this time, I would ask everyone to please silence all cell phones and other paging devices, as they are distracting to others.

It is the policy of the Planning Board to end all matters no later than 11 p.m. Towards the end of the meeting it will be announced that no new applications will begin after 10:30 p.m. nor will any new witnesses or testimony begin after 10:30 p.m.

The following procedure will be followed:

It is the Board's policy to the following procedure, after testimony from the applicant and the Board's Professionals, questions and/or comments will follow from the members of the Planning Board, and then the public portion will be opened. Each individual will be sworn in; he/she will give their name and address. Each individual will be given one five [5] minute turn to speak. We ask that questions are not repeated, and that all questions be directed to the Chair. At the completion of the public portion, the members of the Planning Board will make final comment prior to offering a resolution.

Roll Call: Those Present:

- |                               |     |                       |     |                        |     |
|-------------------------------|-----|-----------------------|-----|------------------------|-----|
| Mr. Richard Ambrosio          | ___ | Ms. Sharon Davis      | ___ | Mr. Mel Hood           | ___ |
| Mr. Eric Houghtaling          | ___ | Mr. Ray Huizenga      | ___ | Jason Jones            | ___ |
| Mr. Joseph Krimko             | ___ | Mr. Fred Porter       | ___ | Chairman Joseph Shafto | ___ |
| Alternates: Robert Lane alt 1 | ___ | Rev. Paul Brown alt 2 | ___ |                        |     |

Also Present: Mr. Mark Kitrick Esq, Mr. Peter Avakian, Engineer, Ms. Jennifer Beahm Planner

If any board member cannot attend, please call or email the board office at 732-988-5200 ext 278 or at [rhavey@neptunetownship.org](mailto:rhavey@neptunetownship.org). Thank You.

1. Roll call and flag salute
2. Correspondence – March/April NJ Planner
3. Resolution to be memorialized:  
PB12/12 Block 1500.03 Lot 23.06 Hampton Inn approval for amended final major site plan and associated waivers for property located a 4 Mc Namara Way.  
Motion offered by \_\_\_\_\_ moved and second  
Ambrosio\_\_ Davis\_\_ Hood\_\_ Houghtaling\_\_ Jones\_\_ Krimko\_\_ Porter\_\_ Lane \_\_Shafto\_\_
4. Application for Planning Board's consideration this evening:  
PB12/03 Block 10000 Lot 7.02, MCRS Neptune LLC., 230 Jumping Brook Road submitted by Ms. Jennifer Krimko Esq. applicant seeking approval to convert unused storage space into 5 additional guest rooms.  
  
PB11/02 Block 1006 Lots 14.01, 16 and 16.01 submitted by Wilkath LLC 740 Wayside Road  
Continued from February 8<sup>th</sup>, 2012.
5. With no further action before the Planning Board a motion to adjourn was offered by  
Moved and second by \_\_\_\_\_ hearing adjourned at \_\_\_\_\_ PM
6. Next scheduled hearing will be May 30<sup>th</sup>, 2012 which will begin at 7: 00P.M.

If any member cannot attend a hearing please advise the Board office at 732-988-5200 ext. 278 or  
Via e-mail at [Rhavey@neptunetownship.org](mailto:Rhavey@neptunetownship.org) to leave a message.



Carried from the March 28<sup>th</sup>, 2012 hearing date:

PB #11/02 Wilkath LLC 740 Wayside Road, Block 1006 Lots 14.01, 16 & 16.05 applications is represented by Mark Steinberg. Applicant is seeking approval to convert a former commercial nursery into residential townhouses.

Enclosed: Application with taxes verified  
Variance requirement over view  
Comments from Monmouth County Planning Board  
Reports submitted – Traffic Impact Analysis - Jos. Staigar Engineering LLC.  
Stormwater Management System – LandTek Design rev 4-2011  
Report of Stormwater Mgt Investigation – JZN Engineering PC  
Preliminary Major Site Plan Report – LandTek Design 4-29-11  
Letter of Interpretation/Line Verification –Christopher Jones  
[Bureau of Inland Regulation Raritan Region]  
Environmental Impact Statement – AL&S Environmental Mgt Svce.  
[With photos of property # 1 thru12]  
Preliminary & Final Stormwater Mgt Report – LandTek Design 2-2011  
Mon. Cty Planning Board  
Reduced copies of proposed floor plans and elevations  
Reduced copies of sub-division and site plan  
Comments – Nept Police and Fire Bureau  
Reports prepared by Leon S. Avakian and T & M Associates will be mailed under separate cover.

Exhibit A-1 Set of site plan submitted to the board dated 4/4/11 Prepared by LandTek Design LLC [6-22-11]

A-2 Architectural Plans prepared by Thomas C. Barton of Barton Partners prepared 03-15-11 [6-22-11]

**9-21-11 Application before the board is a continuation from the June 29<sup>th</sup> and July 27<sup>th</sup>, hearing submitted by Wilkath LLC, 740 Wayside Road. Applicant is seeking approval to convert a former commercial nursery site into residential town homes:**

Block 1006 Lots 14.01, & 16 Preliminary Major Site Plan – enclosed please find a letter dated July 14, 2011 from Mark Steinberg Esq., attorney for the applicant who has formally removed Block 1006 Lot 16.05 From the application Copy enclosed.

Enclosed for review: \*Revised site plan dated 7-13-2011 submitted by LandTek Design LLC. which shows the removal of lot 16.05  
\*Revised “Traffic Impact Analysis” prepared by SP Staigar & Peregoy LLC dated Rev.7-12-11  
\*Revised copies of “Boundary and Topographic Survey”

Exhibit A-3 Superior Court Document Fabio Court final judgment [9-21-11]

A-4 DEP Letter of Interpretation – Extension [9-21-11]

**11-30-11 Application this evening is a continuation of the September 21, 2011 hearing; enclosed for the Board’s review: Mr. Randy Bishop certified that he listened to the tape of the hearing and can continue hearing the application.**

- September 6, 2011 “Report of Stormwater Investigation: prepared by JZN Engineering PC
- Revised “site plan” sheet 3 of 11 revision date of 11-03-11
- Revised “grading and drainage plan “ sheet 3 of 11 revision date of 11-3-11
- Traffic Impact Study dated 11-2-11 prepared by Maser Consulting

Exhibit A-5 Sheet 3 of 11 revised site plans dated rev. 11-3-11 [11-30-11]  
Sheet 4 of 11 revised grading & drainage plan rev. 11-3-11 [11-30-11]  
A-6 Revised landscape plans rev. 9-7-11 [11-30-11] [also a color rendering of same]

Next scheduled hearing will be held January 25<sup>th</sup>, 2012 [ note this hearing is the Planning Board Re-Organization hearing date, the adoption of the Master Plan, and an application has been scheduled.

Motion offered to adjourn hearing was offered by Rich Ambrosia moved and second by Joseph Krimko meeting closed at 10:55 PM.

This application has been re-scheduled for a special hearing date of February 8<sup>th</sup>, 2012 to give the applicant the entire evening for review and presentation.

February 8<sup>th</sup>, 2012 is the continuation of the application heard earlier, new submissions are as follows”

Mr. Eric Houghtaling has signed a certification to verify he reviewed the tapes of the previous hearings and feels qualified to hear the remainder of the application.

Exhibits for the 2-8-2012 hearing:

- ∞ DEP letter dated 8-22-2011 regarding “rare species information at the location”
- ∞ HCI letter dated 9-6-11 “addendum to EIS 11-10-09”
- ∞ JZN Engineering letter dated 4-28-11 regarding Stormwater Management Investigation
- ∞ Traffic Impact Study prepared by Maser Consulting 1-16-2012
- ∞ Revised site plan sheet 3 of 11 as per comments by the Planning Board revision #4
- ∞ Report dated 1-31-2012 prepared by Peter Avakian

Exhibit A-7 Revised sheet 3 of 11 proposed residential development [rev #4] 1-16-12

Opposition’s exhibits entered in testimony at the Feb 8, 2012 hearing

- Applicant’s exhibit A-5 revised grading & drainage mark- up submitted by Agent
- O-1 Submitted by Agent drainage P-1
- O-2 Submitted by Agent drainage P-1
- O-3 submitted by Agent Riparian Buffer Comments
- O-4 Draft flood hazard area technical manual
- O-5 Boundary & Topo Survey mark-up submitted by Mr. Aly Fabio Ct
- O-6 Grading & Drainage Plan mark-up submitted by Mr. Aly Fabio Ct
- O-7 Steep & Critical Slope Exhibit sheet S1 of 11 mark up by Brook Crossan
- O-8 Grading & Drainage Plan sheet 4 of 11 marked up by Brook Crossan

Due to the lateness of the hearing, public portion was delayed until the continued hearing that will be held March 28<sup>th</sup>, 2012. No further notice will be required.

Absent from the February 8<sup>th</sup>, 2012 hearing was Mr. Mel Hood

Board notes:

A7 was presented to the Board for consideration, Mr. Rached went over the information he found, and presented the board with a traffic video that was prepared showing the traffic pattern. Data for the review was taken on December 6<sup>th</sup>, 2011, Mr. Rached gave the board his suggestions regarding how the traffic pattern could be handled, which would be the widening of Rt 66, he would at the board suggest submit a "Problem Statement to the DOT" the other suggestion was to create via township resolution a "Fair Share Contribution Account" this is something that the developers in the area would share the cost of developing the site.

Rev Brown questioned some of the information on the traffic presentation, and if this fund would only effect the immediate area? [Yes] Mr. Jones also had some questions regarding the site and the funds.

Mr. Kitrick –compile the study on this

Mr. Krimko stated I read the entire traffic report.

PUBLIC Questions:

Mr. Steib attorney for the opposition [Tom Volt] questioned the service levels that were failing

Ms. Kragushansky Esq attorney for 18 Nept Associates her client purchased the adjoining property, stated they have 12 acres of land, and questioned the road improvement on this site. She was advised those approvals expired in 2010.

Mr. Johnson of Rhodes Terrace, did the study take into consideration Rhodes Terrace?

Mr. Rached stated not only was Rhodes Terrace in the study, along with Fabio Court.

Mr. Aly of Fabio Court stated he had a lot of questions regarding on your revised report. {This was not the time regarding this issue he could return to the stand later on in the hearing}

Public portion closed

Mr. Michael Steib – attorney for Thomas Volk came forward with Tim Fitzpatrick Civil Engineer and Mr. Mike Simpson, Planner were sworn into the record.

Mr. Fitzpatrick [in the business for 20 years] testified he visited the property and the neighbor's property, reviewed the municipal land ordinance, state regulations. He is concerned with the infiltration basin system, riparian buffer, stormwater mgt issue.

Presented a mark-up showing the proposed 3 basins on plan sheet 4 of 11 rev 11-3-11 Exhibit O-1, stated the basin will not function property at this site; Listed basin P-1; P-2 & P-3; stated that basin P-3 will spill;

Exhibit 0-2 shows the larger basin

Board questions:

R. Ambrosio did your re-analysis on P-1 did you assume you may find clay at the site?

F. Porter, would a bad storm cause the water into the wetland to contaminate the water?

Ms. S. Davis what is the GIS review, additional statements was testified to regarding the basins.

Mr. Peter Avakian PE, noted all this was covered in the Tec Review of March 11, 2011

Mr. Truscott wanted to know if Mr. Fitzpatrick was a Geo Technical Engineer [No a civil engineer]

Public –

Mr. Aly of Fabio Court – commented on the boundry survey, DEP confirms that there are streams on this site;

Mr/ Avakian stated that an Environmental Consultant stated there are no streams at this site; members of the public stated they have a stream in their yard; questioned the "steam corridor"

Member of the public was concerned regarding how would the residents on Rhodes Terr leave if there was a tragic emergency on Wayside Road, how would they escape? Additional questions were testified to regarding the drainage, steep slopes, tree removal etc.

Due to the lateness of the hour the hearing was carried to the March 28<sup>th</sup>, 2012 with no further notice.

4-25-2012

Comments prepared by Peter Avakian on reports submitted by :  
ARGENT Assoc – Timothy S. FitzPatrick PE PP 3-26-12  
MACK Assoc LLC – A. Brook Crossman PE PhD 3-22-12

\*\*\* Mr. Houghtaling has sign a certificate that he listened to the tapes of the previous meetings and can proceed with the hearing before the board.

Motion to accept/deny offered by \_\_\_\_\_ moved and second by \_\_\_\_\_  
Mr. Richard Ambrosio\_\_\_ Ms. Sharon Davis \_\_\_ Mr. Mel Hood \_\_\_ Mr. Eric Houghtaling\_\_\_ Mr. Jason Jones \_\_\_  
Mr. Joseph Krimko \_\_\_ Mr. Fred Porter \_\_\_ Chair Joseph Shafto \_\_\_  
Alternates: Robert Lane alt 1 \_\_\_

Absent from hearings: Mr. Huizenga, Rev. Brown alt 2.