

# TOWNSHIP OF MIDDLETOWN

Planning Board  
3 Penelope Lane  
Middletown, NJ 07748-2504

JAMES DEUS  
Chairman

SANYOGITA S. CHAVAN, P.P., A.I.C.P.  
Director of Planning



Organized December 14, 1667  
"Pride in Middletown"

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## PLANNING BOARD MEETING MINUTES January 9, 2019

A Regular Meeting of the Planning Board of the Township of Middletown was held in the main meeting room at Town Hall, One Kings Highway, Middletown, New Jersey, at 6:30 PM on January 9, 2019.

The Notice Requirements for the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Independent, the Star Ledger and the Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk on November 2, 2017.

All notification for this meeting was given pursuant to the Open Public Meetings Act at least 48 hours prior to this meeting.

Roll call was taken with the following members present: Mr. John Deus, Mr. Carl Rathjen, Mr. Kevin Colangelo, Mr. Frank Wilton, Mr. David Merces, Mr. Howard Brey, Mr. Paul Crupi, Mrs. Patricia Snell, Mr. Alex Czaplicki. Also present: James Gorman, board attorney, Robert Keady, board engineer, Sanyogita Chavan and Thomas Incorvaia, board planners.

A salute to the flag followed.

### APPROVAL OF MINUTES

Motion was made to approve the minutes of September 5, 2018, October 3, 2018, and November 7, 2018. Motion was seconded and approved with an all in favor vote.

### APPROVAL OF RESOLUTIONS

Motion was made by Mr. Deus to approve the resolution for #2018-201 – 1515 Route 35 Investors, TIC 1, LLC, which was an approval for a major site plan to convert 29,150 SF of existing commercial space to contain the Tractor Supply Company Store with outdoor storage. Motion was seconded by Mr. Wilton with the following roll call vote:

Ayes: Brey, Crupi, Czaplicki, Deus, Rathjen, Wilton

Nays: None

### **Many Neighborhoods. One Middletown!**

Belford ◦ Chapel Hill ◦ Fairview ◦ Harmony ◦ Leonardo ◦ Lincroft ◦ Locust ◦ Middletown Village  
Monmouth Hills ◦ Navesink ◦ New Monmouth ◦ North Middletown ◦ Nut Swamp ◦ Oak Hill ◦ Port Monmouth ◦ River Plaza

Motion was made by Mr. Rathjen to approve 2018-105 – Village 35, LP, which was an approval for a minor subdivision. Motion was seconded by Mr. Deus with the following roll call vote:

Ayes: Colangelo, Czaplicki, Deus, Rathjen  
Nays: None

Motion was made by Mr. Rathjen to approve 2017-108 – Jonathan Diamond, which was an approval granting one-year extension of the minor subdivision. Motion was seconded by Mr. Deus with the following roll call vote:

Ayes: Colangelo, Czaplicki, Deus, Rathjen  
Nays: None

Chairman Deus noted that this was an open public meeting and asked if there were any non-agenda items that the public would like to address this evening. Monica Manning addressed the board that she needed clarification regarding Village 35 site plans. Ms. Chavan said that the plans have been filed. Mr. Gorman noted that the public will be notified. Ms. Manning had additional questions regarding the traffic study. Mr. Deus said that the Board will have to figure how to handle this at site plan review. Seeing no other members of the public appearing, Chairman Deus proceeded with the others matters on the agenda.

#### RE-ORGANIZATION OF THE BOARD

##### Nomination of the Chairman

Motion was made by Mr. Rathjen to nominate Mr. John Deus as the chairman. Motion was seconded by Mr. Wilton and approved with the following roll call vote:

Ayes: Brey, Colangelo, Crupi, Czaplicki, Mercedes, Rathjen, Wilton, Snell  
Nays: None

##### Appointment of the Vice Chairmain

Motion was made by Mr. Deus to nominate Carl Rathjen as the vice chairman. Motion was seconded by Mr. Wilton and approved with the following roll call vote:

Ayes: Brey, Colangelo, Crupi, Czaplicki, Deus, Mercedes, Wilton, Snell  
Nays: None

##### Appointment of the Planning Board Attorney

Motion was made by Mr. Deus to nominate James Gorman, Esq. as the board attorney. Motion was seconded by Mr. Rathjen and approved with the following roll call vote:

Ayes: Brey, Deus, Colangelo, Crupi, Czaplicki, Mercedes, Rathjen, Wilton, Snell  
Nays: None

##### Appointment of the Planning Board Engineer

Motion was made by Mr. Deus to appoint Robert Keady Jr. as the board engineer. Motion was seconded by Mr. Rathjen and approved with the following roll call vote:

Ayes: Brey, Deus, Colangelo, Crupi, Czaplicki, Mercedes, Rathjen, Wilton, Snell  
Nays: None

Appointment of the Planning Board Conflict Engineer

Motion was made by Mr. Deus to appoint Mr. David Hoder of Hoder Engineers as the board conflict engineer. Motion was seconded by Mr. Rathjen and approved with the following roll call vote:

Ayes: Brey, Deus, Colangelo, Crupi, Czaplicki, Mercedes, Rathjen, Wilton, Snell  
Nays: None

Mr. Deus stated that the Appointment of the Affordable Housing, Economic Development/Redevelopment, Land Use and Master plan committees will be held off until the next Planning Board Meeting on February 6, 2019.

Motion was made to close the reorganization portion of the meeting and proceed with the regular order of business. Motion was seconded and approved with an all in favor vote.

ADMINISTRATIVE MATTERS

Payment of Vouchers

Motion was made by Mr. Rathjen to approve the vouchers in the amount of \$5,114.40 for James Gorman, Esq., and vouchers in the amount of \$13,677.07 for T&M Associates. Vouchers totaling \$18,791.47 were approved at the January 9, 2019 Planning Board meeting.

Planning Board Rules

Ms. Chavan clarified that members were mailed a booklet entitled “Planning Board Rules 2017” prior to the meeting, and that these changes were conducted then and haven’t changed since then. These rules were adopted in 2018 and now will be adopted in 2019. She further said that she replaced the cover page to depict the current year 2019. Mr. Gorman further clarified that no changes have been made to the planning board rules since 2017. Mr. Gorman recommended that all board members review the rules.

OLD BUSINESS

#2018-100 – Archer Management; Block 615, Lot 81; 207 Harmony Road; Located in the B-3 Zone;  
Applicant is seeking approval to subdivide existing Lot 81 containing a total area of +/- 10.258 acres into two (2) new commercial lots, Lots 81.01 and 81.02, and one undeveloped lot, 81.03.

The application was carried without further notice to the February 6, 2019 meeting.

#2018-106 Jan and Carole Glowacki; Block 1109, Lot 67.01; 45 Pine Street; Located in the R-30 Zone;  
Informal hearing for a potential minor subdivision with frontage variance to create two lots.

Mr. Gorman reminded the board and the witnesses that the Municipal Land Use Law does allow for informal pre-application processings before the board, but that anything the board says during this hearing is not binding.

Mrs. Glowacki introduced herself and her husband, subsequently describing the property they own and their desired plans to subdivide the said property creating a potential lot frontage variance.

Board members, Mr. Gorman and the applicants discussed the Glowackis' plans. Mr. Gorman advised the Board to not make definitive comments.

Mr. Gorman advised that Mr. and Mrs. Glowacki return with an engineer, planner, and attorney for a formal application.

#2018-401 – Shadow Lane, LLC; Block 1020, Lot 10.10; 3 Bucchop Lane, Located in the R-45 Zone; Amended Major Subdivision.

Mr. Brad Batcha, Esq., the applicant's attorney appeared and provided testimony in support of the application for the Board. He also introduced his witnesses Mr. Matthew Dubois, applicant's engineer and John Burke, the applicant.

Mr. Gorman swore in Mr. John Burke and Mr. Matthew Dubois.

Mr. Dubois provided his credentials to the board and Mr. Deus stated that the board accepted them.

Mr. Dubois presented, read and made reference to a letter from Mr. Robert Keady, of T&M Associates, the Planning Board engineer.

The engineer posted an exhibit and described that the applicant's plans in further detail.

Mr. Batcha explained that the exhibit being discussed by the engineer is an updated version, and marked the exhibit A2.

Mr. Gorman asked if Mr. Keady had seen this exhibit yet. The applicant's attorney replied that he did not.

Mr. Deus opened up a brief discussion regarding the spelling of "Bucchop" Lane. The applicant's attorney explained the issues and confusion surrounding the different spellings of the street name, and that one specific spelling does not exist at this time.

Mr. Dubois continued explaining the plans in detail, including waivers, disturbances and square footage.

The applicant's engineer, the Planning Board engineer, and the Board discussed the drainage study. The applicant's engineer mentioned that a drainage study was prepared. Mr. Keady told them to submit it through the planning office.

Mr. Keady noted that the retaining wall can be handled administratively. Landscaping was discussed. The applicant will preserve the 30-foot conservation easement and will provide additional trees.

Mr. Gorman asked if they provided notice. The applicant's attorney said that they did but didn't think they were required to.

Mr. Deus then opened for public comment. Seeing no members of the public present, motion was made to close the public portion of the meeting.

Motion was made by Mr. Wilton to approve the application. Motion was seconded by Mr. Brey with the following roll call vote:

Ayes: Brey, Colangelo, Crupi, Czaplicki, Deus, Mercas, Rathjen, Snell, Wilton  
Nays: None  
Abstain: None

Mr. Gorman discussed the Minding Middletown matter briefly.

Motion was made to adjourn the meeting. Motion was seconded and approved with an all in favor vote.

The meeting adjourned at 7:50 PM

ADJOURNMENT

Prepared by:

A handwritten signature in black ink that reads "Sanyogita Chavan". The signature is written in a cursive, flowing style.

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Sanyogita S. Chavan, AICP, PP  
Director of Planning