

TOWNSHIP OF MIDDLETOWN

Planning Board
3 Penelope Lane
Middletown, NJ 07748-2504

JOHN DEUS
Chairman



Organized December 14, 1667
"Pride in Middletown"

SANYOGITA S. CHAVAN, P.P., A.I.C.P.
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PLANNING BOARD MEETING MINUTES APRIL 17, 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 P.M. on April 17, 2019.

The notice requirements provided 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 15, 2018.

All notification 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. Deus, Mr. Rathjen, Mr. Mercedes, Committeewoman Snell, Mr. Czaplicki, Mr. Berson

Also present: James Gorman, Board Attorney; Greg Gitto for Robert Keady, Board Engineer; Sanyogita Chavan and Thomas Incorvaia, Board Planners; Erin Uriarte, Board Secretary

A salute to the flag followed.

APPROVAL OF MINUTES

None

RESOLUTIONS

None

ADMINISTRATIVE MATTERS

Payment of Vouchers – Mr. Rathjen indicated that he has reviewed the invoices and found them to be in order. The total payment of vouchers is in the amount of \$37,632.63.

CHAIRMAN DEUS OFFERED A MOTION TO APPROVE THE PAYMENT OF VOUCHERS FOR APRIL 17, 2019, SECONDED BY COMMITTEEWOMAN SNELL. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

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

PUBLIC COMMENT

Chairman Deus opened the meeting to the public for anyone who wishes to comment on items not on the Agenda.

Trisha Maguire, 49 Fox Wood Run, offered comments regarding the Fair View Crematorium litigation and indicated that she felt the Village 35 application should not be heard either due to the pending litigation from the Minding Middletown group. Mr. Gorman replied that they are separate cases and that there are no court proceedings holding up the Village35 hearing.

OLD BUSINESS

#2016-403 – Block 1002, Lot 75, LLC; Block 1002, Lot 75; 824 Nut Swamp Road; Located in the R-30 Zone; Applicant is seeking amended site plan approval to reduce the number of proposed lots to six (6), each containing one single family home.

Mr. Gorman indicated this application will not be heard tonight and will be carried to May 15, 2019 with no further notice required.

#2018-103 Golden Rule Property Solutions, LLC; Block 618, Lot 14; located in the R-22 Zone; 1275 Green Oak Boulevard. Applicant is proposing to subdivide the property into two separate lots; subdivision requires a variance for insufficient lot frontage.

Mr. Gorman indicated this application will not be heard tonight and will be carried to May 1, 2019 with no further notice required.

#2019-200, Village 35, LP; Block 825, Lots 53-57, 58-68, 69.01, 72-79 & 81; located in the Circus Liquors Redevelopment Area; 761-853 Route 35. Applicant is requesting preliminary and final major subdivision and major site plan in accordance with the Circus Liquors Redevelopment Plan.

Mr. Gorman noted that the notices are in order and the Board has jurisdiction to hear this matter. He added that while the applicant was not required to notice, they did so to address a concern from a neighbor.

Marc Policastro introduced himself as the Attorney for the applicant.

Richard W. Hunter was sworn in and accepted as an expert Archeologist. Mr. Hunter indicated that he was retained for the permitting process with the NJDEP and has reviewed all associated documents related to this application. He referred to a 2nd Phase IB Archeological Study, dated June 2016 and offered testimony related to the architecture and archeological components on site. There were no archeological components found however there were aspects of the architecture that were evaluated as well. They identified that the Calico the Clown sign and aspects of the grocery store met the criteria for the National Registry of Historic Structures. It was determined that the clown was built in the 1950's and there will be photographic documentation of its move, as well as photographic documentation of the demolition of the supermarket building in order to create a historic narrative.

Chairman Deus asked for questions from the public based on Mr. Hunter's testimony however none were received.

Gabriel J. Massa and Andrew Dorin were sworn in and accepted as expert Architects.

Ms. Chavan noted that the plans were not received in a timely fashion so the Planning staff was not able to issue a report, however the plans were reviewed and they are ready to offer updated

comments but for now they will rely on the review letter dated March 14, 2019 as well as the T&M Associates report of March 14, 2019.

Mr. Massa stated that they have designed this center to really raise the bar on the commercial retail experience. Online shopping has affected the retail industry and the designs have also adapted to those changes. Centers need varied tenants, they are proposing a mixture of nationwide retailers and restaurants as well as local vendors and smaller spaces. The main building is 32 feet in height which is similar to a 2-story colonial home. The building was designed to human scale, with angulated surfaces to give the appearance of different buildings, with different types of materials such as stone and brick to break up the façade.

A Perspective Imagery Package Exhibit was marked as Exhibit A-1. Mr. Massa noted this is a simulated view from the Main Boulevard. A colored rendering of the site plan overlaid on an aerial photograph was marked as Exhibit A-2. Mr. Massa noted the Wegman's building to the South and a Cinema at the north end of the site. The main commercial strip runs between the two buildings and there are three pads sites located closer to the highway. A Simulated Cinema Image was marked as Exhibit A-3. Mr. Massa noted the added transparency to break up the long walls usually associated with a cinema. They also used color striping to break up the façade. A north elevation of building 5 was marked as Exhibit A-4. Mr. Massa noted the broken up façade and the varied materials being proposed. This commercial strip is not designed around any one anchor store. They want to give each store its own identity. The applicant feels that brand is important to each tenant, especially the localized tenants. A northwest elevation was marked as Exhibit A-5. Mr. Massa noted the angulation of the façades using materials such as brick, EIFS, stucco and stone. A center elevation was marked as Exhibit A-6. Mr. Massa noted the contemporary design of the clock tower. A southeast elevation was marked as Exhibit A-7. Mr. Massa noted the raised roadway table which adds a nice aesthetic touch and also provides a method of traffic calming. An east side elevation of building #5 was marked as Exhibit A-8. Mr. Massa noted that they carried on the theme of materials, using a different composition of materials. An artist's rendering of the Wegman's Building was marked as Exhibit A-9. Mr. Massa noted that he also designed the Wegman's in Ocean Township and feels that this far exceeds that design. He noted the various angles and verticality and added that this building has less transparency because of the perishables inside. Vermin control was also considered as part of the design as well.

Mr. Massa noted that the overall plan is walkable, bikable and sustainable. The sidewalks are an extra-wide, 24 foot design enhances with vegetation and landscaping. The applicant feels they have gone beyond complying with the Redevelopment Plan in regard to glazing and offering a variety of materials. They are proposing low VOC paint products with minimal hazardous sealing products and LED lighting as they feel it is in their best intent to be sustainable. Originally the back wall of the building was proposed to be one color however the Redevelopment Plan required a change to break that up as well.

Chairman Deus offered comments comparing the design to the Grove in Shrewsbury and asked what sets this aside? Mr. Massa replied that it doesn't have the pillars of a town center design. Mr. Deus asked if there is a designated area for cyclists to ride throughout the center. Mr. Massa replied that it would be a park and walk situation.

Mr. Rathjen asked what percent of tenant would be eating establishments. Mr. Massa indicated that while not all tenants have been established, they would like a mix of local and chain eateries,

with the smaller eateries towards the center and possibly a larger restaurant down at the northwest end of building #5.

Francis indicated concern with meeting the glazing requirements. Mr. Massa indicated that the minimum requirements were met. They can be modified as the tenants are secured, but it will be similar. The applicant feels that each tenant's individual branding is important so the specific design will be addressed using the material theme presented and an earth tone color palette. Mr. Massa added that the type of materials to be used is addressed in the Redevelopment Plan and they do have samples to be reviewed. Ms. Chavan suggested the samples be delivered to her office for review, Mr. Massa agreed to have them delivered.

Ms. Chavan referred to the Cinema Elevation and indicated concern with the blank wall facing a connector road. She recommended some architectural features to break up the plan facade. Mr. Massa agreed to revise Elevation G of page 8 of the Elevation Package.

Committeewoman Snell referred to the proposed EFIS design and asked if the design has improved over the years to prevent leaking and cracking that some other buildings have experienced. Mr. Massa advised there have been significant improvements to the recent EIFS designs.

A box of architectural materials was marked as Exhibit A-11. It was agreed the box could be delivered to the Planning Department for review, with a photographic inventory of the materials to be submitted for the application file.

A discussion was held regarding the design without tenants in place. Board members indicated concern with future changes in the design after the approval process should a large chain require certain fixtures that are not allowable. Mr. Massa indicated the applicant has the Redevelopment Plan as a tool to help guide the design as each tenant is placed.

John Orrico, of NRDC, Purchase, NY, was sworn in and stated that tenants will not commit without an approval in place. They have lots of interest however they cannot secure any leases until the approval is in place. They hope to be at least 75% leased before they start building. The Redevelopment Plan is an important tool to him because it backs him up if a tenant pushes for something that is not allowed. The only tenants confirmed at this point are a 20,000 square foot liquor store and a pet store that will be on the end of building 5 facing the Wegman's building.

Chairman Deus asked if the pad sites could contain multiple tenants. Mr. Orrico replied that they are looking at dual uses for the pad sites as retailers are changing to become more efficient. Mr. Deus indicated concern with parking requirements for a dual use. Ms. Chavan advised that the parking is calculated by square footage and they exceed the requirement.

An Architectural Plan Package was marked as Exhibit A-12. The Building Sign Package was marked as Exhibit A-13. A Site Signage Package was marked as Exhibit A-14.

Mr. Massa reviewed the signage proposed noting that the Redevelopment Plan allows for illumination of the signs, but no digital signs.

A discussion was held regarding the various types of illuminated signs that could be permissible. Board members indicated concern with internally lit channel letters and internally illuminated signs. Francis recommended the Board impose any restrictions at this time. Board Members indicated they do not want to see any box signs with fluorescent illumination. Francis

recommends the sign package be approved by the Board as each tenant comes in or the creation of Sign Review Committee.

Mr. Dorin reviewed the site signage package, noting that there was a typo on the plan relating to the internal Community Appliance sign.

Chairman Deus asked for any questions from the public based on the testimony given.

Laura Patton, 32 Carriage Drive, asked questions related to concerns with empty storefronts in the future. Mr. Massa indicated this center has all the pillars for a successful center and will be affordable for tenants without too many restrictions. He does not see empty storefronts being an issue in the future.

Rosanno Sasso, Kings Highway East, asked questions related to traffic and was advised a traffic expert would be testifying at a future hearing.

Alice O'Grady, Provident Court, asked questions related to the cinema and traffic.

Barbara Singer, 5 Deerfield Road, Holmdel Township, questioned the square footage of the various buildings, which was addressed by Mr. Massa. Ms. Singer offered comments regarding traffic and was advised this was not the proper portion of the hearing.

Matt Mauro, Tindall Road, asked questions regarding cyclist safety. Mr. Massa referred to the site plan exhibit and pointed out right of way areas and areas for cyclists to park.

Monica Manning, 36 Spruce Drive, asked questions regarding tenant compliance and sample leases to ensure compliance. Ms. Chavan explained the Resolution Compliance procedure as well as the Enforcement process.

Tara Flemming, Brandywine Lane, asked questions regarding sustainability and suggested the developer look at centers in other parts of the world for ideas. She asked that bike lanes also be included in the plan. Ms. Chavan advised that the sustainability requirements were addressed in the Redevelopment Plan.

Oley DiCensa, asked questions related to pedestrian safety and community areas. Mr. Massa advised there are extra wide sidewalks and the plan includes areas for outdoor seating throughout the center.

Barbara Lombardi, Crest Road, asked questions related to the maintenance of the plantings and buildings. Mr. Orrico indicated he holds his maintenance team to a very high standard.

Jerry Mahutt, asked questions related to what will be visible on the tops of the buildings. Mr. Massa explained the HVAC screening that will be on the rooftops. Mr. Mahutt asked if the tenant base can be taken from other local locations. Mr. Orrico replied it is possible.

The Board took a recess at 10:07 pm and reconvened at 10:15 pm.

Art Pirds, of Wegman's was sworn in and explained the family history behind the Wegman's company. He added that the company likes to be a part of the community and will reach out to various organizations in the area to help meet the needs of the different labor groups. After Board Members questions, Mr. Pirds advised the store hours are generally from 6 am – 12 am and they do employ an overnight crew, the refuse area is located within the store and a refuse company collects twice a week and they anticipate 6 to 8 deliveries per day.

Chairman Deus asked for questions from the public based on Mr. Pirds' testimony.

Monica Manning asked for clarification as to which community groups will be reached out to. Mr. Pirids indicated they will reach out the United Way and any other organizations that work to employ special needs citizens or Veteran's.

Taryn Aulicino, 27 West Farm Road, questioned how Wegman's will fit in with other grocery stores in the area. Mr. Pirids indicated he does not like to discuss the competitors as it does not relate to this application.

Oley DiCenso, Kings Highway, asked questions related to traffic and was advised the traffic expert would be testifying at a future hearing.

John Czepiel, Kings Highway, asked if solar would be a part of the sustainable design. Mr. Pirids indicated that detail of the design phase has not been done yet.

No further questions were received.

Chairman Deus announced this application will be carried to the May 15, 2019 meeting at 6:30 pm with no further notice required.

ADJOURNMENT

MR. BERSON OFFERED A MOTION TO ADJOURN THE MEETING AT 10:55 PM, SECONDED BY MR. RATHJEN. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

Prepared by:

Erin Uriarte,
Board Secretary