

Chairman Cunningham called the meeting to order at 7:30 P.M. Mr. Cunningham read the following statement: "This is a regular meeting of the Tinton Falls Planning Board and is being held in compliance with the New Jersey Open Public Meetings Act. Adequate notice of this meeting has been given by posting on the Bulletin Board of the Municipal Building and by advertising in the Asbury Park Press and The Coaster."

ROLL CALL

Present: Chairman Cunningham, Councilman Baldwin, Mr. Lodato, Mr. Romanov, Mr. Collins, Mr. Clayton, Mr. Mirarchi

Absent: Mayor Turning, Ms. Guarino, Mr. Natter

Others: Dennis Collins, Esq.
Thomas Neff, T&M Associates, Board Engineer
Anthony Rodriguez, CME Associates, Board Planner
Deanna Keefer, Board Secretary

All present stood for a Salute of the Flag.

CITIZEN SERVICE ACT COMPLIANCE – Chairman Cunningham stated that Ms. Guarino and Mr. Natter had previously indicated that they would be out of town and unable to attend tonight's meeting. Mayor Turning gave notice of his absence prior to the meeting to Councilman Baldwin. Chairman Cunningham asked if anyone would like to question these absences. Hearing none, asked for a motion to accept said absences.

Mr. Collins offered a motion to accept the absences of Mayor Turning, Ms. Guarino and Mr. Natter. The motion was seconded by Mr. Mirarchi. All voted in favor.

PROFESSIONAL REPORTS – None

Chairman Cunningham indicated that the Antonio Gomes hearing will not be heard tonight, and is being carried to the November 9th Planning Board Meeting. Attorney Collins stated for the record that said application is being carried without further notice; no one will receive any mailings; and there will be no notice in the newspaper advising of the new hearing date.

APPROVAL OF MINUTES-

Chairman Cunningham asked if there were any questions or comments in regards to the August 24th minutes. Hearing none, he asked for a motion to accept the minutes as submitted.

**BOROUGH OF TINTON FALLS
PLANNING BOARD**

**REGULAR MEETING
October 12, 2016**

Mr. Collins offered a motion to accept the August 24th minutes as submitted. The motion was seconded by Mr. Mirarchi.

Roll Call:

AYES: Chairman Cunningham, Mr. Lodato, Mr. Romanov, Mr. Collins, Mr. Clayton

NAYS: None

ABSENT: Mayor Turning, Ms. Guarino, Mr. Natter

INELIGIBLE: Councilman Baldwin, Mr. Mirarchi

RESOLUTIONS-

Regency at Trotter's Pointe-PB#2016-08

Block 76.02 Lots 1-7 &24, Block 76.04 Lot 11

Amended Preliminary & Final Major Subdivision & Site Plan Approval

Chairman Cunningham asked for a motion to accept the resolution as prepared by Attorney Collins.

Mr. Collins offered a motion to approve the resolution. The motion was seconded by Mr. Clayton.

Roll Call:

AYES: Chairman Cunningham, Mr. Lodato, Mr. Romanov, Mr. Collins, Mr. Clayton

NAYS: None

ABSENT: Mayor Turning, Ms. Guarino, Mr. Natter

INELIGIBLE: Councilman Baldwin, Mr. Mirarchi

PLANNING BOARD BUSINESS-

Chairman Cunningham advised the public of the procedural rules of the Tinton Falls Planning Board.

Chairman Cunningham stated that our application this evening is:

Tractor Supply-PB#2016-07 Block 120 Lots 20.03 & 21.01

Minor Subdivision and Preliminary and Final Site Plan

Attorney Collins stated that notice of adjoining property owners and affidavit of publication have been reviewed, are in order and the board has jurisdiction to hear this matter.

Attorney Collins swore in the following witnesses that are present on behalf of the applicant:

Michael Gallagher, P.E.

Nicholas Aiello, P.E., PTOE, PTP

Raymond Liotta, P.P.

Lisa Baxter, Tractor Supply, Construction Project Manager

Glen Oxford, AIA, Oxford Architecture

Attorney Collins also swore in the following Board Professionals:

Thomas Neff, Board Engineer, T&M Associates

Anthony Rodriguez, Board Planner, CME Associates

Attorney Collins asked that Mr. McGann, attorney for the applicant mark the following exhibits:

A-1: A Lot Consolidation and Minor Subdivision plan prepared by Eric V. Wilde, PLS for Maser Consulting dated September 19, 2014 and revised September 12, 2016 consisting of one sheet.

A-2: Preliminary and Final Major Site Plan prepared by Michael F. Gallagher, P.E. for Maser Consulting dated April 16, 2016 and revised September 20, 2016 consisting of fifteen sheets.

Mr. McGann gave a brief overview of the application. He indicated the following regarding the application: the applicant is proposing a minor subdivision as well as preliminary and final site plan for Tractor Supply Company. The proposed building would be approximately 19,000 square feet, with an outdoor display area of about 15,000 square feet. Also proposed is a preliminary site plan of a pad for retail use of an approximately 6,000 square foot building.

Mr. McGann called Michael Gallagher, P.E. as his first witness. Mr. Gallagher listed his credentials to the board, and the board had no objection to his expertise.

Exhibit A-3 is entered, it is a color rendering of the site plan as an aerial image.

Mr. McGann clarified that the applicant is 5S Realty, LLC. The principle members are James Stavola, Tom Stavola, Joanne Stavola, Peter Stavola and Linda Stavola. Mr. McGann asked the board to confirm that no board member has a conflict to hear this application. No conflicts are mentioned.

Mr. Gallagher gave an overview of the site and surrounding properties. He also gave testimony focused on the ingress, egress and circulation of the site; the landscaping, including landscape buffering; storm water management; lighting schematics; utilities and the plan to subdivide the property.

Mr.

Gallagher stated that the proposed location is a NC (Neighborhood Commercial) zone, and both uses are permitted in the zone.

Mr. Gallagher gave an overview of the Tractor Supply Company retail store, his testimony focused on the products that are typically sold at the stores; the hours of operation; number of employees; delivery windows; parking spaces; and refuse facilities.

Mr. Gallagher indicated that signage package that is being proposed contains two monument signs, one along Shafto Road and the other along West Park Avenue.

Exhibit A-4 is entered: Site Plan Rendering 80 scale.

Mr. Gallagher indicated that the applicant had also applied to the Monmouth County Planning Board, as well as the Freehold Soil District, approvals are pending.

Mr. McGann asked about the fencing that would surround the outdoor display area. Mr. Gallagher gave testimony regarding the specifics of the outdoor display area, as well as the other display areas proposed.

Chairman Cunningham asked how close the property would be to the closest residence and if there would be any light spillage from the facility. Mr. Gallagher indicated that the property is approximately 120 feet to the closest neighboring residence, and provisions had been made to reduce any light spillage.

Mr. Lodato asked a question about the neighboring residences being occupied. Mr. Gallagher gave testimony regarding said residences.

Mr. Rodriguez asked for clarification on lighting in the parking areas.

Mr. Neff asked a question regarding the subdivision and access easement, Mr. Gallagher testified regarding such. Attorney Collins indicated that he would review the access easement.

Mr. Lodato asked if the smaller retail building required a variance for parking, and if there is an intended tenant. Mr. Gallagher indicated that no variance is needed, and there is no tenant intended at this time.

Chairman Cunningham asked about utilities, and the proposed 8 foot fencing being proposed. Mr. Gallagher testified to the use of utilities and the need for the 8 foot fencing.

Chairman Cunningham asked a question about the access roads to the proposed lots. Mr. Gallagher gave testimony regarding the access roads surrounding the lots.

Councilman Baldwin asked about the landscaping on West Park Avenue and sight triangles. Mr. Gallagher discussed the landscaping and sight triangles on the site plans.

Chairman Cunningham asked about the speed limit on West Park Avenue. Discussion ensued regarding speed limits in the Borough.

Mr. Collins asked if Wawa Way had any weight restrictions. Mr. Neff indicated there were no restrictions that he is aware of. Discussion ensued regarding large trucks making left turns off of Wawa Way.

Mr. Clayton asked about sign placement along West Park Avenue. Mr. Gallagher indicated on the site plan the proposed location of the sign.

Mr. Neff asked for testimony regarding the design waivers that are proposed including buffers, fencing, landscaping and lighting. Mr. Gallagher addressed said design waivers.

Chairman Cunningham asked the board and the public if there were any further questions for Mr. Gallagher. Hearing none, Mr. McGann called Glen Oxford as his next witness.

Exhibit A-5 is entered: A color rendering of elevations and color board.

Mr. Oxford listed his credentials and is accepted by the board as an expert witness.

Mr. Oxford testified to the materials and colors used to enhance the building's appearance.

Mr. Mirarchi asked about fire protection. Mr. Oxford indicated that the building would have a sprinkler system.

Mr. Neff asked about the wall sign, Mr. Oxford indicated it is 108 square feet. Mr. Lodato indicated that he does not foresee any reason to not allow a sign of said size.

Chairman Cunningham asked the board and the public if there were any further questions for Mr. Oxford. Hearing none, Mr. McGann called Lisa Baxter as his next witness.

Ms. Baxter listed her expertise, and was accepted by the board as an expert witness.

Ms. Baxter explained what merchandise Tractor Supply typically sells from its' outdoor display area, as well as the typical assortment inside.

Ms. Baxter indicated the business hours of the Tractor Supply store, average staff size, and described the delivery process and shipment windows.

Ms. Baxter testified to the store operations of Tractor Supply including: noise, pest control, parking, and typical customer traffic.

Mr. Mirarchi asked about the idling of delivery trucks. Councilman Baldwin expressed his concern for overnight or early morning. Ms. Baxter indicated that restricted delivery windows are a possibility. Discussion ensued regarding delivery times and Borough noise ordinances.

Mr. McGann called Nicholas Aiello as his next witness. Mr. Aiello listed his credentials, and is accepted as an expert witness by the board.

Mr. Aiello summarized the Traffic Impact Study he performed on the property, including traffic in other Tractor Supply stores in New Jersey and parking stalls proposed as compared to other Tractor Supply stores.

Chairman Cunningham asked for Mr. Aiello's opinion regarding tractor trailers accessing the property. Mr. Aiello gave testimony with regards to said question.

Mr. Lodato asked if the proposed store is a typical size store in the Tractor Supply chain. Mr. Aiello indicated that the store is smaller than the average Tractor Supply store.

Mr. McGann called Raymond Liotta as his next witness. Attorney Collins indicated that Mr. Liotta's credentials have been previously accepted by the board. Chairman Cunningham agreed.

Mr. Liotta gave an overview of the planning study he performed including the surrounding zones and variances. Mr. Liotta gave testimony as to the variances that are being requested and the justification as to why they are necessary. Mr. Liotta addressed the design waivers that are needed, and gave testimony as to why said waivers are necessary.

Discussion ensued regarding the proposed area of the ground sign in contrast to the area that the ordinance allows.

Chairman Cunningham asked for a motion for Preliminary and Final Site Plan and Minor Subdivision approval with conditions.

Mr. Collins offered a motion to grant Minor Subdivision and Preliminary and Final Major Site to 5S Realty with the easements, variances and conditions that have been stated on record by Attorney Collins. The motion was seconded by Mr. Clayton.

Roll Call:

AYES: Chairman Cunningham, Mr. Lodato, Councilman Baldwin, Mr. Romanov, Mr. Collins, Mr. Clayton, Mr. Mirarchi

NAYES: None

ABSENT: Mayor Turning, Ms. Guarino, Mr. Natter

INELIGIBLE: None

Chairman Cunningham asked if there were any questions or comments from the public. Hearing none, he asked for a motion to close the public session. Mr. Romanov made a motion to close the public session. The motion was seconded by Councilman Baldwin.

EXECUTIVE SESSION-

Not Needed

Chairman Cunningham indicated that the next Planning Board Meeting will be in two weeks on October 26th, 2016.

ADJOURNMENT –

Councilman Baldwin offered a motion to adjourn the meeting at 9:27 p.m., the motion was seconded by Mr. Romanov. All voted in Favor.

Respectfully Submitted,

Deanna Keefer

Deanna Keefer
Board Secretary

Approved at a meeting held on: November 9, 2016