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**BOROUGH OF TINTON FALLS
RE-ORGANIZATION MEETING OF THE PLANNING BOARD
FEBRUARY 28, 2018**

Vice Chairman Lodato called the meeting to order at 7:30 P.M.

Mr. Lodato 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: Vice Chairman Lodato, Mr. Crowley, Mr. Romanov, Mr. Collins, Mr. Clayton, Mr. Natter, Ms. Mayer, Mr. Mirarchi

Absent: Chairman Cunningham, Councilman Baldwin, Mr. Michalowski

Others: Dennis Collins, Esq., *Board Attorney*
Tom Neff, *Board Engineer*
Jennifer Beahm, *Board Planner*
Deanna Keefer, *Board Secretary*

All present stood for a Salute to the Flag.

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PLANNING BOARD BUSINESS-

CITIZENS SERVICE ACT COMPLIANCE- Mr. Lodato indicated that Chairman Cunningham, Councilman Baldwin and Mr. Michalowski are absent tonight, and have given the board secretary advanced notice. Mr. Lodato asked if anyone would like to question said absence. Hearing none, he asked for a motion to excuse the absence.

Mr. Natter offered a motion to excuse the absences of tonight's meeting. The motion was seconded by Mr. Mirarchi. All present voted in favor.

Mr. Lodato stated that Mr. Mirarchi, as alternate #1, will sit and vote in Chairman Cunningham's absence.

PROFESSIONAL REPORTS – None

APPROVAL OF MINUTES- Mr. Lodato indicated that the board had received the minutes of the February 14th meeting, and asked for a motion to approve the minutes as submitted.

Ms. Mayer offered a motion to approve the minutes of the February 14th meeting as submitted; the motion was seconded by Mr. Mirarchi.

Roll Call:

AYES: Ms. Mayer, Mr. Mirarchi, Mr. Lodato, Mr. Crowley, Mr. Romanov, Mr. Clayton, Mr. Natter

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NAYS: None

ABSENT: Chairman Cunningham, Councilman Baldwin, Mr. Michalowski

INELIGIBLE: Mr. Collins

RESOLUTIONS- None

NEW BUSINESS-

Mr. Lodato advised the public of the procedural rules of the Tinton Falls Planning Board.

Mr. Lodato stated that the following application was carried over from the February 14, 2018 meeting.

**PB 2017-10 US Home Corporation d/b/a Lennar
Block 101 Portion of Lot 1- Parcel C
Preliminary & Final Major Site Plan & Subdivision**

Mr. Carton is the attorney present on behalf of the applicant.

Attorney Collins swore in the following witnesses:

Raymond C. Liotta, PP, LLA- Maser Consulting

Mitch Newman-Director of Land Acquisition and Approvals-Lennar

Jeremy Lange, PE, PP-Maser Consulting

Jeffery Fiore, PE-Maser Consulting

Josh Eckert, PP, RA-City Invincible Architecture

The following exhibits were entered for this application:

A1: Aerial image of regional site location

A2: Aerial image- Existing Conditions

A3: Aerial- Close up

A4: Phasing Plan

A4.a: Phase II Plan-Revised with Loading Changes/ Townhome Move

A6.a: Initial Reuse Plan

A6.b: Amendment #1 to Reuse Plan

A6.c: Amendment #3 to Reuse Plan

A7: Side-by-side-Amendment #3 Vs. Rendered Lennar-Color

A8: Amenity Plan/ Civic Green Area-Color

A9: Commvault Photograph

A10: Alternative Parking/ Circulation Exhibit for Childcare and Retail Area

A11.a: Elevation-Low Density Townhomes

A11.b: Elevation- Stacked Townhomes

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A11.c: Elevation-COAH Apartments
A11.d: Elevation- COAH Supportive Units
A11.e: Elevation-Retail Buildings
A15: Definitions- NJAC 19:31C-3.2
A16: Municipal Drive and Tinton Ave-Black & White-Sheet 7/12 of county plan set
A17: Turning Template
A18: Plan of Temporary Sales and Construction Trailer
A18.a: Revised-Temporary Construction
A19: Inspection/ Counts at Various Intersections
A20: Intersection Plan- Tinton Avenue and Municipal Drive

Mr. Carton stated that his next witness is Jeffrey Fiore, Traffic Engineer with Maser Consulting.

Mr. Fiore gave the board an overview of his background and expertise, and is accepted by the board as an expert witness.

Mr. Fiore used exhibit A19 to demonstrate the traffic analysis that was performed. Mr. Fiore gave a detailed description on how traffic will arrive and depart from the site.

Mr. Mirarchi asked if consideration was given to the school system on Wayside road in the mornings. Mr. Fiore indicated that traffic studies were performed while school was open. Mr. Fiore also addressed a question that was asked at the prior meeting regarding Department of Public Works (DPW) vehicles. Mr. Fiore indicated that DPW vehicles entering and exiting Municipal Drive was also taken into consideration.

Mr. Fiore discussed the proposed widening of Tinton Avenue and the re-design of turn lanes to aid in traffic flow. Discussion ensued regarding same.

Mr. Lodato asked a question regarding deliveries at the retail locations. Mr. Fiore indicated that he feels that the type of tenants they are expecting to lease would utilize smaller trucks, about 30-40 feet long for deliveries. Ms. Beahm stated that without knowing what tenants will be in these buildings, there should be no representation of what type of deliveries will be made.

Mr. Fiore stated that there are currently 800-900 cars in both directions on Tinton Avenue during the weekday morning and evening peak hour. Mr. Fiore stated that on Saturday, the volume decreases by about half that amount. Mr. Fiore indicated that the housing aspect of the project would generate about 120 trips during the peak hour, however this would be distributed among the many access points that are proposed throughout the site.

Mr. Romanov asked a question regarding the Mid Way Road and Municipal Drive Intersection, and the traffic associated with same. Mr. Fiore referred to exhibit A5, and discussion ensued regarding same.

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Mr. Lodato opened the meeting to the public for questions, and Mr. Ronnie Batista of 521 Tinton Avenue came forward.

Mr. Batista asked Attorney Collins, based on an earlier comment, if a Walgreens had been decided on for this site. Attorney Collins stated that he does not know what retailers are going in the site.

Mr. Batista expressed his concern with one of the proposed entrances to the site being directly across the street from his home. Discussion ensued regarding said concern.

Mr. Batista asked if there has been any consideration given to the nearby golf-course impacting the area traffic. Ms. Beahm indicated that any new application would have to factor in this application when performing traffic evaluations.

Mr. Collins asked a question regarding the students making trips on Tinton Avenue and now stopping at a Dunkin Donuts for example. Mr. Fiore confirmed that these would not be considered new trips. Mr. Collins stated that the Dunkin Donuts on Shrewsbury Avenue was poorly designed and can barely fit eight cars in their drive-through queue.

Mr. Peter Karavites of 784 Sycamore Avenue asked about school bus circulation, Mr. Neff advised Mr. Karavites that turning templates for emergency vehicles are reviewed, and school busses would fall into that category. Ms. Beahm discussed the issue further. Mr. Karavites stated that there is a similar development on the other side of the Borough that it is a nightmare for school busses to circulate.

Mr. Karavites asked a question regarding regulation sight distance going East bound on Tinton Avenue, Mr. Fiore discussed same.

Mr. Karavites asked Mr. Neff if he works with the schools to do a traffic pattern of where the busses are coming and where they stop, Mr. Neff stated that typically the schools set up bus routes on their own.

Mr. Karavites stated that he would like to correct an earlier statement made by Mr. Fiore, and stated that Hope Road is a county road from Tinton Ave to Route 36, and is a Borough road from Tinton Avenue to Sycamore Avenue.

Mr. Karavites asked if Mr. Fiore had stated that at certain times of day the traffic was saturated. Mr. Fiore stated that he testified that there are a couple movements at certain intersections on Hope Road that will operate at capacity whether this project is built or not. Mr. Neff stated that after review of the traffic studies, some of the traffic levels will be decreased after construction. Mr. Karavites stated that he feels that traffic studies always say that traffic will not get worse, but it always does.

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Mr. Brett Haas, of One Pond View Drive, referred to Exhibit A19 to ask the Board if they would buy his house if this development was being built, or would they say he would have a detrimental value decline. Attorney Collins stated that the question is unfair, the Planning Board did not decide that this was a permitted use in this area, nor is it a fair question for the applicant. Mr. Haas then directed the same question to Attorney Collins, and Mr. Collins stated he would not venture to answer that question, and stated that Tinton Falls is a wonderful place.

Mr. Hass asked about the testimony regarding the traffic study, and the widening of Tinton Avenue. Discussed ensued regarding same.

Heather Colella, of 79 Clearview Drive asked if there was a request for variance in regards to height of the townhouses. Attorney Collins advised that said variance was previously granted by FMERA.

The board took a short recess.

Mr. Carton called Mr. Liotta as his next witness. Mr. Lodato stated that this professional was accepted and sworn in at the last meeting.

Mr. Liotta stated that he is the project landscape architect and professional planner, and has been present for all prior testimony.

Mr. Liotta referred to exhibit A4-a, to discuss some of the changes that were made to the plans that were part of the last hearing and depicted on exhibit A4.

Mr. Liotta displayed exhibit A18-a, which is a modification to exhibit A18. Mr. Liotta discussed the changes made to the site plan on this exhibit, which depicts the construction trailers.

Mr. Liotta referred to exhibit A5 to describe the landscaping plan for the site.

Mr. Liotta referred to exhibit A8, which shows the various improvements in the civic green, and he described said improvements in detail.

Mr. Liotta described the proposed lighting on the site.

Mr. Lodato asked what type of tree, and what size buffer is being proposed on Tinton Avenue opposite the retail spaces. Mr. Liotta indicated that roughly 70-80 percent of the trees are native species, both shade trees and Evergreen. Mr. Liotta also indicated that there is a 2-3 foot high berm as well to help buffer the area.

Mr. Romanov asked if the amphitheater is a permitted use. Mr. Liotta replied that it is permitted under the FMERA regulations.

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Mr. Liotta gave a background of how the FMERA plan developed over the years.

Mr. Liotta discussed the variances that are being requested for the proposed signs.

Mr. Liotta discussed the planning aspects of the requested design waivers and design guidelines from which they are seeking relief.

Mr. Lodato asked Ms. Beahm if she agreed with Mr. Liotta's testimony. Ms. Beahm indicated that she was in agreement with said testimony.

Attorney Collins asked if it was correct, with respect to the positive criteria, to rely on the redevelopment plan rather than the Borough's Land Use Ordinance. Ms. Beahm indicated that the applicant was correct to follow FMERA's redevelopment plan.

Mr. Collins asked which of the proposed signs were temporary. Ms. Beahm indicated that the construction signs are temporary.

Mr. Lodato asked if there were any questions from the public regarding Mr. Liotta's testimony.

Mr. Batista, of 521 Tinton Avenue, asked about signage at the retail entrance. Ms. Beahm indicated that the signage for the retail portion of this project will be addressed when the applicant returns for final approval.

Mr. Batista noted his appreciation of the applicant to provide assistance to him in regards to the impact this project has on his lifestyle.

Mr. Batista asked what type of trees will be used along Tinton Avenue as a buffer. Mr. Liotta indicated that taller shade trees would be used.

Mr. Batista asked if there was ever any discussion regarding reducing the size of this project. Discussion ensued regarding same.

Mr. Batista asked about any buffer between his home and the entrance to the site on Tinton Avenue, indicating that he has concerns about headlights consistently shining through his windows. Discussion ensued regarding same.

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Ms. Nancy Arno, of 495 Tinton Avenue indicated that her driveway aligns with Bataan Avenue. Ms. Arno asked how tall the proposed shade trees would grow. Mr. Liotta stated that it will vary, between 40-50 feet in height, with a 12-14 foot caliper. Ms. Arno asked how long it would take to get to said height, Mr. Liotta indicated that the trees would grow a foot or two a year. Further discussion ensued regarding the proposed trees.

Ms. Arno asked if the signage along Tinton Avenue will be illuminated. Mr. Carton indicated that they will not be illuminated.

Ms. Arno asked the Planning Board if another development in Tinton Falls has such a large sign. Attorney Collins replied that the Planning Board does not answer questions. Ms. Beahm stated that the area of the sign has been reduced to 74.1 square feet.

Mr. Mirarchi asked if the trees will be deer proof. Mr. Liotta replied that they try to use species that are deer resistant, however if there is a harsh winter, there are not many species that are deer proof.

Ms. Mayer stated that she is in full favor of using as many native species as possible, as it better for the environment.

Mr. Lodato opened the floor for public comments.

Mr. Batista, of 521 Tinton Avenue, gave some history of his home and Ms. Arno's home.

Mr. Batista thanked Mr. Newman and Lennar for making an attempt to mitigate their concerns. He stated he would ask that if the board does consider approving this application, know that they are the only thing that stands between FMERA and approving this application. Mr. Batista asked that a conversation take place with Lennar in regards to his property to work out a less burdensome option.

Mr. Collins offered a motion to close the public session. The motion was seconded by Mr. Mirarchi. All present voted in favor.

Mr. Carton thanked the board for their time and patience in hearing the application.

Mr. Clayton asked if there was any resolution to the request for masonry enclosure around the garbage receptacles. Ms. Beahm indicated that the applicant agreed to provide same.

Mr. Lodato asked for Ms. Beahm's overall opinion on the application. Ms. Beahm indicated that if the application had to comply with the Borough's regulations she doubts that it would be the scale that it

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is. Mr. Neff agreed with Ms. Beahm's comments, and emphasized the thorough review process Lennar had to endure to get to these hearings.

Mr. Lodato shared his opinion regarding the retail aspect of the site plan.

Mr. Neff asked that when the retail portion is finalized, any entrances along Municipal Drive be limited.

Attorney Collins advised the board to hold the applicant to meet a condition of trying to mitigate the issues raised by Mr. Batista and Ms. Arno when they come back for final approval.

Attorney Collins reviewed the conditions that would be part of the resolution if the board acted favorably on the application. Mr. Clayton brought up the condition regarding fencing around the detention basin.

Mr. Collins offered a motion to grant Preliminary & Final approval for phase 1 and Preliminary approval for phase 2 to Lennar, with the conditions previously stated by Attorney Collins. Mr. Collins stated that based on the situation we are in with FMERA, Lennar has done a good job with the presentation. The motion was seconded by Mr. Natter.

Roll Call:

AYES: Mr. Collins, Mr. Natter, Mr. Lodato, Mr. Crowley, Mr. Romanov, Mr. Clayton, Ms. Mayer, Mr. Mirarchi

NAYS: None

ABSENT: Chairman Cunningham, Councilman Baldwin, Mr. Michalowski

INELIGIBLE: None

EXECUTIVE SESSION- Not needed

OPEN PUBLIC SESSION- Phil Hanley of 6 Pond View Drive asked about an Environmental Study, and how to obtain same. Attorney Collins advised him to submit an OPRA request to obtain same. Mr. Hanley expressed his concern regarding the development affecting his well water.

Ms. Mayer offered a motion to close the public session. The motion was seconded by Mr. Collins. All voted in favor.

ADJOURNMENT-

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Ms. Mayer offered a motion to adjourn at 10:40 P.M. The motion was seconded by Mr. Mirarchi. All voted in favor.

Respectfully Submitted,



Deanna Keefer
Board Secretary

Approved at a meeting held on: April 11, 2018