

**MARLBORO TOWNSHIP PLANNING BOARD**

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**MAY 16, 2012**  
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**THE MEETING OF THE MARLBORO TOWNSHIP PLANNING BOARD WAS CALLED TO ORDER BY THE PLANNING BOARD CHAIRMAN LARRY JOSEPHS AT THE MARLBORO TOWNSHIP OFFICES, 1979 TOWNSHIP DRIVE, MARLBORO AT 8:00P.M.**

**MR. JOSEPHS READ THE MEETING NOTICE, ADEQUATE NOTICE PURSUANT TO THE OPEN PUBLIC MEETING ACT OF 1977 HAS BEEN GIVEN OF THIS MEETING BY PUBLICATION IN THE ASBURY PARK PRESS, AND BY POSTING IN THE MUNICIPAL BUILDING IN THE TOWNSHIP OF MARLBORO AND FILED IN THE TOWNSHIP CLERK'S OFFICE.**

**ROLL CALL**

**PRESENT ... MR. BARENBURG, MR. BERGH, MR. BETOFF,  
MR. PARGAMENT, MR. POLLAK, MR. JOSPEHS,  
MAYOR HORNIK(ARR.9:00), MR. MESSINGER,  
MR. ROSENWALD**

**ABSENT... MR. GUPTA, COUNCILMAN LA ROCCA, MR. ELMANSOURY**

**PROFESSIONALS PRESENT... MS. NEUMANN, MR. HERBERT**

**SALUTE THE FLAG**

Mr. Messinger will be sitting in for Mr. Gupta.

**CITIZENS VOICE**

No one from the public spoke.

A motion to approve/amend the minutes of April 18, 2012 was offered by Mr. Pargament, seconded by Mr. Pollak. In favor: Mr.Barenburg, Mr.Bergh, Mr.Betoff, Mr. Pargament, Mr. Pollak, Mr. Josephs, Mr. Messinger, Mr. Rosenwald.

**P.B. 1028-08 FIRESIDE BAR & GRILL – MEMORIALIZATION OF RESOLUTION**

This application is being carried to the meeting of June 6, 2012.

**P.B. 1076-12 MOE'S SOUTHWEST GRILL – MEMORIALIZATION OF RESOLUTION**

This application is being carried to the meeting of June 6, 2012.

**P.B. 1071-12 CBS OUTDOOR – PUBLIC HEARING – CONDITIONAL USE & PRELIMINARY & FINAL SITE PLAN**

This application is being carried to the meeting of June 6, 2012, without further notice.

**P.B. 1072-12 CBS OUTDOOR - PUBLIC HEARING – CONDITIONAL USE & PRELIMINARY & FINAL SITE PLAN**

This application is being carried to the meeting of June 6, 2012, without further notice.

**P.B. 1056-11 RAYMOND RYAN – EXTENSION OF TIME**

Michael Herbert, Esq. presented this matter to the Board.

The applicant received Minor Subdivision approval by resolution dated July 20, 2011. The time to submit the deeds and have them signed by the Chairman has expired.

The applicant is requesting an Extension of Time to have the deeds prepared and filed.

One vote to approve was cast by the Board.

**P.B. 1053-10 CAMELOT – FINAL MAJOR SITE PLAN**

Gerald Sonnenblick, Esq. represented the applicant. The site is located along the east side of Route 79 to the west and Beacon Hill Road to the south, Block 132 Lot 18.

The subject property was designated as an area in need of redevelopment by Ordinance 2010-9.

The applicant was granted Preliminary Major Site Plan and Minor Subdivision approval by Resolution dated March 16, 2011 to subdivide the property into two new lots for multifamily residential development and future office, retail and restaurant development. Access to the development will be from Route 79 at the north side of the tract opposite Harnley Road, no access is proposed from Beacon Hill Road. A landscaped buffer is proposed along the perimeter of the tract and the stormwater management basins are proposed along the southern portion of the tract adjoining Beacon Hill Road.

Mr. William Wentzien, P.E. Project Engineer reviewed the CME report with the Board and stated that the applicant had or would comply with all the requirements contained in that report including easements for utilities and maintaining the 35 foot height for the 4 story buildings.

Mr. Karl Pehnke, Traffic Consultant stated that the application has been reviewed by NJDOT and there are no outstanding issues. He said that the shoulder will be upgraded and that proper approvals would be filed with the Township regarding Route 79. The applicant will provide emergency access to the site through the emergency access road using break away bollards at both ends.

Charlene Drake, Environmental Expert stated that there will be ongoing groundwater monitoring network, which will be set up to go forward for eight years and will comply with NJDEP regulations.

She stated that 350 cubic yards of soil will be removed from the site and that copies of all environmental reports will be filed with the Township.

Laura Neumann, P.E. reviewed her report with the Board.

#### PUBLIC HEARING OPENED

The following spoke:

Louise Carlson - 31 Baldwin Avenue – Morganville

She submitted a document labeled as P-1 – pictures showing the history of the site

#### PUBLIC HEARING CLOSED

A motion in the affirmative was offered by Mr. Barenburg, seconded by Mr. Bergh. In favor: Mr. Barenburg, Mr. Bergh, Mr. Betoff, Mr. Pargament, Mr. Pollak, Mr. Josephs, Mr. Messinger.

#### **P.B. 452-88A-2 NORTHPOINTE – CONTINUED PUBLIC HEARING – PRELIMINARY & FINAL MAJOR SITE PLAN**

This is the eighth meeting regarding this application.

Henry Kent-Smith, Esq. represented the applicant. The tract is 47.66 acres and is a vacant mostly wooded site with frontage on Lloyd Road in the MFD IV zone, Block 143 Lots 1.02 & 12.

The applicant is seeking approval to construct 300 multifamily dwelling units and 85 affordable multifamily dwelling units, consisting of 20 buildings, pool and a clubhouse.

Stuart Lieberman, Esq. stated that he has been retained by a group of citizens called “Citizens Against Northpointe” and asked the Board that his hearing not go forward until he has had the opportunity to review the environmental issues.

Mr. Kent-Smith stated that he wishes this application be finished tonight with a vote with no further extensions being granted. He said he has three witnesses that are just cleaning up items.

Mr. Rosati responded to some Board members comments relating to the elimination of some of the variances.

Mr. Minno discussed the height issue. He described to the Board why the 38 ½ ft. building variance is required

Mr. DiMartinis addressed the comments from CME’s report dated May 10, 2012. He described the proposed actions to clean the site. He said the DEP has jurisdiction over the cleanup process and he would keep the Board advised of about all aspects of the site.

Ms. Neumann discussed the planning issues and the variances that are being requested. Some of

the exhibits this evening eliminate some of the variances. She stated that in previous testimony they stated that a lot of the justification is that this is a COAH project and that there is remediation. She said this project has always contained an affordable housing component. The bulk standards were designed as such. A 15% deviation was accounted for to achieve the yield.

She also had comments specific to the COAH units that were not addressed by the planner in the previous testimony with regard to the 15% split bedroom distribution. She also asked who would be responsible for the management of the affordable units.

It is also her understanding that this site plan requires a subdivision in order for the site to work. They have not produced any testimony and there has not been a public hearing regarding the subdivision.

Also discussed was the location of the traffic signal, would it be at Thornton and Lloyd Road or Cayuga and Lloyd Road. The County has jurisdiction over these intersections and this still remains an outstanding issue.

Mr. Kent-Smith proposed to the Board that they will grant an Extension of time provided that at the next meeting they will be the only item on the agenda.

Mr. Josephs stated that the next meeting of June 6<sup>th</sup> is full as is the meeting of June 20<sup>th</sup> we will probably not have a quorum, as it is graduation night. A second meeting date for July 18<sup>th</sup> was offered.

The applicant would not agree to an Extension of time to the July meeting.

The Chairman asked for a motion. A motion to deny with prejudice, based on a lack of information and the ability to obtain an Extension of Time was offered by Mayor Hornik, seconded by Mr. Betoff. In favor of denial: Mr. Barenburg, Mr. Bergh, Mr. Betoff, Mr. Pargament, Mr. Pollak, Mr. Josephs, Mayor Hornik, Mr. Messinger.

(TRANSCRIPT AVAILABLE IN PLANNING OFFICE)

Meeting to adjourn was offered by Mr. Betoff, seconded by Mr. Pollak. One vote was cast.

Respectfully submitted

Donna Pignatelli