

MONMOUTH COUNTY PLANNING BOARD

FREEHOLD · NEW JERSEY

JAMES GIANNELL
Chairman



JOSEPH BARRIS, PP, AICP, CFM
Director of Planning

MINUTES

Monmouth County Areawide Quality Management Plan Amendment Review Committee

Wednesday, December 6, 2023
Planning Board Conference Room &
via WebEx Web Conference

1. CALL TO ORDER

Chairman James C. Schatzle called the meeting to order at 11:07 AM.

2. OPEN PUBLIC MEETING COMPLIANCE STATEMENT

Counsel Aikins read the compliance statement.

3. ROLL CALL-ATTENDANCE

Members Present Joseph Ettore, James C. Schatzle (virtually), Charles Casagrande, Lori Ann Davidson (virtually),

Members Absent Joe Barris, (Excused)

Alternates Present David Schmetterer, Judy Martinelly

Staff Present Amber Mallm, Harriet Honigfeld, Nailah Pile, JoAnn Denton, Kyle DeGroot (virtually), Victor Furmanec (virtually),

Counsel Present Mark R. Aikins, Esq. (virtually)

Public Present Virtual: Barb Pleva, Brad Hertzog, Brian Thompson, Brian Woods Bowman, Jeannette Miscretta (Call in User 3), Kip Cherry, Louise Usechak, Micah Rasmussen, P.Canal, BRSA, Patrick Granitzki, Rick Orriss, Marianne Cucolo, Rgumbaz (online- identification), Roberta Kaufman, Representative Allentown Borough: Zoe Ferguson, Esq.

In Person: Affiliates for Old York Road Warehouse Project: Jeromie Lange, Active Acquisitions LLC, Craig Gianetti, Esq. Day Pitney, Richard Maser, Active Acquisitions, Peter Howell, Dynamic Earth

Virtual: Affiliates for Hexa Builders Affordable Housing Project: Gregg Barkley, Consulting Engineer for onsite disposal system, Chester DiLorenzo, Civil Engineer, John Giunco, Attorney for applicant, Mike Gross, Environmental Counsel, Tricia (no last name provided)

4. STAFF REPORT- Amendment Review Committee Active Projects

Ms. Mallm reported on the active projects for the Amendment Review Committee (ARC) per the table distributed in Committee members' packets (attached hereto).

5. Minutes of Wednesday, September 6, 2023

Judy Martinelly motioned to accept the September 6, 2023, minutes. Seconded by Charles Casagrande. Minutes were adopted by unanimous affirmative vote.

6. Old Business

None.

7. New Business

At 11:11am there were some connection issues with the screen sharing function in WebEx. Ms. Mallm assured all remote viewers the presentation shared on screen during the meeting will be available in meeting minutes.

A. Old York Road Site Specific Amendment

Ms. Mallm reported on the Old York Road Warehouse project (attached hereto). The proposed site is in Upper Freehold, Block 26, Lots 1, 2 & 3. The overall project site is approximately 54.62 acres within the Highway Development (HD) Zone. The current use of the property is agricultural and adjacent uses include agricultural and residential land. The proposal includes two warehouse buildings to add approximately 35.7 acres to the "sewer service area," in this case the service area is not connected to sewer pipes, but instead utilizes an onsite wastewater treatment and disposal system to accommodate a wastewater flow of 13,000 gallons of water per day.

Ms. Mallm continued to summarize how the applicant described consistency with the Monmouth County Master Plan. The applicant contends that the proposed warehouse development supports the 2016 Monmouth County Master Plan referring to Principles 3.4 and 3.4 objective B of the Redevelopment section of the 2016 Monmouth County Master Plan. Additionally, Ms. Mallm and Ms. Honigfeld found Block 26, Lots 1&3 can potentially be identified as a Target Farm. Ms. Honigfeld referenced information regarding Target Farms on page 122 of the July 2022 Monmouth County Farmland Preservation Plan Element. Ms. Honigfeld noted the current State Development and Redevelopment Plan (SDRP) is an older document and is embarking on a revision process. The SDRP is not a dynamic document and doesn't always reflect current municipal and local zoning and settlement agreements. Ms. Honigfeld referred to a policy document entitled, "Distribution of Warehousing and Goods Movement Guidelines Policy," adopted September 7, 2022, per the NJ State Plan Commission, Office of Planning Advocacy. The document provided additional guidance during staff review of the applicant's proposal.

At 11:19 AM Chairman Schatzle interjected WebEx shared screen function is working remote viewers can view staff presentation.

Ms. Mallm informed the committee the municipal application submission for Preliminary and Final Major Site Plan Approval is deemed complete, however

a public hearing before the Upper Freehold Planning Board has yet to be held. An application for County Site Plan approval has been submitted to the Monmouth County Development Review Committee (DRC) and a request for more information was sent to the applicant.

Mr. Casagrande asked about the flood hazard area.

Mr. Lange, Director of Development for Active Acquisitions commented a flood hazard delineation was performed and has verification from the New Jersey Department of Environmental Protection (NJDEP)

Ms. Mallm concluded the presentation with the procedural next steps being a determination by the ARC and then a determination from the Monmouth County Planning Board.

Mr. Casagrande questioned if the DRC application for the Old York Road project is incomplete. Mr. Schmetterer clarified that the DRC typically will request more information when there are more questions or issues that need to be worked out. Request for more information by the DRC does not mean the application is incomplete.

Ms. Honigfeld conferred with Counsel Aikins and advised everyone the applicant will have an opportunity to supplement any information presented by the staff, then questions or comments from the committee can be addressed to the applicant, and opportunity will be given to the Municipal attorney and affiliates to weigh in.

Chairman Schatzle called on the applicant representatives to provide any comments on the presentation. Mr. Craig Gianetti from the Law firm of Day Pitney introduced himself and his affiliate Mr. Lange of Active Acquisitions LLC. Mr. Ettore spoke of the pending request for information by the DRC which has to do with trip generation. Mr. Ettore added there is a direct correlation between the number of building occupants and wastewater flow. Mr. Ettore was concerned if the outstanding information in the DRC application will be consistent with what was proposed in the ARC application.

In response, Mr. Lange stated that a detailed response, at the DRC's request, was filed with Monmouth County [relatively] recently. Mr. Lange also pointed out that calculations for flow, trip generation, and parking demand are separate from one another. Mr. Lange said that the calculations for flow are very conservative and aligned with the NJDEP regulations, adding that NJDEP regulations advise calculating all three shifts as the peak shift and requires an employee estimate of 15 gallons of water per day per employee. Mr. Lange went on to explain trip generation calculations derived from the Institute of Transportation Engineers (ITE) Manual, 11th Edition and is based on the square footage of the building. . Mr. Lange continued to explain that the numbers used in trip generation does not necessarily reflect the number of employees occupying the building. Which then led Mr. Lange to further explain the parking demand is driven by the Municipal Land Use Ordinance and is confident in their calculations.

Mr. Schmetterer then asked if outstanding information resubmitted to the DRC had changed. Mr. Ettore said he would like to have the opportunity to review the applicant's recently submitted response to the DRC to ensure that the two

applications are consistent. Mr. Schmetterer said that it was valuable to have this conversation to clarify the different methodologies involved in making calculations for the different applications.

Chairman Schatzle asked if Ms. Ferguson from Allentown would like to provide any comment. Ms. Ferguson seemed to be having trouble with her audio and typed within the virtual chat that she will be deferring comments until January. Ms. Honigfeld said the ARC may like to have a chance to review Ms. Ferguson's letter received late last night.

Counsel Aikins reserved his right to advise the committee and concurred to allow the committee time to review the letter received at the "11th hour."

No action has been taken at this time by the ARC for recommendation to the Planning Board regarding the Old York Warehouse site specific amendment.

B. Hexa Builders LLC Site Specific Amendment

Ms. Mallm reported on the Hexa Builders Affordable Housing project, located at Block 11, Lot 19, Millstone Township. The project is in the Multi Family Development Zone. The proposed site is approximately 36.5 acres with a proposed wastewater flow of 49,200 gallons of water per day (attached hereto). Chairman Schatzle called upon any representatives present for the project.

Mr. Giunco, the attorney for the applicant, supplemented a minor amendment to the staff report, stating there is a requirement under Uniform Housing Affordability Controls (U.H.A.C.) to have one-, two- and three-bedroom affordable housing units. Mr. Giunco confirmed that the proposal includes 48 affordable housing units as stated in the staff report, however the breakdown of the housing units is as follows: 8 one-bedroom units, 28 two-bedroom units and 12 three-bedroom units. Mr. Giunco added that the application is waiting for some NJDEP conclusions and final approval from the board.

Chairman Schatzle referred to ARC staff for comments.

Mr. Giunco clarified the application is waiting for Wastewater Quality Management Plan (WQMP) approval and explained the site plan application has preliminary approval from Millstone Township and has submitted the application for Final approval, to be processed by the Township.

Ms. Honigfeld commented that the wastewater amendment review process is not directly dependent on subdivision and development review final approval status.

Counsel Aikins shared his perspective, the fact that the site plan application has preliminary site plan approval and is a party in the settle agreement aids in the Townships intentions to process Final Approval.

Counsel Aikins called upon any comments related to the Hexa Builders Application.

Ms. Cherry had a comment/concern about the degradation of the water quality and referenced the Clean Water Act of the New Jersey Administrative Code.

Mr. Gross, Environmental Counsel for Hexa Builders responded to Ms. Cherry, stating that the WQMP program and ARC process do not address those issues, the quality of the water is strictly a NJDEP issue. A permit needs to be obtained from the New Jersey Pollutant Discharge Elimination System (NJPDDES)

program and then a treatment works approval. The NJPDES program has strict obligatory water quality standards.

Ms. Miscretta agreed with Ms. Cherry and will address further comments in the Public Comment period.

Mr. Casagrande motioned to recommend the application to the Planning Board, Ms. Martinelly seconded. All in favor by a roll call vote.

Counsel Aikins excused himself from the meeting at 11:59am.

C. Procedure Revision Discussion

Tabled at this time.

8. Comments from the Public

Ms. Cherry stated she is the Conservation Chair of the Sierra Club. Ms. Cherry commented that she did not hear anything about the implementation of the Clean Water Act through Section 7:15 of the Administrative Code of New Jersey, and nothing was mentioned about degradation of the water quality.

She stated that references of Environmentally sensitive areas in the presentation of the two projects were proper. Ms. Cherry added she does not agree with the fact that water quality is strictly a NJDEP issue, the process of the ARC or NJPDES permitting process.

Ms. Miscretta representing the League of Women voters concurred with Ms. Cherry and would like the ARC to consider clean water issues and watershed issues.

9. Adjournment

Charles Casagrande motioned and Judy Martinelly seconded adjournment of the meeting. By affirmation, all were in favor and the meeting was adjourned at 12:09 PM.