

**HOWELL TOWNSHIP PLANNING BOARD  
REGULAR MEETING**

**1  
OCTOBER 19, 2023**

The meeting was called to order by Chairman Paul Boisvert and the opening statement was read by the Board Secretary.

**ROLL CALL:** Showed the following members were present: Joseph Cristiano, Nicholas Huszar, John Leggio, Brian Tannenhause, Councilman Fred Gasior, Christopher Mercer, Jackie Pike and Chairman Paul Boisvert. Brian Greenfield and Robert Seaman were excused.

Also in attendance were Ron Cucchiaro, Board Attorney, Laura Neumann, Board Engineer, Christine Bell, Board Planner, Shari Spero, Board Licensed Tree Expert and Eileen Rubano, Board Secretary.

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF MINUTES:** There were no minutes to approve.

**VOUCHERS:** None

**CORRESPONDENCE:** The Board Secretary said she had an email from Michael Herbert, Attorney for Case SD-2998, Wadsworth Development, LLC asking to carry their application to December 14, 2023 to give the professionals' time to review the plans that were submitted last week. Board Attorney Cucchiaro made the announcement for members of the public that the application would be carried to December 14, 2023 with no further notice.

**RESOLUTIONS:**

**a. Case No. SD-3009 / Augustine Kim**

Mr. Huszar made a motion to memorialize the resolution granting submission waivers to Augustine Kim. Motion was seconded by Mr. Tannenhause and carried with Mr. Cristiano, Mr. Huszar, Mr. Leggio, Mr. Tannenhause, Councilman Gasior and Mr. Mercer voting to memorialize.

**b. Case No. SD-3012 / 391 Oak Glen, LLC**

Mr. Tannenhause made a motion to memorialize the resolution granting submission waivers to the applicant. Motion was seconded by Mr. Cristiano and carried with Mr. Cristiano, Mr. Huszar, Mr. Leggio, Mr. Tannenhause, Councilman Gasior and Mr. Mercer voting for the motion.

**SUBMISSION WAIVERS BEFORE THE BOARD:**

**a. Case No. SP-1117 / D.R. Horton Inc. – NJ – Howell Ridge**

John Giunco, Attorney for the Applicant, appeared and requested submission waivers. Ms. Neumann, Board Engineer, was duly sworn and testified that the submission waivers were listed in her October 2, 2023 review letter. She reviewed the waivers with the applicant's team and items c through j will be submitted on a subsequent submission. She took no exception to the granting of the balance of the waivers requested.

**HOWELL TOWNSHIP PLANNING BOARD  
REGULAR MEETING**

**2**

**OCTOBER 19, 2023**

**Mr. Tannenhaus made a motion to grant the submission waivers. Motion was seconded by Ms. Pike and carried with Mr. Cristiano, Mr. Huszar, Mr. Leggio, Mr. Tannenhaus, Councilman Gasior, Mr. Mercer, Ms. Pike and Chairman Boisvert voting for the motion.**

**MASTER PLAN HEARING:**

**Christine Bell, Board Planner, gave the report on the Reexamination Report. She said the reexamination report must be done every ten years and we did a Land Use Element and Reexamination in 2022 so that was pretty recent. She went through the changes in this recent report some of which were proposing conditions for flex space, no outdoor activities between the hours of 11 p.m. and 6 a.m. and the architectural design for the rear of a building need not comply with the ordinance standards. The definitions also need to be updated and they were also looking to add some uses such as banquet facilities, business expos and 4 story conditional use up to 60 feet. The report also mentioned that they should consider removing the SED zone from Victory Road, Oak Glen Road and Route 547 and the overlay zone in the SED/ARE area. Ms. Bell said that if the Board adopts the reexamination report ordinances are ready to be introduced.**

**Chairman Boisvert opened the hearing up to members of the public and the following appeared:**

**Bob Carroll, 406 Oak Glen Road, who had a question on recommendation #7 about the impervious coverage being no longer relevant. He also wanted to know if he would be notified when something affects his property.**

**Ms. Bell explained that items are put in the report but that doesn't necessarily mean that the Council will act on the recommendations.**

**Board Attorney Cucchiaro explained that the Master Plan is a policy document only with several elements. The Planning Board adopts the Master Plan and once adopted the Governing Body takes a look at it and the recommendations in it and if they agree then they introduce ordinances. Once an ordinance is introduced it comes back to the Planning Board for consistency with the Master Plan and if it is substantially consistent then it goes back to Council for a public hearing and adoption.**

**Betty Velez-Gimbel, 97 Victory Road wanted to know if the stormwater management requirements were up to date with NJDEP and Ms. Neumann said all municipalities must adopt the DEP rules by July of 2024. Ms. Gimbel had several other questions on trade contractor businesses, flex space, what constitutes outdoor activities and whether the board would consider increasing the buffer areas from 50 feet to 100 feet. Ms. Bell and Mr. Cucchiaro answered most of her questions but also explained that this is just a report. Council can take any of the recommendations, all of them or none of them. Most of her questions would have to be answered by the Council when they adopt the ordinances.**

**Seeing no other members of the public looking to comment or ask questions, Chairman Boisvert closed the public portion of the Master Plan hearing.**

**Mr. Tannenhaus made a motion to adopt the Reexamination Report of the Township's Master Plan. Motion was seconded by Councilman Gasior and carried with Mr. Cristiano, Mr. Huszar, Mr. Leggio, Mr. Tannenhaus, Councilman Gasior, Mr. Mercer, Ms. Pike and Chairman Boisvert voting to adopt the report.**

**APPLICATIONS BEFORE THE BOARD:**

**a. Case No. SP-1046A / Bank of America**

**Prior to any testimony being placed on the record Ms. Pike recused herself and left the dais.**

Thomas Letizia, Attorney for the Applicant, appeared and said that Bank of America is a tenant on the subject site, the proofs are in order, submission waivers were granted and a professionals meeting was held to go over technical issues. The location of the site is 4005 Route 9 but they actually front on Aldrich Road with access to and from the Aldrich Plaza Shopping Center. They are here with an application to upgrade the bank's existing lighting to be in compliance with New Jersey Security Standards.

Paul Mutch, PE, was duly sworn, gave his credentials to the Board and was accepted as an expert witness. He testified that they are upgrading the lighting to LED lights as part of a nationwide program to update the lighting to be compliant with New Jersey regulations for safety and security. They had an approval from this board in 2018 for an additional ATM and the lights included in that approval are still there on the northern side and none of those will be impacted by this application. They are focusing on the rest of the site and what was left out of that prior application.

Mr. Mutch testified that there are two ATM machine, one in the exterior sunroom and one in the entrance of the bank, both accessed by key cards at night that need to be brought into compliance. They are also proposing one new decorative pole centered between two other poles at a height of 10 feet. There are two other new lights proposed listed as SE2 and SG1 on the plans. Besides these three lights to bring the site into compliance they are also proposing to replace other lights on the site with LED lights. Mr. Mutch said they do require relief for the average foot candles for the site.

Mr. Tannenhaus asked a question about the lights and Mr. Mutch said the lights will be more opaque than what is out there now and more of a white light. He also said that the lights are required in front of the doors and the ATM machines. The overall lighting closest to the road is not changing in any way and all ATMs and entrance vestibules have 10 foot candles within a five foot radius. Mr. Tannenhaus questioned why they have 20 foot candles if 10 is required.

Board Attorney Cucchiaro asked if the applicant would agree to a condition that the plans will be revised to show compliance with the state statute and Mr. Mutch said they would.

Since there were no other questions, Chairman Boisvert opened the hearing up for members of the public and the following appeared:

Donna Simon, 2 Rustic Drive, who said the lights from this site shine into her kitchen, bathroom, laundry room and bedroom. She believes that the Board is being misled or the applicant is misrepresenting the lighting. She said the trees or shrubs around the on ramp to Route 9 have now grown so tall that the branches are above where the lights are. She thinks the site is already well lit.

Mr. Mutch said that the lighting they are proposing with this application doesn't change any of the lighting that affects her house.

**HOWELL TOWNSHIP PLANNING BOARD  
REGULAR MEETING**

**4**

**OCTOBER 19, 2023**

There was some discussion on the lighting by the Board Members and someone said that the lights from Big City Bagels may be her main problem as she said they are not hooded. Someone suggested that the Board have Code Enforcement look into their lights and Mr. Leggio asked if the applicant can put canopies on the three lights at Aldrich Road. Mr. Mutch said he would take his request back to the Bank of America lighting consultant.

Seeing no other members of the public wishing to ask questions or comment on the Bank of America application, Chairman Boisvert closed the public portion of the hearing.

Mr. Letizia said this is a pretty straightforward application for minor site plan and waiver relief. He also said they would look into the lights on Aldrich Road and will send an update to the Board Professionals.

Mr. Cristiano made a motion to approve the application for Bank of America with the conditions discussed. Motion was seconded by Councilman Gasior and carried with Mr. Cristiano, Mr. Huszar, Mr. Leggio, Mr. Tannenhause, Councilman Gasior, Mr. Mercer and Chairman Boisvert voting for the motion.

The Board took a short recess from 8:19 to 8:25 p.m.

**b. Case No. SP-1110/ Howell 360, LLC**

Ms. Pike rejoined the members on the dais prior to the start of this application.

Evan Zimmerman, Attorney for the Applicant, appeared and explained how the ML-13 zone came to be and said the plan before them tonight complies with the zoning requirements for that zone with 360 residential rental units, 30 percent of which will be affordable housing.

Timothy Lurie, PE, was duly sworn, gave his credentials to the Board and was accepted as an expert witness. Mr. Lurie testified that this application encompasses lots 23 through 26 in Block 137, at 1400 Route 9 South in the ML-13 zone. There are 20 acres with 840 feet of frontage along Route 9, the site is wooded with wetlands and a stream in the rear of the property. They have received a Letter of Interpretation from the DEP for a fifty foot buffer for the wetlands.

Mr. Lurie testified that they are proposing 12 buildings for a total of 360 units, 108 of which will be affordable units, with a mix on the number of bedrooms. They have 719 parking spaces with 15% of them being EV ready and located in the garages of the buildings. They meet all the bulk requirements. They are proposing a boulevard entrance which will bring you past the recreation building, pool and playground. They are proposing 24 foot travel lanes with parking in the middle. Each unit will have a garage which is for parking cars, not storage and that will be part of the lease agreement.

He also testified that they will have a sales and temporary construction trailers on site and the parking area for these trailers will be converted back to grass when they are removed. The sales trailer will stay until the recreation building receives a C/O, then they will move the sales area into the rec building. The construction trailer will remain until the end and they only plan on one phase for construction. They need one variance for the rec building where 15 feet in height is allowed and they are proposing 22 feet.

**HOWELL TOWNSHIP PLANNING BOARD  
REGULAR MEETING**

**5  
OCTOBER 19, 2023**

**Mr. Lurie said he will update the plans to show that they no longer need the wall which was encroaching into the buffer area. He further testified on the trash dumpsters which will be between**

**building, bike racks will be located throughout the site and there will be a bus stop off the recreation area with an enclosed structure that will conform to the apartment buildings and will be for the school bus for the kids.**

**They are also proposing 30 foot light poles with LED lights and they are requesting a waiver for the foot candles. They can reduce the wattage but will still need the waiver to conform to the parking lot standards.**

**Mr. Lurie also testified on the water and sewer for the sight and the stormwater management system which meets both the Township and DEP standards. He also gave an updated on the improvements for Route 9 and outside agency approvals**

**Mr. Lurie went over the comments in the Board Professionals' review letters and said the clubhouse is limited to the residents and their guests. The signage for the site will include two monument signs that conform to setback and size and sidewalks are being provided on Route 9.**

**Ms. Neumann asked about bollards for the parking that abuts the building and Mr. Lurie agreed to provide the bollards. The Board Attorney asked about the street tree requirement and Ms. Spero, LTE, said they comply. Mr. Lurie also agreed to comply with all technical comments in the review letters.**

**Mr. Huszar asked what the prior use of the site was but Mr. Lurie did not know. Mr. Huszar said they need to do a soil sampling and Mr. Lurie said they can comply.**

**Thomas Brennan, Architect, was duly sworn, gave his credentials to the Board and was accepted as an expert. Mr. Brennan testified on the three types of buildings that will be on the site and the materials that will be used which will contain a mix of stone, vinyl siding, metal roofs and accent shutters. All buildings will have fire stairs and sprinklers and if they need to they will provide a radon detail.**

**Ms. Neumann said that a study has to be done on the radon survey of the property.**

**Mr. Brennan also testified that they are using a magic pack unit for heating and cooling and they will be self-contained on the balconies. There will be no vents on the ground, they will be in two locations, screened as required, and located in the common areas. They will also have bathroom and dryer vents and when asked if they could be combined into one unit, he said if there is something out there they will use it.**

**Mr. Brennan further testified on the architectural design of the clubhouse and said they need a variance as they are proposing a height of 22 feet. The ordinance has a 15' height allowance for accessory buildings but that is for a one story building where they are proposing two stories and need the variance to achieve the building height. Ms. Bell, Board Planner, agreed by saying the 15' permitted height is for a shed or something and what they are proposing is typical of a clubhouse for a development of this type and it is aesthetically pleasing.**

**HOWELL TOWNSHIP PLANNING BOARD  
REGULAR MEETING**

**6  
OCTOBER 19, 2023**

Scott Kennel, Traffic Expert, was duly sworn, gave his credentials to the Board and was accepted as an expert witness. Mr. Kennel said they started the traffic analysis in 2021 with a pre-application meeting with the DOT for a modified signal intersection to access traffic from Route 9 north and south. They are trying to modify the jug handle similar to what was done at Verdana which the DOT endorsed.

Mr. Kennel testified that the parking is comparable with the ordinance and RSIS and the layout can accommodate large wheel based vehicles and the on-site circulation works as well.

Christine Nazzaro-Cofone, Planner, was duly sworn, gave her credentials to the Board and was accepted as an expert witness. Ms. Cofone testified that this is a straight forward application and is part of the Township's affordable housing plan. They need one variance for the height of the clubhouse and she agrees with Ms. Bell. She put planning testimony on the record for the granting of the variance and said the application has no substantial detriments to the zone plan or public good.

Chairman Boisvert opened the hearing up for the members of the public but since no one appeared, the public portion was closed.

Mr. Zimmerman thanked the Board and said this is a largely compliant plan with one variance and they have agreed to several conditions.

Mr. Tannenhaus made a motion to approve the application for Preliminary and Final Major Site Plan for Howell 360, LLC. Motion was seconded by Mr. Cristiano and carried with Mr. Cristiano, Mr. Huszar, Mr. Leggio, Mr. Tannenhaus, Councilman Gasior, Mr. Mercer, Ms. Pike and Chairman Boisvert voting for the motion.

**MASTER PLAN STATUS REPORT:** Since there was a Master Plan Hearing tonight there was no further status report.

Mr. Tannenhaus made a motion to adjourn. Motion was seconded by Mr. Cristiano and carried with all members voting to adjourn.

The meeting adjourned at 9:19 p.m.

Respectfully submitted,



**Eileen Rubano  
Recording Secretary**

**NOTE: A CD or DVD of this meeting is available on request.**