

**MONTGOMERY TOWNSHIP PLANNING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REGULAR MEETING
JUNE 16, 2014**

Chairman Conforti called the meeting to order at 7:30 p.m. and read the opening statement that adequate notice of the meeting had been posted and sent to the officially designated newspapers.

BOARD MEMBERS PRESENT: Chairman Conforti; Vice Chairman Matthews; Mr. Sarle; Mayor Smith; Mr. Mani, Alternate #2

ALSO PRESENT: Mr. Linnus, Board Attorney; Mr. Cline, Board Engineer; Mr. Coppola, Board Planner; Ms. Savron, Secretary

I. SALUTE TO THE FLAG

II. PUBLIC COMMENT

Antoni Kosinski, 47 Cherry Brook Drive, commented on the resolution for 601 Corridor/Lanwin Development. He discussed the detention basin under the road, outside agency permits and the waiver of the Township tree ordinance.

Jonathan Daly, 43 Cherry Brook Drive, commented about preserving the property and the drainage.

A motion to close public comment was made by Mayor Smith, which was seconded by Vice Chairman Matthews and carried unanimously.

III. RESOLUTIONS

Case PB-08-09 **Applicant: 601 Corridor, LLC/Lanwin Development Corp.**
Block 34001 Lots 14, 15, 22 & 30
Preliminary Major Subdivision With Variances

A motion to memorialize the resolution was made by Mr. Sarle, which was seconded by Vice Chairman Matthews. This was carried on the following roll call vote:

Ayes: Matthews, Sarle and Conforti

Nays: None

Case PB-09-12KH **Applicant: K. Hovnanian at Montgomery, LLC**
Block 28001 Lot 5.01
Import Soil

A motion to memorialize the resolution was made by Vice Chairman Matthews, which was seconded by Mr. Sarle. This was carried on the following roll call vote:

Ayes: Matthews, Sarle and Conforti

Nays: None

IV. APPLICATIONS

Case PB-05-13 **Applicant: Carrier Clinic, Inc.**
Block 2001 Lot 2
Modification of Resolution Condition 2
Affidavit of Notification and Publication Required

Mr. Sarle stepped down. Notice was found to be in order.

Richard Schatzman, Esquire represented the applicant. Carrier Clinic had various improvements to the Blake Building and Hospital approved by the Board. One of the conditions of approval required Carrier to contract with a Licensed Site Remediation Professional (LSRP) to close the Classified Exception Area (CEA). The closure of the CEA was to be done prior to the issuance of a Certificate of Occupancy.

Pierce Mackle, T & M Associates at 11 Tindall Road, Middletown, was sworn in. Mr. Mackle explained what a LSRP is. He has been licensed with the State as a LSRP since the program started. The case opened when tanks that were being removed leaked and left some compounds in the groundwater. The concentrations have decreased over time from 40 to 1.3 parts per billion. The CEA is kept over the area until the groundwater goes below the remediation standards. Every two years there is a bi-annual certification. Mr. Mackle discussed a map of the CEA which was marked as Exhibit A-1. He opined that the CEA will not affect the renovations and expansion of the Blake and Hospital Buildings. The levels are so low vapors are not an issue and the restriction only stops people from coming into contact with the groundwater; living in the building is acceptable. The levels are below the standard that would trigger a vapor investigation. The bi-annual certification will be submitted to the Township. There is no deed notice in place and no requirement for a deed notice. Benzene is the only compound above DEP standards. It will take approximately seven years to close the CEA. Benzene is from gasoline. It has taken approximately 12 to 14 years to go from 40 to 1.3 parts per billion. The benzene is being found about 10' down. There is no construction planned in this area.

Chairman Conforti opened the meeting to the public. There being no public comment, a motion to close the public hearing was made by Mayor Smith, which was seconded by Vice Chairman Matthews and carried unanimously.

A motion to delete Condition No. 2 of the current resolution and allow Carrier to obtain a temporary certificate of occupancy or certificate of occupancy was made by Mayor Smith, which was seconded by Vice Chairman Matthews. This was carried on the following roll call vote:

Ayes: Matthews, Smith, Conforti and Mani

Nays: None

Mr. Sarle returned to the dais.

V. MINUTES

June 2, 2014 – Regular Meeting

A motion to approve the minutes was made by Mayor Smith, which was seconded by Vice Chairman Matthews. This was carried on the following roll call vote:

Ayes: Conforti, Matthews, Sarle and Smith

Nays: None

VI. OLD/NEW BUSINESS

1. Update on Country Club Meadows Settlement

Richard Coppola distributed handouts. There are a series of litigations that have been ongoing for many years brought by Country Club Meadows. The Township Committee has been working to try to settle the various lawsuits. The properties in question are shown on the Location Map. The subject properties include the triangular piece across from Pike Run, the small triangular piece north of Pike Run, a commercial area part of Pike Run and the R-2 site between the Municipal Building and Bellemead-Griggstown Road. Mr. Coppola summarized the various plans for the property that were proposed over the years. Those plans were rejected by the Township since they were not in keeping with the Master Plan.

The concept plan was projected and described. The plan includes 148 single family detached dwelling units. There are 108 large single family lots and 40 smaller lots. The continuing care facility has 96 senior citizen residential units in 4 buildings and 76 independent senior units, 74 assisted living units and 74 acute care beds. The buildings are situated so that you can see into the site from the Route 206 Bridge. The closest building is 250' from the Route 206 right-of-way. All wetland and buffer areas are to be placed in a conservation deed restriction.

The portion with the 148 and the building on the R-2 site are intended to be developed as a single inclusionary development. The 31,000 square foot commercial building will have 28 apartments on the 2nd floor, including 27 COAH qualified and 1 market unit for the on-site resident manager. Covert Drive will be extended to connect to Bellemead-Griggstown Road. A couple tot lots for different age groups will be constructed on lands owned by the Township.

The Pike Run Plaza area is now a little larger because the Route 206 right-of-way for the bypass has been included in the nonresidential development which allows 102,000 square feet of retail sales and services

commercial space. There is an 8,000 square foot community operations building to replace the space in the existing club house. The old Route 206 right-of-way is to be deed restricted against everything but conservation or passive recreation use.

The Transit Area shows 20,000 square feet of retail commercial space.

Mr. Coppola handed out a document entitled “Zoning Guidance Language for Settlement Agreement” updated through June 13th. Area 1 will be the first portion built. When it is built all of the wetlands are to be placed in the conservation deed restriction and all of the perimeter buffers are to be put in place. The excess soil will be used for the berms. The developer will construct a trail including a bridge over the brook that links to Montgomery Park.

A Master Plan Land Use Plan Amendment is being drafted. The document will track the history and will discuss the proposed zoning. The Master Plan public hearing will be held on July 21, 2014.

There being no further business to come before the Board, the meeting was adjourned at 8:50 p.m.