

**MINUTES OF THE JACKSON TOWNSHIP  
BOARD OF ADJUSTMENT - JANUARY 30, 2019**

The January 30, 2019 Jackson Township Board of Adjustment Meeting was called to order at 7:00 p.m. with a salute to the flag by all present. Attorney Sean Gertner read the Open Public Meetings Act Statement and announced that adequate notice has been provided for this meeting.

**ROLL CALL:** Stephen Costanzo  
Peter Maher  
Scott Najarian  
Joseph Sullivan  
Denis Weigert - Alt #1

Kathryn McIlhinney, Board Secretary  
Carl Book, Board Vice Chairman  
Dr. Sheldon Hofstein, Board Chairman

**Also Present:** Sean Gertner, Board Attorney, Evan Hill, Board Engineer, Ernie Peters, Board Planner, Frank Miskovich, Traffic Engineer, Jeffrey Purpuro, Zoning Officer, Fran DiBella, Court Reporter and Diane Festino, Zoning Board Recording Secretary.

**ANNOUNCEMENTS:**

**RESOLUTIONS:** - 2019-05 - Calling all Cats, Inc., Block 15801 Lot 94, 77 E. Veterans Highway - Granting approval of a variance to operate an animal sanctuary in a residential zone by BOOK/Sullivan. **Yes:** Costanzo, Maher, McIlhinney, Najarian, Sullivan, Book, Hofstein

**APPROVAL OF MINUTES:** **Approval of January 16, 2019 Reorganization & Executive Meeting Minutes by BOOK/McIlhinney.** **Yes:** Costanzo, McIlhinney, Najarian, Sullivan, Weigert, Book, Hofstein

**APPROVAL OF VOUCHERS:** **Motion to approve a voucher for Torro Reporting, LLC in the amount of \$250.00 for January 30, 2019 & Diane Festino in the amount of \$150.00 for the meeting of January 16, 2019 by BOOK/McIlhinney.** **Yes:** Costanzo, Maher, McIlhinney, Najarian, Sullivan, Book, Hofstein

*Court Reporter, Fran DiBella swore in the Board's Professionals, who identified themselves and their positions with the Township.*

**APPLICATIONS:**

**1. Beverly & Elliot Rudick, Block 701 Lot 500, 79 Gables Way, both sworn** - Mrs. Rudick advised they're seeking a 16 kW natural gas generator as her husband has medical issues. They received approval from their HOA and are in receipt of the Remington & Vernick letter. Mr. Peters confirmed when facing the house it will be installed on the right side near the garage & utilities. They agree to hire a licensed contractor and install on a stone or concrete pad being responsible for the swale. **Motion to approve by McILHINNEY/Maher.** **Yes:** Costanzo, Maher, McIlhinney, Najarian, Sullivan, Book, Hofstein

**2. Dan O'Brien, Block 18201 Lots 33 & 34, 239 Hawkin Road** - Adam Pfeffer, Attorney for the applicant - advised he noticed just in case the Board doesn't agree with the interpretation and then hear it as a variance; Dr. Hofstein informed he wants to hear it as a variance. Mr. Pfeffer informed they are stackable concrete blocks in accordance with Chapter 244-190 (fences & walls). **Exhibit A-1**, survey dated 1/06/2012 of Lots 33 & 34. Lot 34 is the former gun club and Lot 33 is a former gravel pit (former). He has other deeded accesses to get to the other properties. **Exhibit A-2**, pictures taken by Mr. O'Brien (distributed to the Board) showing a dirt road and concrete barriers. *Dan O'Brien, sworn* - pointed out the concrete blocks and Dr. Hofstein requested copies of Exhibit A-1 for the Board. Mr. Gertner confirmed he submits that in Jackson people needs fences and Mr. Pfeffer believes it is a fence under the ordinance. Mr. Gertner confirmed he submitted for a permit (after it was already installed) and it was denied. Dr. Hofstein verified it was installed in 2016 consisting of 100 pieces of block and was recommended by the Police for a trespassing issue. Mr. Pfeffer stated to the south is a gravel pit that attracts ATV riders & off roaders going onto his property and funnels to other properties. Every weekend was an issue so he contacted the Jackson Police and since the barriers were installed, the trespassing has greatly decreased.

Dr. Hofstein verified the blocks are 1600' from Hawkin Road and there is a deeded portion (for infinity) that gives access from Hawkins Road and he pays taxes on Lot 33. Dr. Hofstein confirmed it is not an easement and he owns the property, Mr. Pfeffer felt the blocks are complementary to the size of the buildings in the area and there is concrete on the former gun club. Mr. O'Brien feels the blocks are functional. His house fronts on Melissa Rose Lane and the blocks are not visible from that road. Mr. Pfeffer stated the blocks meet the criteria of the ordinance to create privacy & to separate; the materials are consist. If those blocks were placed in front of his house, we wouldn't be here. To the south are residential homes and his driveway is 1200' long. Mr. Gertner stated the ordinance speaks of concrete which is not permitted and questioned how to make the argument about the blocks and Mr. Pfeffer stated it deals with a wall. Mr. Gertner stated our ordinance is clear for the type of material and Mr. Pfeffer stated to a wall but it doesn't talk about a fence (the blocks are 2' high). Mr. Costanzo verified the dimensions are 2' x 6' x 2' and consists of 100 blocks. Mr. Peters stated the ordinance states 1) function to create a screen, 2) design functional type of the building with the associated and 3) the walls must be constructed; concrete block shall not be permitted. He stated he doesn't disagree with our zoning laws and question if it does carry to the interpretation. He felt it isn't permitted and Mr. Maher verified he accesses the property from Hawkin Road. Mr. O'Brien advised all 3 properties are contiguous. Dr. Hofstein questioned how to get a fire truck into the area if it is blocked and Mr. Pfeffer stated the access road is not blocked, **Exhibit A-3**, photo. Mr. Gertner stated the blocks are not contiguous.

Mr. Najarian stated the Police should have directed the homeowner to visit Mr. Purpuro as he invested a lot of money in the concrete and it is illegal; I don't see a safety issue. Mr. Gertner asked Mr. Pfeffer for the reason and why safety & security vs. building a stockade fence. Mr. O'Brien explained the fence can be easily destroyed and felt concrete would be better served not to access. Mr. Book stated it is commercial and verified he purchased from a concrete company. Each concrete block weighs 4,000-5,000 lbs. and was delivered. Mr. Peters stated that 8' x 20' concrete sections are used for foundations for houses and Mr. Book confirmed the regular fencing prior was destroyed. Mr. O'Brien stated it is a linear property that was purchased in 2012 and trespassing was an issue. Mr. Maher confirmed he tried no trespassing signs and Mr. Sullivan verified he wanted the length of concrete to stay. Mr. Pfeffer stated if the Board states a no, then we ask for a variance. The residential area is 1200' back from Hawkin Road.

*Opened public comment*

*James Demetro, 112 Leanne Drive, sworn* - advised his home is where the blocks that are on the back end (60' that borders my backyard on the north side). He believes there was never a survey done and advised you can see the concrete from the road. He stated the code states it is not permitted and he had complained as soon as the blocks were put in. Pictures taken by Mr. Demetro on satellite (500-700' of the blocks); Mr. Pfeffer objected as we didn't know who took those pictures and when. Mr. Gertner informed the pictures could not be entered as evidence. Mr. Maher confirmed Mr. Demetro's property is behind his property, has lived there for 30 years and had a view and now feels he is living at Clayton Block. Mr. Najarian verified he doesn't drive ATV's on that property and Mr. O'Brien didn't make him aware he was placing the blocks up. Mr. Demetro advised Mr. O'Brien gave him permission to use his road; Mr. O'Brien disagreed.

Mr. Costanzo asked Mr. Demetro if the 60' of blocks are visible from the road and Mr. Purpuro referred him to the 12-11-18 pictures he took which give a good depiction of those blocks.

*Leo Ward, 114 Leanne Drive, sworn* - stated the 60' of blocks are an eye sore when looking out his back yard. He keeps his yard clean and believes it is a good neighborhood. He felt he is an incident victim and can't stand to see the blocks. Mr. O'Brien took no regard to the neighbors or Jackson codes. Mr. Costanzo confirmed the depth of his yard to dirt road is 200'. Mr. Hill verified he can see them from the sidewalk and he wants it gone behind his house. Mr. Najarian confirmed a fence would be much more pleasing.

*Jason Macalik, 116 Leanne Drive, sworn* - stated he has no issue if it were on his property to keep the people out. He bought his house 2 years and wants to see the view and doesn't want a fence. He believes he is landlocked. He had concerns that a fire truck couldn't get in and how would he fix his septic. He felt that if kids were playing, what's the big deal. Mr. Maher confirmed he wasn't using his road but if he needs to, he couldn't. He advised his survey says it's a Right of Way. Mr. Maher asked if Mr. O'Brien has a business and he wasn't sure but there are at least 2 deliveries each day. Mr. Gertner advised it is not relevant and the ROW is part of the existing lot owned by Mr. O'Brien and he may or may not have right as it is a Civil Court issue. Mr. Gertner stated if your position is that the ROW owned by him is your half, then this Board doesn't have jurisdiction to address it. Mr. Macalik stated if you put the block on my property, you block access. Mr. Pfeffer advised his client wants to be a good neighbor and he has no problem taking the block way that's behind the residential homes keeping it only along the section of the gravel pit.

*Kyle Demetro, 112 Leann Drive, sworn* - he used the access road his whole life. They have a landscape trailer and ATVs and he gave his word we could use the road. Now there's the wall and we want to see it removed.

#### *Closed Public Comment*

Mr. Pfeffer advised it is for his client's safety with trespass concerns and liability if someone gets hurt. He talked with Police and should have talked to Mr. Purpuro. We're here now and agree to move the concrete block by their houses keeping one long strip by the gravel pit. Mr. Costanzo confirmed he is willing to remove 60' of block and that there are 100 blocks out there; 10 blocks will be removed behind their homes. Mr. Costanzo verified the current blocks will not be higher. Mr. Najarian confirmed Mr. O'Brien put the blocks out there because they have been parking their vehicles in the conservation easement. They park in the lane or in their backyards.

Dr. Hofstein stated if the Board decides to approve or deny, it covers both the interpretation & variance. Mr. Book stated the interpretation doesn't fit and it also is not with our ordinance. It is a denial in his mind. He stated with the variance, it is gross under the description and is not blocks. It is commercial and the concrete is smaller less commercial. It is objectionable and I wouldn't want to see it in my backyard. I don't see a land use requirement and it is a violation: A-O is to promote visions and environmental and it is not promoting. Deviation - it is not close to outweighing the detriment and the visual impact is sufficient, it does not fit with a variance or interpretation. Mr. Najarian wanted a time to remove the wall. Mr. Costanzo stated he concurs with Mr. Book that it is a violation of the ordinance. Mr. Sullivan stated it is out of character for Jackson & this situation of having such block. Mr. Gertner advised against the time frame as it is an issue for code. Mr. Peters stated yes, we're here to support the Municipal Court proceedings and Code Enforcement is to take care of the violation. Dr. Hofstein confirmed with Mr. Pfeffer it is before the Court. Mr. Najarian motioned to deny the application and Mr. Gertner explained a yes vote is for the denial of the interpretation & variance. **Motion to approve the denial by NAJARIAN/McIlhinney. Yes:** Costanzo, Maher, McIlhinney, Najarian, Sullivan, Book, Hofstein

**3. Earle Investments/Training School, Block 23001 Lot 20 & 21, S. Hope Chapel Road - John Paul Doyle, Attorney for the applicant** - advised it is the Earle family and it will be across from the highway of an existing operation. In 2011 this Board gave approval for Industrial Park and then a solar farm. This application sits on an 18.5 acre lot and they are seeking to have a school teaching heavy equipment operations. It is unique in south New Jersey and being in a manufacturing zone, it is suited for this use. There will be 15-20 students and 5 teachers with classes outside and a 2,845 SF structure. They're seeking the site plan be waived and they have a Certificate of Filing. The subdivision has been filed and drainage is satisfactory. No lighting is needed and the parking is limited by the number of students. The subdivision map is filed and it has a 100' buffer which is 600' away from the nearest line. It is an appropriate use in the area.

*Bill Stevens, Engineer, credentials accepted, sworn - Exhibit A-1*, aerial map shows the solar farm is constructed and the map has been filed and Earle Way is constructed as well as the drainage. (3) 20' x 20' buildings and a larger 20' x 20' x 45' building for a small school. It is a great idea and use; a vocation to earn a living. The small manufacturing building will be at the end of Earle Way with 20 students from Monday - Friday 7am - 5pm. Mr. Doyle stated it is not a permitted use and Mr. Stevens stated for the purpose of zoning - A) guide action promotes health, public safety and welfare. The application is beneficial to Jackson and suited for property in the Manufacturing Zone. Special reason - negative - Pineland zoning and manufacturing use. They are teaching people to operate - no school and just trucks. Public good - notified the adjacent to 200'. Public - residential on the left side and a 100' buffer will be installed with additional plantings (berming and planting on the berm).

Dr. Hofstein verified fencing is not completely around the yard and the current fence will remain. The applicant has agreed to abide by the noise ordinance. Mr. Stevens informed security lighting will be on the building itself and the street lighting is on a private road and slighting on the building. Mr. Book confirmed the school will be restricted to teach adults to operate heavy machinery such as backhoes and bulldozers that are already on site. Mr. Costanzo verified 6 or so machines. Mr. Costanzo questioned a crane and Mr. Doyle advised it would limit the height of equipment. Mr. Peters stated it is Pinelands fabrication and manufacturing so the building could be 50' tall. The use here is teaching and it could be a pit, earth moving equipment, recycling center or truck terminal; those types of equipment are permitted but teaching and training is the part.

Mr. Hill referred to the waiver of site plan and informed it was originally approved 10 acres of impervious cover and now they are proposing 3.5 acres. Stormwater was built and is installed to accommodate that and it is within the threshold of the original subdivision. It is not deviating from the infrastructure that was original proposed, as per original approval and draining is low impact. It is better to delineate parking and Mr. Stevens stated it is a gravel yard; Mr. Hill supports it with additional parking. Mr. Maher suggested it be called a training facility not a training school. He confirmed there will be no stockpiles of materials on this site and no processing. Mr. Miskovich stated it is a gravel drive and the only paved parking is handicap and asked why only that. Waiver for traffic impact - when the subdivision was originally approved and why are you asking now with the number of employees. Mr. Stevens stated it is a low impact with a maximum of 20 people. The underlying development is allowing significant and Mr. Doyle stated in 2011 we gave a traffic study throughout those lots and used up 2 lots with solar which requires no parking. Mr. Maher verified there is parking under the panels and Mr. Gertner reminded the Board the solar field is in the detention basin. Ms. McIlhinney verified it will be open year round and opened quickly from about June running Monday - Friday from 7 am - 5 pm only. Mr. Miskovich was satisfied and had no objection with gravel vs. payment and no objection to remain gravel. **Motion to approve by MAHER/Sullivan. Yes:** Costanzo, Maher, McIlhinney, Najarian, Sullivan, Book, Hofstein

**4. Adventure Crossing, Block 3001 Lots 1,2,3,4,5,6, 18, 20, Monmouth Road / #5 - Cardinale & Jackson Crossing #2, Block 3001 Lots 2,3,4, Monmouth Road – Sal Alfieri, Attorney for the Applicant with Vito Cardinale, Owner.** Mr. Cardinale advised his vision is contingent on the vision of the research center. He stated it is created as an economic engine to bring jobs here and pleasure, for me it is about the medical center. Multiple Sclerosis research with the Mayo Clinic. There are 1200 labs around the world and within an hour after death, you get that brain and transmit the information to 1200 labs. MS only gives information on lesions for 12 hours and we will bring brains to the MS Center where the information will be transmitted to 1200 labs around the world. Mr. Cardinale advised his Wife had MS and passed away and he got involved with Centra State where they presently have 2200 women at the center now. He is helping people who have MS and he hopes his center will eliminate the disease. The drug companies maintain the disease and Jackson will be known to hopefully put an end to MS. He stated you can't eliminate MS and help 2.9 Million unless you have a project like this and I hope to put an end to MS.

Mr. Alfieri stated the access points will be in between McDonald's & WaWa. It will have a clean look and the 2nd entrance will become the jughandle. We're proposing to the County through the back of the pad to the WaWa. Phase I will have a hotel with 20,000 SF banquet facility. Housing units - a total number of 444 rental apartments with 58 special needs housing units on top of the medical research center. There is nothing better than having people living in the building and my researchers will be near those people. It will have 458 units with 98 beds and 2 types of organizations. They have quad living - a 1 unit with 1 person. The remaining units are 1 bedroom units and some apartments are 4 bedroom units. For those with 24/7 health issues. It will bring jobs here and not everyone is living in 4 bedroom units. There will be 1 bedroom units for Veterans, people with ALS, MS and other brain disorders. There will be jobs all over the park for those individuals. Dr. Hofstein verified staff will be living with them. Mr. Cardinale stated it will increase their quality of life and with 98 beds, the Township gets double credit for affordable housing credits. Dr. Hofstein confirmed well over 100 units will go to affordable housing.

Mr. Alfieri stated their vision is the GDP and they're here for a site plan and will be back with full site plan presentation on landscaping, lighting and drainage. Dr. Hofstein confirmed fair market apartments and the affordable housing will be separate. Mr. Alfieri explained it is not typical and solely for special needs. Dr. Hofstein confirmed they will be renting to employees of Great Adventure but not special needs fair marketing housing and there are no dormitories. Mr. Cardinale stated there are no apartments in this area and for the businesses; we want to know people will be there in the winter.

Phase I - drive through restaurant & gas station. We want a monument sign and want an attractive look. It will be 4' off the ground and 10' wide for each of the 9 restaurants. There will be 6 pads for fast food, gas station, a convenience store and 2 restaurants. Dr. Hofstein confirmed the signs will not be digital. Mr. Cardinale advised a 20' x 20' digital sign being 33' tall was approved and we're following the Jersey Shore theme with 2 out front and 1 out in the middle for a total of 3 signs.

- A sign near the Vinciguerra property sign
- A 20' x 20' monument sign off the road listing the tenants
- Taller sign at the main entrance with Adventure Crossing on top, 45' off the ground opposite of WaWa & McDonalds

Mr. Alfieri stated a D & some C variances efficient of time a GDP & Site Plan. A PowerPoint presentation and *Vito Cardinale, Owner, John Gibbons, Bill Stevens, Engineer & Scott Kennel, Traffic expert* - Mr. Cardinale is the principle and co-owns a portion of the property with a contract purchaser for the balance and Owner of Phase I. **Exhibit A-1**, aerial plans by professionals. Page 1 - Mr. Cardinale stated Six Flags outlets are on the east side near I-95. Mr. Alfieri stated the Vinciguerra's are one of the sellers on the west, in the center is the old Scott property and to the east was Six Flags; there are 3 owners in the contract. Page 2 - he stated the goal is to meet the uses (a concept plan) I-95 / Anderson Road by the jughandle and we're negotiating with Big Shots Golf. A driving range, food concessions in the building and parking around. The road off Anderson Road will be a right out & left out and no left in & a right in, an easy way off I-95. The 2nd drive won't remain. Residential apartments off Anderson, a hockey building with 2 sheets of ice, an auditorium and a pool. Retail - perhaps Cabelas and will be all sports related retails. A 100,000 SF convention center, a hotel and The Hilton Garden Inn. A building for go karts & Sky Zone with 2 indoor electric tracks. **Exhibit A-2**, Building 2 (Indoor recreation building) with 4 soccer fields and a dome parallel to Route 537 with 180,000 SF of laser tag. We obtained the liquor license, a hair nail salon, 12 party rooms and basketball court. Monroe Sports will be doing tournaments and indoor soccer also for hockey and cheerleading.

We're here for pads and are in contract for 9 pads in front - some pads will have a drive thru, convenience store, gas station and a larger restaurant; we're looking for Cracker Barrel. West - Marriott Hotel building with 142 rooms and a small building with a small concession stand and a larger building for a future indoor batting cage. To the west is the Vinciguerra property which is cleared land with no trees, which will have the cricket stadium, 2 football, 2 baseball, 2 soccer fields with an old-fashioned drive thru. Mr. Gertner verified shared parking for the stadium & drive thru. Mr. Cardinale advised he's trying to make an International Cricket Association. There will be additional residential apartments towards Route 537 and a downtown village hotel shops like Long Branch, a 1st floor restaurant and the 2 & 3rd floor apartments will be for younger couples. Jughandle - we're hoping to bring a bus depot to bring people having less traffic.

There will be a back way into Hurricane Harbor and we're trying to figure out with Six Flags to get into that and they can utilize our parking as well. Mr. Cardinale stated Six Flags came into Town 40 years ago and it is a great spot but there are no hotels. We believe Six Flags wanted a hotel and hotels will finally come. We're challenging that there is not enough roof tops and we're added some apartments, adding employment and this medical research building.

Another sign will be seen from the I-95 overpass and it needs to be seen over the overpass. We're asking for total but we might not need it and we want it as low as possible. **Exhibit A-3**, Site Plan - Phase I - one 20' x 20' digital component sign, one at the jughandle and other by the fast food restaurant. Phase I is the old Scott property which will be the Hilton, Marriott and the dome. We're asking the Board for approval for 17 acres out front for Six Flags and making it part of Phase I. Mrs. Vinciguerra wanted a fence by the fields and we said yes but now we're in contract and asking for fence to be removed. The time to evening activity and request by ordinance for indoor/outdoor. Mr. Najarian stated you're labeling the apartment to be low income and can they separate just MS and Mr. Gertner explained they haven't labeled in that direction. The proposal meeting is for affordable housing by providing special needs apartments and they argue to benefit the community by affordable units to be for special units for another credit. Mr. Peters stated the outline allows to lock in their description as it relates to affordable housing; it is not part of Phase I. They are still required to come back for that phase. Dr. Hofstein asked Mr. Najarian not to use the term "low income" as affordable housing has certain incomes to meet. Mr. Maher was advised for security they are working with Green Leaf Pet Resort in Millstone and Shirley Liebowitz whose canine dogs are trained by Sheldon.

Dr. Hofstein verified 1200 full-time jobs are estimated as the buildings are for winter events. Mr. Gertner wanted to hear about the amount of employees related to the research facility and the types of jobs that facility will attract. Mr. Cardinale informed 50 full-time and 4 researchers. Mr. Costanzo confirmed he will be paying the researchers 6 figures and 4 of those workers will get paid over \$1 Million and the research center will be 50,000 SF. Mr. Costanzo questioned the need for a heliport and Mr. Cardinale explained he can do it with the standard program as the location is within 1 hour of 5 hospitals in the area. If he needs it later, he'll come back.

*John Gribbon, President/CEO of Centra State* - he has worked with Mr. Cardinale for 10 years at the Linda Cardinale Center which is a center to treat patients but we need to find a cure for this disease. The Cardinale Center has over 2,000 patients and we diagnose and treat. MS is a degenerative disease and the infusion therapy to slow down the progression. There is also physical therapy, mental health services and 3 Neurologists specializing in MS. Centra State's role is diagnosis and treatment

and we can provide support services. At the autopsy, proteins remain in the brain for 24 hours and if the proteins are done quickly, it will hold clues to find out about MS. Mr. Najarian confirmed it will strictly be a research center. Mr. Gertner explained his idea is a connection to the ongoing treatment. The idea of research center was 10 years of working on the treatment side and this dream to construct is an adjunct. He's convinced CentraState to be a part of this and the research center is to find a cure. Ms. McIlhinney confirmed the residents at the research center will require special needs and their treatment will continue at Freehold.

*Bill Stevens, Engineer, credentials accepted, sworn* - GDP - the Town ordinance has requirements that were provided in support of the GDP - 14 submission items submitted & reviewed: 1) general land use plan showing proposals, 2) non-residential uses occupy 90% of the area and 7100 parking spaces; 900,000 SF of commercial area, 3) circular plan submitted showing the access points, 4) submitted open space plan - 100 acres undisturbed 35% of total tract area, 5) utility plans - submitted water and sewer through the JTMUA with sanitary sewer off-site via a pump station in the center of Phase I along Anderson Road and JTMUA capital improvement 16" to service Six Flags and us, 6) stormwater management - prepared and we agree the condition complies with regulation of Jackson and State codes, 7) environmental - provided EIS, 8) community facility plan - shown on Sheet 2 on the GDP plans, 9) housing plan - GDP plan and stated by Mr. Cardinale stated 444 market rate and 58 affordable housing units for a total of 94 beds doubling which equals 188 credits, 10) local services plan - private, 11) fiscal report submitted with EIS, 12) timing schedule - GDP large project taking time and under the MLUL, a 20-year approval and we request such, 13) GDP plan - reports issued & all 3 reports dated 1-28-19; we agree to comply with all and 14) D-1 variance plan - special reasons variance allowing regulation use or height in this case and we request (5) D-1's for:

- 1) Convention expo center Board - building #21
- 2) Medical research facility - building #19
- 3) Stadium - building #20
- 4) Banquet within hotel - building #3
- 5) Residential apartment buildings

Conditional use variance & D-3 variance conditional use for certain conditions, we can't meet for the convenience store as the maximum is 5,000 SF floor area and we want 6,000 SF. D-6 (height variances) - 2 hotels were granted 53.5' in height and we want a revision to increase all to 58'. The new height variances on commercial/residential buildings combined and we want 44', medical research - 64'5" tall and 5 stories. stadium we want 44' and the Golf building, we want 40'. Mr. Stevens stated conventional medical research and we believe the slight deviation offers a creative diverse solution. Less than 10% of the total commercial area. The uses are well suited with direct access to the highways. Adjacent is Six Flags in a highway commercial zone. Use waiver - a residential use in the commercial zone and the 2009 Master Plan is well suited as the residential use will fill a need for the community. There are no other viable uses than what we're proposing. Public transportation to the side, a well fitted mix use with access to major transportation. The residential units will have affordable units which is a unique opportunity for Jackson Township. The area for residential area is small, less than 10% to have the mixed use and it is a true walkable area.

Internal circulation plan - connection through the side off Monmouth Road an access spine road through the entire project and back out the main to Pine Drive & a 2nd access to Anderson Road. Mr. Alfieri advised walking paths & bike paths. Mr. Maher questioned the convenience store which shows access to Route 537 and Mr. Stevens stated the jughandle to Pine Drive and access to Route 537 from the convenience store. Mr. Alfieri stated we don't have site plan yet and no C-variance relief. Mr. Stevens stated the D-3 variance is deminuous from 5,000 to 6,000 SF. The nature of the use is permitted and the additional building is warranted. D6 - 35' height in the commercial zone and the scope and size of the project; 60' front yard minimum. setback is 460' and one is 500' from the road, it will appear appropriate, Mr. Costanzo stated the golf course building wants to go to 40' and confirmed the netting is a separate issue and will be addressed later. C-variance (signage) - providing buffering except Route 537 and the waiver 50' only along Route 537 as we want it to be visible. Signs - 14 signs in total, 5 freestanding and 9 tenant signs will be monument signs and won't exceed a 75' SF area and no illumination for tenants. Setback variances - 10' along Route 537 and 20' along I-95 for visibility. Mr. Purpuro verified a 75 SF monument sign and Mr. Stevens stated a maximum 16' height and I would expect that the convenience store wants elevations for gas prices.

Phase I - Site Plan - drainage proposed stormwater management with underground stormwater to handle the runoff; it meets Jackson and the NJDEP. Parking - Phase I complies with gravel parking behind the dome and adjacent to the outdoor field. There is lighting throughout to meet ordinances. Landscape plan was submitted for site plan and we agree to the comments from the Planner agreeing to work out deficiencies. There are 3 separate reports all dated 1/28/19 and we agree to comply with all reports. Mr. Hill thanked the applicant for meeting last Friday as a lot of details were flushed out. Mr. Stevens stated for engineering GDP & Site Plan, we agree to comply to the minor comments and based on a working relationship, we're confident we can work through. Mr. Najarian wanted to confirm all waivers and Mr. Peters stated from a planning perspective, he takes no exception to Mr. Stevens' testimony. Variances - Mr. Hill had an opportunity to drive Route 537 to see if what's proposed would conflict and there are no issues. Tech comments - agreed and will be worked out during the final portion. Variances C&D, they met their burden of proof and am satisfied with the Site Plan. Dr. Hofstein stated 20 years for phasing and questioned if they are any time frames for Phase I or housing? Mr. Alfieri stated Phase I pulling all permits before and Phase II will go quickly; Phase I is ready to go. Mr. Peters stated the project is large scale and market bearing and I start the bench mark at 10 years with GDP. Mr. Book questioned if during the 20 years can he change his GDP and Mr. Peters stated with the Jackson Township ordinance, he will appear back before this Board.

**Dr. Hofstein announced the meeting will go to 11:00 p.m. - Break at 8:18 p.m.; reconvened 8:30 p.m.**

*Scott Kennel, Traffic Engineer, credentials accepted, sworn* - he submitted his 11-15-18 report and advised the site has great access to Route 537 with 2 signalized intersections and an unsignalized access point with a 2nd access to Anderson Road. There is adequate access to serve with an internal site circulation comprehensive plan. We avoid traffic using public roadways and an internal trip without public roadways. Parking - meets and excessive for this and traffic will be submitted as it develops. Route 537 is a County Road under both Monmouth & Ocean Counties. The engineering staff reviewed the access plans for the GDP and Phase I. Roadway improvements - letter dated 1-17-19 had addressed prior approvals and we're seeking additional commercial pads along Route 537. Counts were taken the Summer of 2018 to assess traffic when peaked. Pine Drive/Route 537 intersection - improvements to different levels of service. County standards - Pine Drive, we're leaving 4 lanes with a double right turn to I-95 and a thru lane to Pine to other side of Route 537 and a turn around to Route 537. Mr. Miskovich's reports for GDP & site plan; we agree to comply with his comments.

Dr. Hofstein wanted to discuss down Anderson to Route 537 and Mr. Kennel stated in 2003 by Monmouth study which will be addressed with the interchange and be a cooperative effort between Monmouth & Ocean County to resolve the deficiencies. We're aware and it will be addressed as we move forward. It is not part of Phase I and we will be back for the next phase that requires it. Mr. Costanzo had concerns with site management and the infrastructure on-site with traffic having more than one event. Mr. Kennel explained they will coordinate for major events and regular activities will be fine. The stadium & a movie then not another sporting in the same slot. Mr. Costanzo questioned the apartment complex in the southeast corner and how to get those people in and out. Mr. Kennel informed access to a spine road up to Pine Drive & access to Anderson Road. Mr. Costanzo had concerns with Winter Wonderland on top of it and asked if there is separation. Mr. Alfieri advised a separate drive solely for apartments and is not here but for site plan and they have discussed with the Boards professionals.

Dr. Hofstein questioned if they will use the Police force for huge crowds and Mr. Cardinale informed he will work with Police, Fire and EMS. Mr. Costanzo had concerns for public safety with the size and height of the building and questioned if fire equipment is capable above 3 stories. Mr. Cardinale advised their ladder is 100' tall and Six Flags has in-house fire equipment. We can work with them and have been in communications with them. Mr. Gertner stated the condition of GDP and specific reports from Fire and Police details and working with them and Mr. Alfieri stated if their request is approved, a developer's agreement with the Town and incorporate those reports; Mr. Gertner agreed.

Mr. Miskovich - Phase I - stated the traffic studies were all approved, the pad sites are new and he has heard all traffic and infrastructure information. He confirmed the applicant has agreed to comply with a pedestrian walkway to connect. GDP macro scale - transportation and from a planning perspective, it makes sense. He had concerns with major tournaments running concurrently and Mr. Cardinale stated the testimony is none will be concurrently running. Mr. Miskovich stated as each site is developed, an independent plan and a more detailed traffic plan. We need to look at each step as it progresses and there is adequate parking and it makes sense.

*Opened public comment*

*Keith & Joyce Jolliffe, 5 Holly Tree Court, both sworn* - we're not on their map. As you know, Anderson & Perrineville Roads are in a residential area with traffic already. They want a right hand turn on our street and we have a triangle with a black top turn around. No traffic study has been done of that area and it will affect a lot of traffic. She also had concerns of impervious coverage and runoff for their wells. Lots 5, 6, 19 & 20 are their concern and had concerns of drunkenness. Mr. Gertner stated Phase II should include testimony on the roadway as discussed with ideas how to mitigate issues. Mr. Alfieri informed they will do a traffic study. Mr. Jolliffe stated the roadway not part of Phase I and buffering, safety and private security are his concerns. He's not happy it is across the street from residential.

*Trisha Palmieri, 12 London Court, Toms River, sworn* - is in support of it as it is beneficial for Ocean and Monmouth. The players and parents are excited and it is access to the highest level of training & competitive programs. Our kids are competing and thriving and I fully support it.

*Joyce Arcarese, 924 Anderson Road, sworn* - looking at lots 5 & 6 and there is not a lot of buffer with a 50-60' setback. He had concerns of his quality of life as well as others on his street. Mr. Alfieri stated in that phase, we will work with our landscape architect to minimize the impact. Mr. Gertner recommended making a condition of the GDP plan to address the concern.

*Jane Greenwood, 916 Anderson Road, sworn* - has all the same concerns as my neighbors. Mr. Gertner advised Phase II will address some design issues of Anderson Road. Mr. Miskovich stated we have to look as the County had plans to look at that for many years. She had concerns of the value of homes as it will be ruined opposite a driving range.

*Ed Blewett & Nicole McHale, 908 Anderson Road, sworn* - stated they are close to the entrance and already have a hard time backing out of their driveway with the outlets & Six Flags. There is constant traffic as their road is a cut thru. It is a massive project and the buffering needs to be considered.

*Daniel Black, 1646 Toms River Road, sworn* - is a lifelong resident and endorses this project. It will be put on map with the MS research. Mr. Cardinale has done great things and it is a win for Jackson.

*Ken Schirripa, 65 Tuscany Road, sworn* - his profession is IT & security and he will be part of his design team. Security will have access control and audio systems. There will be a security command center for the whole system which will be cutting edge technology. Facial recognition, retinal & finger scans. I'm happy to be working on this project.

*Michael Cusson, 852 Perrineville Road, sworn* - over I-95 is a single lane and you're adding to the traffic. Mr. Alfieri stated that is being discussed with Monmouth County and it is their lead. He wants the woods and doesn't want to hear the background noise. Mr. Gertner stated the State legislature took away to assess for off-site impacts and this Board is limited to assess impact fees. He's done more than most to attempt to address those off site impacts and we appreciate that. Mrs. Cusson stated the water basin is by our backyard and she doesn't want strangers along her line affecting privacy. She wants a buffer to separate the apartment and residential areas from Holly Tree Court. She had concerns with the basin with runoff and ticks. She questioned if there will there be a fence and Mr. Alfieri advised they will look into it.

*Aaron Bialoglow, 948 Anderson Road, sworn* - with the increased security and all privacy changes, he had concerns with face scanners and if it will affect the everyday lives of the residents. Privacy seems to be a big issue and the complex doesn't need to monitor what the residents do; aim it away from us.

*Derek Jones, 1004 Anderson Road, sworn* - there are still a lot of questions and hope for a happy medium. He believes the access road to Anderson is a problem and wants buffers for the lights and noise. There is a lightweight bridge there and if the Board approves, how do you go back to it when the Fire companies can't handle it; will they build a new fire dept? He questioned if the taxpayers are paying for the Police and Mr. Alfieri felt their tax revenues will probably pay for Jackson Police salaries. They will be back for each site plan phase. Mr. Gertner stated other than Phase I, the MLUL permits developers to provide public notice of their dream and vision is before its approved. A full preliminary/final site plans must be approved and beyond that, he's agreed if the Board approves the GDP, a developer's agreement and he agrees to interact the Police, Fire and EMS. There are access plans and wetlands; Mr. Stevens advised open space is 100 acres.

*Anthony Travisano, 932 Anderson Road, sworn* - my house is across the street and there will be a bar and golf with headlights facing our homes 24/7.

*William George, 940 Anderson Road, sworn* - a lot of development in 30 years and heavy bottlenecking on the I-95 bridge which has to be replaced. Anderson is bad with Six Flags open and the outlets. It is making a left onto Route 537 difficult.

*Donald Chafe, 960 Anderson Road, sworn* - moved into his home in 1995 and traffic has always been big trouble.

*Glen Green, 838 Perrineville Road, sworn* - is a newer resident and there are noises now with Phase I as they're digging. He had concerns with the water basin and mosquitoes breeding. Concerns with the value of his property and he doesn't want to see a skyscraper in his backyard. He stated the Township advised it was preserved land and owned by Six Flags and Mr. Alfieri stated the Board doesn't consider that. Mr. Sullivan stated Great Adventure owned it but that doesn't mean they couldn't build outside of that. Mr. Green had concerns how it will affect his property.

*Bill Rose, 876 Perrineville Road, sworn* - had concerns of traffic, safety and noise.

*Bill Fox, 784 E. Veterans Highway, sworn* - used to be the Zoning Officer and this project will be the largest employer and generator in Town. He assured the Board his utmost concern is safety. Traffic is not under the jurisdiction of this Board but under Ocean & Monmouth Counties and they are committed to work with those agencies. Property values - unless you own the property around you, there is no control and everything is subject to change. I strongly support and applaud to make it a viable project. Compassion view - \$5 Million a year for medical research & all the events; there are many positives.

*Closed public comment*

Mr. Alfieri thanked all for staying late and informed there are 2 votes for the GDP & Site Plan. We still have to get Monmouth County approval and they are the last.

Mr. Najarian felt there are benefits with the hotels and it will bring money into town. It is positive and as a medical person, I see the benefit for sickly patients. It is a greatly established concept and agree 100%. Mr. Sullivan stated I applaud him for MS research and diseases of the brain. It is a crown jewel and there were promises of hotels many years ago. It is great to see someone do it. I'm sure the traffic issues will be worked out and it is great for the people of Jackson; I applaud Mr. Cardinale. Mr. Costanzo felt the presentation was informative and is in favor of the relief from the fence and ball fields. He had no objections to the D-variance and the medical & banquet all meet the height. Conditional D-34 relief is for convenience and is fine. D-6 height is for architectural and the medical center is fantastic. The stadium is 35' and their looking for 44', golf 34'. C-variance setbacks 50' and have given a layout and projections; I have no objections. Signage - the concept is there and it is pleasing not offensive. The sign is 10' from Route 537 -30' and now asking for 20'. Waiver requests are all positive. Mr. Costanzo is satisfied of the acceptance of professionals with the GDP & site plan; it all meets. Mr. Book stated the experts had all points and had no objection. I take no exception to Mr. Fox's comments closing in point. Mr. Costanzo stated the objectors advised traffic is a nightmare since I've lived here and it falls to the County and State. I ask them to petition their leaders and educate them for your needs and your concerns. Mr. Sullivan stated the State is not quick to respond to the needs of these residents and suggested a writing campaign. Mr. Maher thanked them for the PowerPoint presentation and stated there was a lot of discussion of Anderson Road. We heard you and it's only preliminary. Ms. McIlhinney stated she concurs that it is a wonderful project and a positive is to come out of it. There are a lot of traffic concerns and the positives outweigh the negative. I'm very supportive. Dr. Hofstein thank the Board and it's professionals, Mr. Purpuro and the public for all their comments. There are some determinants and the applicant tried to mitigate as much as he can. The variance should be granted without substantial detriment to the public good.

**Motion to approve the GDP as discussed by MAHER/Sullivan. Yes:** Costanzo, Maher, McIlhinney, Najarian, Sullivan, Book, Hofstein

**Motion to approve the Phase I Site Plan as discussed by MAHER/Sullivan. Yes:** Costanzo, Maher, McIlhinney, Najarian, Sullivan, Book, Hofstein

**Motion to adjourn at 11:37 p.m. by COSTANZO/Weigert. Yes:** Among those present.

Respectfully submitted,

Diane Festino,  
Zoning Board Recording Secretary