

**JACKSON TOWNSHIP PLANNING BOARD MEETING  
MONDAY, FEBRUARY 28, 2022**

The February 28<sup>th</sup> meeting of the Jackson Township Planning Board was called to order at 7:30 p.m. by Board Chairman Robert Hudak with a salute to the flag by all present. Attorney Sean Gertner read the Open Public Meetings Act Statement noting that adequate notice has been provided and advertised in the manner prescribed by law.

<b>Roll Call:</b>	Tim Dolan	Robert Hudak, Board Chairman
	Dr. Michele Campbell	Martin Flemming, Councilman
	Jeffrey Riker	Tsvi Herman – Alt #1
	Mordechai Burnstein	Len Haring, Board Vice Chairman
	Noah Canderozzi - Alt #2	Terence Wall-Township Representative

**Absent:** Joseph Riccardi, Mayor’s Designee

**Also Present:** Sean Gertner, Planning Board Attorney, Ernie Peters, Board Planner, Doug Klee, Board Engineer, Anthony Jacob, Township I.T. Representative, and Irina Darrar, Planning Board Recording Secretary and Laura Morrison, Planning Board Secretary.

**Payment of Recording Secretary, Irina Darrar for February 28<sup>th</sup>, 2022 meeting. Motioned by Riker/Harring Yes:** Mr. Dolan, Dr. Campbell, Mr. Burnstein, Mr. Wall, Mr. Flemming, and Mr. Hudak.

**The executive session was moved by Mr. Hudak to the end of the meeting.**

**Minutes were tabled until the next meeting.**

**Engineering/Planning matters were discussed.**

**Mr. Klee** noted about the site plan applications there is the question of whether the applicant is willing to incorporate solar and charging stations.

Mr. Klee mentioned that normally applicants are eager to incorporate Solar into their projects. How is that carried through the approval? This will be flushed out with the different applications that are heard. His suggestion is to review each application case by case regarding solar. Mr. Klee added that during his review process of the applications, questions about solar and charging stations can be addressed.

**Legal matters. Resolutions:** Mr. Gertner announced that there are three Resolutions for the meeting to be approved.

**Resolution No. 2022-02**

Resolution of the Planning Board of the Township of Jackson, County of Ocean, State of New Jersey granting preliminary and final site plan approval for a training center and annex building

designed for overnight accommodations & golf car storage for Metedeconk National Golf Course.  
Block 601, Lots 1.02 & 42

**Motioned by Dolan/Burnstein Yes:** Mr. Riker, Mr. Wall, M. Harring, Mr. Hudak, Mr. Flemming  
**Resolution No. 2022-03**

Resolution of the Planning Board of the Township of Jackson, County of Ocean, State of New Jersey granting time extension to Alef NJ, LLC. Block 2603, Lot 13.

**Motioned by Harring/Flemming Yes:** Mr. Dolan, Mr. Wall, Mr. Burnstein, Mr. Riker, Mr. Hudak.

**Resolution No. 2022-04**

Resolution of the Planning Board of the Township of Jackson, County of Ocean, State of New Jersey granting preliminary and final major site plan approval with variance relief for Whitesville Business Park, Block 22301, Lots 5, 6 & 16.

**Motioned by Riker/Flemming Yes:** Mr. Wall, Mr. Harring, Mr. Burnstein, and Mr. Dolan.

**No board matters were discussed at the meeting.**

### **Applications:**

**Application Block 11701, Lot 9, 25, 26 & 33 Rutherford Estates.**

**Mr. Klee** stated that this is an application for the extension of the final major subdivision, Rutherford Estates, Block 11701, and Lots 9, 25, 26 & 33. Resolution # 2016-15 was memorialized on August 15, 2016, which granted Major Subdivision approval to establish 20 residential building lots on the subject property. The executive order associated with the Covid pandemic further extended this protection period to December 4, 2021. The map has been recorded and the lots exist. The applicant seeks to extend the protection of the existing approval to December 4<sup>th</sup>, 2022. The applicant would have 2 more extensions available. Mr. Klee also said that Pinelands Commission noted that there has been a Zoning change after maps were filed. Mr. Klee believes that construction has been started on one or two lots and a denial of this application will mean other similar applications to go to the Board of Justice.

Mr. Peters asked the owner to indicate what the previous zone was and what is it now and what the protection period is extended to and why they are requesting an extension.

Mr. Alfieri could not appear, Mr. Noah Burton represented the applicant.

**Mr. Ian Borden** was previously sworn in and stated the project known as the Rutherford is located along Route 571 just south of Route 528 and across from the Cassville Fire House and in a split zone. The subdivision was granted final approval in 2016. Approval was valid until December 2021. We are seeking a 1-year extension until December 2022. Most of the property is located in the PV zone, Pinelands Village, and part of the project is in the PVC 2 zone, Pinelands Village commercial zone. The project consists of 20 residential houses, 2 commercial lots, one of them according to the 2016 approval was to be dedicated to the Cassville firehouse, and a single basin for the stormwater management lot. The final plat was not filed and that is why the applicant is seeking an extension.

Mr. Gertner asked what happens if the lot is not dedicated to the public?

Mr. Borden stated that Jackson Township Fire Department did not wish to accept the offer regarding the lot. The resolution does state that in this case, the lot becomes commercial in the PVC2 zone.

Mr. Hudak asked if there were any public comments. Nobody came forward and the public comment portion was closed.

Motion to close public comment

**Motioned by Riker/Harring Yes:** Mr. Dolan, Mr. Wall, Mr. Flemming, Dr. Campbell, Mr. Burnstein, Mr. Hudak.

Board decided to approve the Resolution.

**Motion by Flemming/Riker Yes:** Mr. Dolan, Mr. Harring, Dr. Campbell, Mr. Wall, Mr. Burnstein, Mr. Hudak

### **Application: North Cooksbridge LLC, Block 8601, Lot 41**

Mr. Klee stated that this application has some history. The application came in December 2020 as an 11,300 SF office building and had several variances. Now it is down to a 7,000 SF office building and the design exceptions are eliminated, variances are down to none. Mr. Klee asked the applicant for clarification regarding solar and charging stations.

Mr. Peters asked the applicant to explain his revised plans and how the variances were reduced.

Alfieri said that this is the third public hearing for North Cooksbridge LLC. The project started with an 11,300 building with several variances, now it is a 7,000 building with no variances. It is a 2 story building with full conformity to zoning regulations. A traffic study was done as well, few or zero traffic issues were determined. Regarding the electric charging stations, the applicant is willing to comply with the statute for the charging stations. The applicant is not ready to determine if solar will work for this project or not.

Mr. Happold, the applicant's engineer was sworn in and credentials were accepted. According to Mr. Happold, an architectural plan identifies the materials. The color scheme is not on the Architect's plans. The footprint has been reduced to 3,500 SF and 7,000-floor space. The site plan (Exhibit 228) is the revised plan, dated December 9, 2021. The original plan had 4 rows of parking, 35 spaces, variances on setbacks, and variances on square footage, also the refuse enclosures were in the front. The revised version shows 3 rows of parking units with another row along the front of the building, 35 spaces, with 2 handicap spaces. In the revised version the refuse enclosure has been moved and has a separate isle to get there. It is 15 feet by 20 feet refuse enclosure for solid waste and recyclables. The last revision for the turning trampled and fire circulation is dated December 9, 2021. Fire circulation complies with Jackson fire-turning templates. Mr. Stanley O'Brien signed off on the documentation.

The applicant confirmed that the building has no basement, just a crawl space.

Dr. Campbell had a question regarding the solar. Mr. Klee suggested granting the approval based on a feasibility study on solar. Applicant agreed.

Public comments: Nobody came forward and the public comment portion was closed.

Motion to close public comment.

**Motioned by Flemming/Riker Yes:** Mr. Campbell, Mr. Haring. Mr. Dolan, Mr. Wall, Mr. Burnstein, Mr. Hudak

Board decided to approve the application.

**Motion to approve Campbell/Riker Yes:** Flemming, Mr. Haring. Mr. Dolan, Mr. Wall, Mr. Burnstein, Mr. Hudak

**Application: Jackson Woods S.E. – DR Horton Clubhouse Block 4101, Lot 20.02**

**Mr. Klee** stated the application is for preliminary and final approval. Resolution 2021-06 memorialized on August 2021 granted preliminary major subdivision approval for 465 units and final major subdivision approval for 186 multi-family units. Approval deferred consideration of the sight plan component for the clubhouse for a future date. A variance is being sought for the front yard setback to the parking area. There is a design exemption for the number of driveway connections to the internal roadway system of the development. Technical revisions were provided to the applicant. This along with the solar and charging stations question has to be addressed for the building.

**Mr. Peters** stated according to the December 1, 2021 report the only variance required is for parking area setbacks. Previously it was the Tom Bovino clubhouse, now it is the DR Horton clubhouse. Now it is more specific than what was proposed in the general layout of the previous plans. As Mr. Peters mentioned site work has begun, but no sales as of yet.

**Attorney Mr. Ronald Shimanowitz** was sworn in on behalf of DR Horton. He called for the first witness Mr. Mark Lescavage, who was sworn in as senior project manager at Colliers Engineering and Design. Practicing civil engineering for 25 years. Licensed since 1997.

Mr. Lescavage stated that exhibit A-1 shows a preliminary plat, it is dated December 4, 2020. The property, is now Block 4101, Lot 20.466. The applicant is proposing a 6,084 SF clubhouse building structure. A2 exhibit is a color rendering of the sight landscape plan dated January 11, 2022. The same exhibit shows the parking lot layout for the clubhouse. It has 21 spaces along Brielle Terrace and another 40 spaces along Avalon Lane. There are 4 handicapped parking spots. Meets ADA requirements and meets parking criteria for the clubhouse. Parking is 23 feet off of the curb line and 12 feet from the lot line. This is why variance is being proposed since the requirement for a non-residential zone is no parking closer than 25 feet from the property line, so we are deficient 13 feet for the setback.

Exhibit A3 depicts fountains, a trash enclosure as well as a recreation area. A4 exhibit shows structure for the post office boxes for the development, pool equipment enclosures, and shade structures. The post office boxes are six rows of boxes. There are thirty of these boxes with 16 individual mailboxes. All the proposed structures are accessory structures. Regarding lighting we created a lighting plan, using the same 12 foot high decorative colonial fixtures. Part of a section of the Ordinance requires a minimum of a half-foot candle within the roadway. The applicant is

asking for relief. The applicant is asking for a waiver to the 50 FT tree separation, the same waver as in the original subdivision plan.

Relief is being sought from Section 244-19i1, regarding parking in the front and the front yard setback. Parking is 12 ft. from the right of way where technically 25 ft. is required, the same relief is required for both Brielle Terrace, being 23 ft. from the curb and 12 ft. from the right of way of Avalon Lane.

**Mr. Peters** stated that setbacks along the right of way from a practical perspective are that if all the roads were owned by the homeowner association they would not need a variance. From a physical planning standpoint, we normally want a setback of 12 to 18 feet as a safety barrier. Is it unsafe as to the way the applicant has it? Mr. Peters said I don't think so. Mr. Peters also confirmed that the proposed setback meets the intent of the criteria of the ordinance.

**Mr. Hudak and Mr. Wall** expressed concern regarding the mailbox location. Since all the residents most likely after work will be coming home and getting their mail. This could cause congestion during the evening time once residents come home from work.

**Mr. Thomas Bovino** was sworn in. Works for the property owner and developer. He stated that numerous times he visited the Jackson postmaster for his professional advice. Postmaster suggested central location, stating that it has to do with labor cost, efficiency and there is no need to split the sights.

**Mr. Robert Fecso**, Vice President with DR Horton was sworn in.

Mr. Fecso stated on all new communities, all mail delivery need to be centralized. We can't have curbside pickup. He does not believe that the system that is set up for the community will be an issue.

Mr. Bovino suggested that we start with this, to construct half of the amount of the mailboxes and come back in a year and see if the system works or if it needs to be split.

Motion to approve the application with variances.

**Motioned by Flemming/Campbell Yes:** Mr. Dolan, Mr. Riker, Mr. Burnstein, Mr. Wall, Mr. Haring, and Mr. Hudak.

### **Application Jackson Project, LLC, Block 7309, Lot: 12 & 13**

Mr. Klee stated that the application has been carried out since December 20<sup>th</sup>. It is an 11,300 SF office building with 4,700 on the first floor, 6,000 on the second floor, with 3,000 of the rooftop terrace, and 503 of "Bulkhead". Mr. Klee was not sure what "Bulkhead" meant so he ask the applicant for clarification. Variance relief is required for deficient lot area, as well as lot depth, front setbacks for the balcony of the building, where 60 feet is required and 37 feet is proposed, a height variance, which can be exceeded by four feet per power pit in elevator mechanicals, the applicant is proposing 6 feet there is also the parking setback from the property line where 20 feet is required, and the applicant is proposing 10 feet.

Mr. Peters stated that his office has a report dated February 22, 2022, it appears that architectural and engineering plans may not match. He requested that we get on record what is being proposed with this application. He stated there was a turning vehicle plan showing what appears to be a trash truck, he would like the one showing a fire truck.

Mr. Gram Macfarlane was the applicant's engineer. He was sworn in. Previously he has sworn in as an engineer and planner.

Mr. Macfarlane said that he sent new exhibits to the Township and he started them at Exhibit A-6. He suggested renumbering them. Exhibit A-6 was the revised site plans dated February 4, 2022, which would now be Exhibit A-9. The changes to the plan involved reworking the parking on the left side of the building to account for the building columns that are required for the overhang and to address Mr. Peter's concerns about the depth of the parking stalls up against the building. Bollards were added at the end of those parking stalls and those parking stalls are now an overall depth of 19 feet, minus the area of the bollards and the depth is about 18 feet 4 inches. Also, reviews were the parking stall at the back of the building, the Handicap spaces were moved to the back. Bollards were added along the curb line in the back to address the concern that vehicles might overhang the curb line, allowing the full width of the sidewalks to be utilized without vehicles overhanging onto the sidewalk area. There are also two safety Islands in the back of the building, one on the left and one on the right side of the building they are both 9 feet but 10 feet is required, thus requiring a waiver. A loading and delivery space was also added. Mr. Macfarlane believes the final floor area numbers are 4,688 GFA first floor, 5948 GFA on the second floor for a total of 10,636 sf. of GFA, and 2,777 sf of the rooftop amenity.

Exhibit A-11 will now be A-10, which is a roof plan, showing the front part of the building being available for the rooftop terrace, outdoor amenity space. The plan also showed s area reserved for equipment and solar panels on the back right side of the building.

Exhibit A-7 will now be A-1, the landscape plan. Exhibit A-8 is now Exhibit A-12, what he calls a bird's eye view of the building rendering. Exhibit A-9 which is now Exhibit A-13 is a street view of the building. Exhibit A-10 is now Exhibit A-14, the building elevation. He was not sure of what is the bulkhead height. Further testimony will be presented by the architect regarding the bulkhead height. Sidewalks and curbs will be provided. A waiver is being sought for providing any street trees along the site frontage.

Regarding Mr. Peter's letter dated February 22 regarding whether the applicant needs a variance for the trash enclosure. Mr. Macfarlane did not believe the applicant need any relief for the trash enclosure. Mr. Peter's letter talked about the need potentially for a minor subdivision.

The applicant is not proposing a subdivision but proposing a lot consolidation of two lots into one.

**Mr. Peters** asked Mr. Macfarlane about the dumpster location. Mr. Peters hates the layouts He advised the applicant to put the dumpster facing west to the left and to get rid of two parking spaces. Mr. Macfarlane said he can eliminate one or two parking spots if needed, but he would like to save as many parking spots as possible.

Mr. Peters does not want the front of the dumpster facing County Line Rd. and he doesn't want a trash truck making K turns in the back of the parking area.

Mr. Richard Tokarski, the Architect, from the firm of Tokarski Millemann Architects, LLC was sworn in. He prepared the architectural plans that were reviewed by the board this evening. He stated that the top of the roof is 31 feet the top of the power pit is at 35 feet and the top of the bulkhead is 41 feet. There are stairs on the center of the roof also secondary stairs in the back. The Bulkhead area is the area of the elevator and the staircases.

Question by Mr. Peters was asked regarding a skylight if it was 10 feet higher than the roof of the building?

Mr. Tarski answered yes. It is not required by any building code. Mr. Tokarski stated that it is not a bulkhead, he believes it falls under the pertinence definition.

There is no basement.

No public comment.

**Motioned Riker/Haring Yes: Mr. Dolan, Dr. Campbell, Mr. Burnstein, Mr. Wall, Mr. Flemming, and Mr. Hudak.**

Motion to approved application

**Motion by Haring/Flemming Yes: Mr. Dolan, Dr. Campbell, Mr. Riker, Mr. Burnstein, Mr. Wall, Mr. Haring, Mr. Hudak.**

**Motion to go to an executive session: Riker/Burnstein All in favor.**

Respectfully submitted by,

Irina Darrar  
Planning Board Recording Secretary

