

**Development Review Committee Meeting  
Middlesex County Planning Board  
75 Bayard Street, 1<sup>st</sup> Floor, Administration Building,  
Freeholder Meeting Room, New Brunswick, NJ 08901  
November 13, 2018  
Minutes**

COMMITTEE PRESENT

Mr. Matthew Vaughn, Chairman  
Mr. George M. Ververides, Director of County Planning  
Mr. Richard Wallner, County Engineer  
Ms. Rani Goomer  
Mr. Jonathan Kopf  
Mr. William Thomas III  
Steven D. Cahn, Esq., Planning Board Counsel  
Ms. Brenda L. Bleacher, Development Review Secretary

STAFF PRESENT

Mr. Jim Lentino, Principal Planner, Development Review  
Mr. Aaron M. Kardon, Senior Planner, Development Review  
Ms. Jeanette A. Tugya, Senior Planner, Development Review  
Ms. Mrunali Shah, Engineering

PUBLIC PRESENT

Mr. Kenneth Pape, Esq., Heilbrunn Pape, Macy's, East Brunswick & L & E, Old Bridge  
Mr. Peter Klouser, Heilbrunn Pape, L & E, Old Bridge

Chairman Matthew Vaughn called the meeting to order and read the notice presented at the commencement of each regularly scheduled Development Review Committee Meeting in accordance with the Open Public Meetings Act.

Salute to the Flag.

Moment of Silence.

The Secretary called the roll, and it was determined that a quorum was present.

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I. Minutes

Mr. Ververides moved, seconded by Ms. Goomer, to approve the Minutes of the September 11, 2018 meeting. Motion carried unanimously. The Minutes of the October 9, 2018 meeting were distributed for review.

II. Resolutions to be added – None

III. Resolutions to be amended and executed

a. Harding Village, Edison - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for a conditional site plan approval subject to the receipt of Section 11-7 Design Standards; .7 sidewalk, .11 drainage; a performance guarantee to be determined; a Stormwater maintenance agreement; a future improvements agreement; a dedication to be determined; a road opening permit; approval from the New Jersey Department of Transportation. Motion carried unanimously.

IV. Resolutions to be removed

a. Heritage at Colonia, Woodbridge - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner. Motion carried unanimously.

VII. Open Public Discussion on Resolutions Listed on this Agenda Only

Since there was no public discussion Mr. Ververides moved, seconded by Ms. Goomer. Motion carried unanimously. Mr. Vaughn stated this public portion has been closed.

II. Old Business

A. Subdivision – None

B. Release of Performance Guarantees

- a. 2900 Woodbridge Avenue, Edison - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for the return of a performance guarantee in the amount of \$35,971.00 and retain an application fee in the amount of \$500.00, from the 10% cash portion in the amount of \$3,598.00 and return the balance of the cash portion in the amount of \$3,098.00, return the performance bond in the amount of \$32,373.00, since the required improvements have been found to be adequate and properly installed. Motion carried unanimously.
- b. The Crossings at Highland Park, Highland Park - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for the return of a performance guarantee in the amount of \$54,957.00 and retain an application fee in the amount of \$750.00, from the 10% cash portion in the amount of \$5,496.00 and return the balance of the cash portion in the amount of \$4,746.00, return the performance bond in the amount of \$49,461.00, since the required improvements have been found to be adequate and properly installed. Motion carried unanimously.
- c. Boylan Funeral Home, New Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for the return of a performance guarantee in the amount of \$18,054.00 and retain an application fee in the amount of \$500.00, from the 10% cash portion in the amount of \$1,805.00 and return the balance of the cash portion in the amount of \$305.00, return the performance bond in the amount of \$16,249.00, since the required improvements have been found to be adequate and properly installed. Motion carried unanimously.
- d. Robert Downey, Sayreville- In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for the return of a performance guarantee in the amount of \$7,800.28 and retain an application fee in the amount of \$250.00, and return the balance of the cash portion in the amount of \$7,550.28, since the required improvements have been found to be adequate and properly installed. Motion carried unanimously.

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- e. Haddad Docks Corner, South Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for the return of a performance guarantee in the amount of \$367,692.00 and retain an application fee in the amount of \$1,000.00, from the 10% cash portion in the amount of \$36,769.00 and return the balance of the cash portion in the amount of \$35,769.00, return the performance bond in the amount of \$330,923.00, since the required improvements have been found to be adequate and properly installed. Motion carried unanimously.

III. New Business

A. Development Applications Rejections - None

B. Sketch Plats

- a. Lot 20.02, Block 131, Macy's Retail Holding, Inc., East Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for a classified "B" sketch plat. Waive preliminary and final plats upon the receipt of a future improvements agreement. Motion carried unanimously.
- b. 60 Pacific Street, Edison- In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for a classified "A" sketch plat. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
- c. Maria and Fernanda Adelino, Monroe - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for a classified "A" sketch plat. Waive preliminary and final plats. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
- d. 312 Bordentown Avenue, South Amboy - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for a classified "A" sketch plat. Waive preliminary and final plats. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.

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- e. E. Prospect Street, Block 64, Lot 1.03, South River - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for a classified "A" sketch plat. Waive preliminary and final plats. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
2. Preliminary
    - a. Riverside Center, Block 8, Lots 8.04 & 2.08, Monroe - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, to grant the Applicant's request for an extension until the December 11, 2108 Development Review meeting. Motion carried unanimously.
  3. Final
    - a. 83 Stults Road, South Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for final plat approval for filing. Motion carried unanimously.
  4. Site Plans
    - a. Cranbury Mixed Use Development, Cranbury - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, to grant the Applicant's request for an extension until the December 11, 2108 Development Review meeting. Motion carried unanimously.
    - b. Reagent Chemical, Middlesex - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for site plan approval. This site does not adversely impact a County road or drainage facility. Motion Carried Unanimously.
    - c. JSM at Route 33, LLC, Monroe - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, to grant the Applicant's request for an extension until the December 11, 2108 Development Review meeting. Motion carried unanimously.

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- d. Market Place at Monroe, Monroe - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, to grant the Applicant's request for an extension until the December 11, 2108 Development Review meeting. Motion carried unanimously.
- e. 292 Route 516, Old Bridge - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for a conditional site approval subject to the receipt of revised plans; Section 11-7 Design Standards; .7 sidewalk; a performance guarantee to be determined; a dedication and reservation of county road right-of-way to be determined. Motion carried unanimously.
- f. Cottrell Road Development, Old Bridge - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for a conditional site approval subject to the receipt of revised plans; Section 11-6 Site Plan Details; Paragraphs L, M, P; Section 11-7 Design Standards; .1 off street parking, .4 driveway, .7 sidewalk, .8 curbing, .9 sight triangle, .11 drainage, .12 traffic control; a performance guarantee to be determined; stormwater maintenance agreement; a dedication and reservation of county road right-of-way to be determined; road opening permit; approval from the Middlesex County Mosquito Extermination Commission; approval from the New Jersey Department of Environmental Protection; approval from the New Jersey Department of Transportation. Motion carried unanimously.
- g. Korkowski, 3083 Route 35, Old Bridge - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for an exempt site plan. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
- h. PSE&G, Dey Road, Plainsboro - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for a conditional site approval subject to the receipt of revised plans; Section 11-7 Design Standards; .4 driveway, .7 sidewalk, .8 curbing; a performance guarantee to be determined; stormwater maintenance agreement; a dedication and reservation of county road right-of-way to be determined; road opening permit. Motion carried unanimously.

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- i. Jernee Mill Center, LLC, Sayreville - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, Section 11-6 Site Plan Details; Paragraphs L, M, P; Section 11-7 Design Standards.4 driveway, .7 sidewalk, .8 curbing, .9 sight triangle, .11 drainage;; a performance guarantee to be determined; stormwater maintenance agreement; a dedication and reservation of county road right-of-way to be determined; road opening permit; approval from the Middlesex County Mosquito Extermination Commission; approval from the New Jersey Department of Environmental Protection. Motion carried unanimously.
- j. 611 Bordentown Avenue, South Amboy - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner Section 11-7 Design Standards.4 driveway, .7 sidewalk, .8 curbing, .9 sight triangle, .11 drainage;; a performance guarantee to be determined; a dedication and reservation of county road right-of-way to be determined; road opening permit. Motion carried unanimously.
- k. Metaline Products Company, Inc., South Amboy - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for an exempt site plan. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
- l. Bloomberg, LP, South Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, for a conditional site plan approval subject to the receipt of approval from the Middlesex County Mosquito Extermination Commission. Motion carried unanimously.
- m. Carvana South Plainfield, South Plainfield - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, Section 11-6 Site Plan Details; Paragraphs M, P; Section 11-7 Design Standards.4 driveway, .7 sidewalk, .8 curbing, .9 sight triangle, .11 drainage; a performance guarantee to be determined; a dedication and reservation of county road right-of-way to be determined; road opening permit; street trees. Motion carried unanimously.

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- n. 510 Inman Avenue, Woodbridge - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, Section 11-7 Design Standards.4 driveway, .7 sidewalk, .8 curbing, .9 sight triangle, .11 drainage; a performance guarantee to be determined; a dedication and reservation of county road right-of-way to be determined; road opening permit; street trees. Motion carried unanimously.
- o. BRM Route 1-35, LLC, Woodbridge - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, Ververides moved, seconded by Mr. Wallner, for an exempt site plan. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
- p. Sancilardi, LLC, 75 Port Reading Avenue, Woodbridge - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Wallner, Section 11-6 Site Plan Details; Paragraphs L, P; Section 11-7 Design Standards .7 sidewalk, .8 curbing, .11 drainage; a performance guarantee to be determined; road opening permit. Motion carried unanimously.

IV. Communications – Secretary stated Mr. Chairman all correspondence received by the Office of Planning since our last meeting will be kept on file in the Office of Planning for reference.

V. Such Other Matters That Have Been Carried Over and/or Other Issues - None

VI. Public Comments –

- a. L & E Associates, Old Bridge –

Mr. Kenneth Pape, Esq., Attorney for the Applicant addressed the Committee regarding L & E Associates, Old Bridge originally y came before this Board in 2017; before finalizing the application, we met with at the time Stan Olszewski. The Township wanted the placement of a new building in front of the property, and we were asked to make a dedication to the County for the Right-of-Way in part of it as an easement which we have used many times before...in auditable There is an additional 23 feet...in auditable

Mr. Cahn stated you need that you need that for setback...

Mr. Pape answered yes...

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Mr. Cahn stated that he asked for Mr. Pape to get up and address; he spoke with Mr. Olszewski on this and on the Town, they have a discussion that goes back over a year, I don't recall if I was involved in it or not, but I don't have an issue, we have done this on other occasions, deed of dedication, a fee simple deed of dedication for where we might do physical improvements and the balance of the Right-of-Way would be as appropriate...I have a draft of the easement...He's got all the towns approvals...

It's not on today's agenda so we can't really act on it...he's got other financial leaders constraints do I told him why don't we addresses because we didn't get it on the agenda...if it essential meets with engineering and planning's approval I can sent him a letter representing that we had a discussion at today's meeting and that it's going to be on the next meeting and that this is the deal, which this should satisfy his Leander.

Mr. Cahn stated unless there is some kind of an issue, Mr. Kardon may know about it more that I?

Mr. Pape asked if this would be on the next meeting?

Mr. Cahn answered yes.

Mr. Kardon stated that at this point I would have to take a look further at the file, is that we a waiting for the review of the deed and easement I would be happy to send it over to you which I have not gotten a response back yet, letter has been sent out for the performance guarantee...has the performance guarantee been posted?

Ms. Bleacher stated yes.

Mr. Kardon stated all they have to do is resolve this issue...

Mr. Cahn stated that we have no issue with it.

Mr. Kardon answered no not at all, they didn't have to...

Mr. Cahn stated that it was circulated to me, he sent me a package and a letter and I didn't look at it regarding the details of it, I didn't get the deed of easement circulated to me and of course I looked at it quickly, conceptually I'm OK with it...I think everyone is OK with it

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Mr. Kardon stated that there is no issue conceptually

Mr. Wallner stated he didn't see an issue

Mr. Cahn stated I will review the deed of easement carefully and make sure we are ok with it and I will send you a letter, this is the discussion that you were able to do the County's approval, I have approved the deed of easement language and that we just have to try it up in a nice bow. As long as everyone supports as to what we are doing, it will be on December's meeting...

Mr. Pape stated that this has cause such a financial hardship to my client and this addressing this today...

Mr. Cahn stated I sorry I didn't get back to you promptly, if I got back to you a week early maybe we might have not pushed it through but...

Mr. Pape stated I'm thrilled that you gave us the opportunity...I'll see you in December

Mr. Cahn stated I will look at the easement and the wording...

Mr. Kardon stated I have question if we do this administratively, and counsel, county counsel and then we have approved and filed then all we would have to do is send a letter to the town...

Mr. Cahn stated that the only issue is that it is not legally noted...no one know is on the agenda, he's free to speak because anyone can come a speak on any project...but, it's not on the agenda so...I'm not comfortable approving it today without it, procedurally we have to...

Mr. Kardon I'm saying that...

Mr. Cahn stated I can represent that it's been internally, administratively approved and discussed and they are good for it...

Mr. Pape stated I think we are in this crisis that we are now...

Mr. Kardon stated that we are at a point where we are ready to approve it...to check to make sure that everything... all out 's & t's are dotted and crossed...

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Mr. Cahn asked what's in that package that you just gave me? Is the County's letter to you setting for the conditions to you?

Mr. Pape stated No, I make reference to the letter, I don't think it's in there...

Discussion among committee and staff...

Mr. Cahn stated that it will be on the December Agenda so that there is no dispute as to the conditions, deed...

Mr. Pape stated your Attorney, your Engineer and your Planner all have the same option...I'm thrilled I will wait for the letter, see you in December.

Mr. Kardon stated hopefully we will have something before December...

Mr. Pape I thank you all.

Mr. Cahn asked if he will have the conditional letter send to them in advance?

Mr. Kardon stated that he already received...

Mr. Cahn stated maybe you can issue them a new letter.

Mr. Kardon stated it wouldn't be a new letter, it would be a sign off of the project, it would just be the road opening permit which they have to provide to us and as long as the deed is able to be filed then they have satisfied the original conditional approval letter.

Discussion among committee and staff...

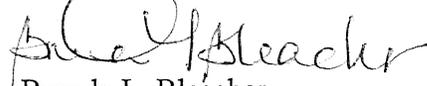
A motion from Mr. Wallner, second by Mr. Ververides to place this on December agenda.

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VII. Adjournment

Since there was no further business to come before the Committee, on a motion made by Mr. Ververides, seconded by Ms. Goomer, the meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Brenda L. Bleacher".

Brenda L. Bleacher  
Development Review Secretary