

**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  
May 14, 2019  
Minutes**

COMMITTEE PRESENT

Mr. Matthew Vaughn, Chairman  
Mr. Thomas Pollando, Vice Chairman  
Mr. George M. Ververides, Director of County Planning  
Mr. Ronald Sendner, Acting County Engineer  
Mr. Jason Friedman  
Ms. Rani Goomer  
Mr. William Thomas III  
Ms. Gail Lalla, Alternate  
Steven D. Cahn, Esq., Planning Board Counsel  
Ms. Brenda L. Bleacher, Development Review Secretary

STAFF PRESENT

Mr. James Lentino, Principal Planner, Development Review  
Mr. Aaron M. Kardon, Senior Planner, Development Review  
Ms. Jeanette A. Tugya, Senior Planner, Development Review  
Ms. Mrunali Shah, Senior Engineering Aide  
Mr. Alex Zakrewsky, Principal Planner  
Ms. Jessica Alvarez, Planner Trainee  
Ms. Romas Patel, Planner Trainee

PUBLIC PRESENT

Mr. Shawn Hassermann, South River  
Ms. Cyndie Williams  
Mr. David Akins, Piscataway  
Lawrence Sachs, Esq., Chabad  
Rabbi Zaklikovsky, Chabad  
Mr. Stan Edelman, Chabad

Chairman 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.

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Moment of Silence.

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

I. Minutes

Mr. Ververides moved, seconded by Mr. Pollando, to approve the Minutes of the March 12, 2019 meeting. Motion carried unanimously. The Minutes of the April 9, 2019 meeting were distributed for review.

II. Resolutions to be added - None

III. Resolution to be amended and executed - None

IV. Resolution to be removed -

- a. Monroe 33, Monroe - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Freidman, to remove this resolution at this time.

V. Open Public Discussion on Resolution listed on this Agenda Only

Since there are no Public comments to come before the Committee, on a motion made by Mr. Ververides, seconded by Mr. Pollando, to close this public portion.

The Chairman: This Public portion has been closed.

VI. Old Business

A. Subdivision - None

B. Release of Performance Guarantees –

- a. Cranbury Station Park, Cranbury - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for the return of a performance guarantee in the amount of \$446,650.00 and retain an application fee in the amount of \$1,000.00, from the 10% cash portion in the amount of \$46,665.00 and return the balance of the cash portion in the amount of \$45,665.00, return the performance bond in the amount of \$419,985.00, since the required improvements have been found to be adequate and properly installed. Motion carried unanimously.

VII. New Business

A. Development Applications Rejections -

- a. Lot 11.01 & 11.02, Block 316.01, Mikhaiel, East Brunswick- In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, to accept the staff's recommendation to reject this application. Motion carried unanimously.
- b. MX Logistics, Piscataway - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, to accept the staff's recommendation to reject this application. Motion carried unanimously.

B. Sketch Plats

- a. 5 Devoe Lane, East Brunswick- In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, 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.
- b. Block 48, Lots 1.01 & 1.02, Metuchen - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, 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.
- c. Block 109.01, Lots 18, 19 & 20, Garibaldi Ave., Monroe - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, 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. 958 Edwin Street, Block 152, Lot 5, North Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, 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. Lisa Reale, Old Bridge - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for a classified "C" sketch plat. Waive preliminary and final plats. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
  - f. Lot 320, Blk. 40, Leo & Phillips, Old Bridge - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, 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.
  - g. Lot 10, Block 413.01, Sayreville - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, 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.
  - h. South Amboy Redevelopment, South Amboy - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for a classified "C" 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. 92 & 94 Ethel Road, Edison- In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for a preliminary subdivision approval. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
3. Final
- a. 39 Edgeboro Road, East Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a final plat approval for filing. Mr. Freidman present not voting. Motion carried.

- b. Woodside Estates, Edison - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a final plat approval for filing. Motion carried unanimously.
- c. Riverside Center, Monroe - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a final plan approval for filing. Motion carried unanimously.
- d. Block 2704, Lot 6.01, Piscataway - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a final plat approval. Motion carried unanimously.
- e. 154 Martian Drive, South Plainfield - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a final plan approval for filing. Motion carried unanimously.

4. Site Plans

- a. 21 Washington Redevelopment, Carteret- In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for a conditional site plan approval subject to the receipt of revised plans; Section 11-6 Site Plan Details; Paragraphs L, P; Section 11-7 Design Standards; .7 sidewalk, .8 curbing, .11 drainage; parking maintenance agreement; a performance guarantee to be determined; a drainage report from the municipality; Dedications/Easement and Reservations of County Road Right-of-Way; Distance from Centerline TBD feet; Width of Dedication/Easement 28 feet; Length of Dedication/easement 220 feet; Total Square 6,160 Feet; Date Deed Due: August 13, 2019; road opening permit. Motion carries unanimously.
- b. McDonald's, Cranbury - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a conditional site plan approval subject to the receipt of revised plans; Section 11-6 Site Plan Details; Paragraphs L,M,P; Section 11-7 Design Standards; .4 driveway, .7 sidewalk, .8 curbing, .11 drainage; a performance guarantee to be determined; Dedications and Reservations of County Road Right-of-Way; Distance from Centerline TBD feet; Width of Dedication TBD feet; Length of Dedication TBD feet; Total Square Feet TBD; Date Deed Due: TBD; road opening permit. Motion carried unanimously.

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- c. 353 Half Acre Road, Cranbury - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for site plan approval. Motion carried unanimously.
- d. Planet Fitness, East Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for site plan approval. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
- e. PSE&G Harts Lane Subdivision, East Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a conditional site plan approval subject to the receipt of revised plans; Section 11-7 Design Standards; .11 drainage; a stormwater maintenance agreement. Motion carried unanimously.
- f. 979 Amboy Avenue, Edison - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for an exempt site plan approval. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
- g. Edison Parking Plan, Edison - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for site plan approval. Motion carried unanimously.
- h. Lot 36, Block 643-DD, Edison - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, to grant the Applicant's request for an extension until the June 11, 2019 Development Review meeting. Motion carried unanimously.
- i. Penske Facility, Edison - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for an exempt site plan approval. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
- j. William Grant and Sons, Inc., Edison - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for an exempt site plan approval. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.

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- k. 44 North Main Street, Milltown – In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for an exempt site plan approval. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
- l. Heritage Plaza II, Milltown - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, to grant the Applicant's request for an extension until the June 11, 2019 Development Review meeting. Motion carried unanimously.
- m. JSM at Route 33, Monroe - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, to grant the Applicant's request for withdrawal without prejudice. Motion carried unanimously.
- n. Kiddie Corral, Monroe - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a conditional site plan approval subject to the receipt of revised plans; Section 11-6 Site Plan Details; Paragraphs L,M,P; Section 11-7 Design Standards; .7 sidewalk, .8 curbing, .11 drainage; a performance guarantee to be determined; a stormwater maintenance agreement; Dedications and Reservations of County Road Right-of-Way; Distance from Centerline TBD feet; Width of Dedication TBD feet; Length of Dedication TBD feet; Total Square Feet TBD; Date Deed Due: TBD; road opening permit; approval from the Middlesex County Mosquito Extermination Commission. Motion carried unanimously.
- o. Monroe Market Plat, Monroe - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, to grant the Applicant's request for withdrawal without prejudice. Motion carried unanimously.
- p. 130 Redmond Street, New Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for an exempt site plan approval. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
- q. 159-161 Throop Avenue, New Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for an exempt site plan approval. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.

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- r. Market Place at North Brunswick, Route 1, North Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for site plan approval. Motion carried unanimously.
- s. 152 Old New Brunswick Road, Piscataway - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for an exempt site plan approval. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.
- t. Piscataway Crossing, Piscataway - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for site plan approval. Motion carried unanimously.
- u. 442 Bordentown Avenue, South Amboy - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a conditional site plan approval subject to the receipt of revised plans; Section 11-7 Design Standards; .7 sidewalk; Dedications and Reservations of County Road Right-of-Way; Distance from Centerline TBD feet; Width of Dedication TBD feet; Length of Dedication TBD feet; Total Square Feet TBD; Date Deed Due: TBD. Motion carried unanimously.
- v. 502 Alpine Street, South Amboy - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for site plan approval. Motion carried unanimously.
- w. 2601 Route 130, South Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for site plan approval. Motion carried unanimously.
- x. Building S 320 J, South Brunswick – In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, to grant the Applicant's request for an extension until the June 11, 2019 Development Review meeting. Motion carried unanimously.
- y. Heritage Shopping Center, Phase II, South Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for site plan approval; all conditions received under the prior site plan submission. Motion carried unanimously.

- z. PSE&G Melrich Road Subdivision, South Brunswick - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a conditional site plan approval subject to the receipt of revised plans; Section 11-7 Design Standards; .11 drainage; a downstream drainage contribution in the amount of \$123.00; approval from the Middlesex County Mosquito Extermination Commission; approval from the New Jersey Department of Environmental Protection. Motion carried unanimously.
- aa. Bakshi Plaza, South Plainfield - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a conditional site plan approval subject to the receipt of revised plans; Section 11-6 Site Plan Details; Paragraphs L,M,P; Section 11-7 Design Standards; .7 sidewalk, .8 curbing, .10 utilities, .12 traffic control; a performance guarantee to be determined; a drainage report from the municipality; road opening permit. Motion carried unanimously.
- bb. Kinder Care, South Plainfield - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, to grant the Applicant's request for withdrawal without prejudice of the site plan application received March 27, 2019. Motion carried unanimously.
- cc. 33 Whitehead Avenue, South River - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a conditional site plan approval subject to the receipt of revised plans; Section 11-6 Site Plan Details; Paragraphs P; Section 11-7 Design Standards; .7 sidewalk, .8 curbing, Dedications and Reservations of County Road Right-of-Way; Distance from Centerline TBD feet; Width of Dedication TBD feet; Length of Dedication TBD feet; Total Square Feet TBD; Date Deed Due: TBD. Motion carried unanimously.
- dd. 120 South Wood Ave., Block 356, Lot 1.011, Woodbridge - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Pollando, for a conditional site plan approval subject to the receipt of revised plans; Section 11-7 Design Standards; .7 sidewalk, Dedications and Reservations of County Road Right-of-Way; Distance from Centerline TBD feet; Width of Dedication TBD feet; Length of Dedication TBD feet; Total Square Feet TBD; Date Deed Due: TBD. Motion carried unanimously.

- ee. Nirvana Adult Day Medical Care, Woodbridge - In accordance with the staff's recommendation, Mr. Ververides moved, seconded by Mr. Pollando, for an exempt site plan approval. This site does not adversely impact a County road or drainage facility. Motion carried unanimously.

VIII. Communications –

Chairman: All correspondences received by the Office of Planning since our last meeting will be kept on file in the Office of Planning for reference.

IX. Such Other Matters That Have Been Carried Over and/or Other Issues

a. Chabad of Monroe, Monroe –

Mr. Lentino addressed the Committee and stated that a conditional site plan approval for Chabad of Monroe, Monroe on April 8, 2019. The Attorney, Larry Sachs and the Applicant are present.

Mr. Sachs addressed the Committee: I am here on behalf of Chabad of Monroe; I appreciate you putting us on the agenda for this afternoon.

I believe we received on May 3, 2019 the approval from the Land Development Review Committee regarding the new configuration at the intersection of Prospect Plains and Half Acre Road.

Mr. Sachs stated that we met with staff and were comfortable with this new configuration. I know I worked very close with Mr. Cahn to try and resolve this.

In anticipation of doing this work however, I did send a letter to Mr. Lentino and Mr. Cahn requesting either a waiver or modification of certain expenses that are going to be associated on this County road. Specifically, one issue was the relocation of the traffic signal; the second issue was the relocation of the utility poles and utility lines.

Mr. Sachs stated I am making this request based on the fact that the Chabad of Monroe is a non-profit religious organization; it is not a profit making entity. I know in the past, I know that the County has provided some accommodations to houses of worship.

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Mr. Sachs stated I'm making the request of you this afternoon for a waiver of the cost associated with relocation of the traffic signal and the relocation of the utility poles and associated wiring. That is essentially our request this afternoon.

Mr. Cahn stated have had an opportunity to research the issue and had a chance to talk to County Engineering and Jim Lentino, Principal Planner, on this. I think probably the best response is for me to let Jim explain some of these things. I'll ask Jim a few questions and put it on the record to explain as to what we can legally do and not do.

Let Jim give an explanation, then maybe ask Jim a few questions which we can put on the record. Of course you can ask Jim, and we can have whatever dialog we want.

Mr. Sachs stated OK.

Mr. Cahn stated that you and I had a brief conversation earlier today relating to you as to what I thought the County could do within our legal constraints to assist.

Mr. Lentino stated that we have been working to finalize this design. The last round was before the April 9, 2019 meeting for the design modification. We went back and forth and had come to an agreement before the April 9, 2019 action. As part of the design it was recognized by the Applicant's Engineer that it was necessary to relocate two poles, one traffic signal sanction and one utility pole to provide a three foot pull back at the curb line to accommodate the driveway design.

This was made known to the Applicant's Engineer. An estimated cost for the work for the traffic signal relocation was given to the Engineer. He was asked to pass that onto their client so that they are aware of what that cost would be prior to the Committee action. We did not receive any response, so we recommended approval of the design conditionally.

Mr. Lentino stated that after our action, the letter conveyed to discuss the cost associated with those pole locations.

Mr. Cahn stated that the first drawing is a drawing that is drawn by the Applicant's Engineer, reviewed and worked on with the County Engineer.

Mr. Sachs correct.

Mr. Cahn stated that it has gone through a couple of different designs. Essentially, we encouraged the widening of the entrance and the exit to emphasize the right in and the right out issue only for safety correct?

Mr. Lentino stated that's correct.

Mr. Cahn stated, and the other concern was moving that entrance driveway which you can see on the right of the drawing, far to the right as possible within the constraints, so that we can eliminate a straight in safety issue, am I right Jim?

Mr. Lentino that is correct.

Mr. Cahn asked Mr. Lentino if he can just show the Board where is, the light we are talking about? First of all, it now is one utility pole, correct?

Mr. Lentino answered correct. Originally, there was another traffic signal sanction that would have to be pulled back, based on a prior design, and we modified the design to eliminate that condition. The one traffic signal sanction that would have to be pulled back is this one here (referencing the drawing), as you can see indicated relocate signal and the utility pole in the center roughly by this island to relocate the utility pole, which was reflected on the proposed plan submitted by the Applicant and shown on the site plan.

Mr. Cahn asked not getting into too much detail the cost for a private company to move the pole versus the cost of administrative requirements for a public entity are different. Am I right?

Mr. Lentino stated they could vary depending upon what contractor you get to take on the work. Their estimates may vary.

Mr. Cahn stated that the traffic light, has to be moved back, and the arm has to accommodate the width of the driveway, am I right?

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Mr. Lentino stated that it has to be pulled back in terms of the arm length. The station would have to be pulled back to accommodate the new curb line and pulled back the within that island area.

Mr. Cahn asked if that is something in your experience that the County has the authority to relieve the Applicant of that cost?

Mr. Lentino answered it is associated with the design that they propose and it is and there is no way around that without having the station in the middle of a traffic light, which is obviously not acceptable. So, there is no means that you can get around that condition.

Mr. Cahn stated there was some conversation about waiving certain conditions, requirements in the past. What are the things we are talking about?

Mr. Lentino stated by our standard procedure we do waive the review fee upon the request from an entity nonprofit, but we have never in my experience waived a requirement of a design in the case of a performance guarantee in a nonprofit status.

Mr. Cahn stated the other issue is the utility pole that is in the right of way, Jersey Central Power and Light I think?

Mr. Lentino answered yes, that is what my understanding is.

Mr. Cahn asked, do we have any authority to require the utility company to move the pole?

Mr. Lentino stated yes. In the past if these poles have to be relocated to facilitate a road widening or a public improvement, we have had success in writing a letter to the utility company alerting them that this is a requirement of our Board's action and is part of the Master Plan to necessitate a public utility pole to be relocated at the cost of the utility company.

However, of in having them doing it, sometimes there can be a delay to get out there; sometimes they have debated. In my experience the success rate is pretty high in having the Utility Company do it.

Mr. Cahn asked if the poles are in our right of way?

Mr. Lentino answered yes that's correct.

Mr. Cahn asked in your judgement as a Planner it needs to be moved out of the immediate right of way for road improvements

Mr. Lentino stated yes it is necessity for the pole to be pulled out of the travel lane (referencing drawing).

Mr. Cahn stated that what can be done legally is to send a letter and require the utility company to move the pole. You have done this in the past and the cost is on the utility company.

Mr. Lentino answered that's correct.

Mr. Cahn stated OK, we can state that the it is not a guarantee.

Mr. Lentino stated we don't know what the outcome maybe; we have situations where they have debated it. Specific language has to be in the letter.

Mr. Cahn stated that the utility pole is in the County right of way and needs to be moved out of the right of way for road improvements.

Mr. Lentino answered that is correct.

Mr. Cahn asked if this requirement has been imposed upon the utility company before?

Mr. Lentino answered yes that is correct.

Mr. Cahn asked if this that is something we are willing to do in this particular case?

Mr. Lentino answered yes, and he said in other cases we have and are willing to do that this time.

Mr. Cahn asked Larry if he had anything, questions? Essentially is what I told you is that we would, as we have done in the past with the utility companies, whether municipality or county, they are who they are and it's one of the challenges of any project, throw the weight of the County to the fullest extent possible behind it in good faith and require them to do so.

I don't think legally we can agree to take on the cost. I am not unfamiliar with the utility companies; they have always been a challenge to any project. The commitment we can give you is to do our respective part.

Mr. Sachs stated thank you Mr. Cahn and had no questions of Mr. Lentino. I do appreciate the offer from the County and I am confident that you will put the appropriate language in that request, that this is obviously in the public right of way. Certainly, the relocation of that utility pole is necessary for public safety purposes. Mr. Cahn I will accept that representation.

Mr. Cahn asked Mr. Sachs if you have applied to Monroe?

Mr. Sachs stated that we have submitted an application to the Monroe Township Planning Board. I actually have a meeting with their professional review staff at a technical review meeting on Friday and we are hoping to be heard by the Planning Board over the summer.

Mr. Cahn asked is this the plan they have?

Mr. Sachs stated that we have actually filed the original plan which was the subject matter of the litigation which was obviously resolved. .

Mr. Cahn stated OK, the only thing I can say is if they modify original plans.

Mr. Sachs stated we will be back if they modify it.

Mr. Ververides asked what about the traffic signal?

Mr. Cahn stated that the traffic signal will remain as their obligation. I don't know if the cost is going to be the same.

Mr. Cahn asked if anyone has any questions on any of these issues? Essentially the Applicant has come here to ask us for some relief of the aspect of the condition and the cost of moving the traffic signal. What we have agreed to do is to the fullest extent possible have the utility company move the utility pole. That won't relieve the Applicant of the financial responsibility if they are unable to compel the utility company to move the pole.

Mr. Cahn stated that he will speak to the County Engineer and to the fullest extent legally do what we can to get this project moving forward.

Mr. Sendner stated I just want to add that I have been doing this a long time. The County has never participated in the cost of a moving a traffic signal due to a site plan development.

Mr. Sachs stated that he understood.

Mr. Cahn stated that the County is a public entity, and I think the staff has worked very hard with you folks on this project. There were a lot of challenges with this project. The County will continue to live up to its obligations. If there are other issues, we will try and work together like we do with everybody to get them resolved. I appreciate everybody's professionalism Engineering, Planning staff and your technical folks, it has been one of the more challenging shoe horn projects we've seen.

Mr. Sachs thanked Mr. Cahn and staff. He extended kudo's to the staff working with us.

Mr. Cahn stated that we need a resolution to vote on. I think that what we laid out as to what we can do, is standard operating procedure.

Mr. Vaughan stated that there is a motion to accept.

Mr. Cahn stated that we already gave it conditional approval. They were asking the County to relief them of some of the financial obligations.

Mr. Vaughan stated I know.

Mr. Cahn stated that we are better off with a resolution that is denying their request for financial relief. The resolution should be written in a way to memorialize what obligations we will fulfill in respect to the utility company.

Mr. Ververides stated that based on the opinion of counsel, I make a motion to have a resolution adopted as you described.

Mr. Cahn stated that we will make sure that the resolution consistent as we discussed.

Mr. Vaughn called for roll call. The motion passed Unanimous.

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X. Public Comments -

Since there are no Public comments to come before the Committee, on a motion made by Mr. Ververides, seconded by Mr. Pollando, to close this public portion.

The Chairman: This Public portion has been closed.

XI. Adjournment

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

Respectfully submitted,



Brenda L. Bleacher  
Development Review Secretary