

MANALAPAN TOWNSHIP PLANNING BOARD

RESOLUTION OF MEMORIALIZATION GRANTING
PRELIMINARY AND FINAL SITE PLAN APPROVAL TO
GEORGE BELL
BLOCK 30, LOT 5
APPLICATION NO. SP90-6

WHEREAS, George Bell, hereinafter referred to as the "Applicant", is the owner of Block 30, Lot 5, as shown on the Official Tax Map of the Township of Manalapan, said property being located on Pension Road in the Township of Manalapan, County of Monmouth and State of New Jersey; and

WHEREAS, the Applicant has submitted an application for preliminary and final site plan approval to construct warehouse and office space as shown on site plan drawings entitled "Block 30, Lot 5, Situated in Township of Manalapan, Monmouth County, New Jersey", prepared by John J. Ploskonka, P.E., license number 11511, and Terence F. Reilly, L.S. license number 11130, dated April 17, 1990, last revised July 11, 1990, consisting of six sheets; and

WHEREAS, the Applicant has submitted a stormwater management report prepared by John J. Ploskonka, P.E., dated April 5, 1990, last revised July 12, 1990; and

WHEREAS, the Applicant has submitted architectural drawings entitled "Office Warehouse and Light Manufacturing Facility for Pension Park at Pensin Road", prepared by Francis A. Gerritgen, A.I.A., dated March 8, 1990, last revised June 18, 1990, consisting of two sheets; and

WHEREAS, the Manalapan Township Planning Board held a public hearing on this matter on June 14, 1990 after compliance with the notice and service provisions of N.J.S.A. 40:55D-12; and

WHEREAS, the application was presented by John A. Guinco, Esq. and there was introduced into evidence the sworn testimony of John J. Ploksonka, P.E. and George Bell, Applicant; and

WHEREAS, the Manalapan Township Planning Board has considered reports of the Township Planning Consultant, Township Engineer, Manalapan Township Police Department, Shade Tree Commission, Environmental Commission, Bureau of Fire Prevention and Board of Health; and

WHEREAS, the Manalapan Township Planning Board after hearing the presentation of the Applicant and such witnesses appearing on its behalf as well as any and all other persons appearing and desiring to be heard and after due consideration, makes the following findings of fact and conclusions of law:

1. The Applicant is the owner of Block 30, Lot 5, shown on the official Tax Map of the Township of Manalapan. Said property is located on Pension Road in the I-3M zoning district.

2. The Applicant proposes to construct two one-story masonry buildings, each containing 21,948.30 square feet, for use as warehouse and office facilities.

3. The parking plan for 116 spaces submitted by the Applicant permits the use of 35% of the total floor space as office space, with the balance being used as warehouse. The Applicant has provided a reserve parking area for 14 additional

parking spaces. In the event that the percentage of the buildings used as office exceeds 35% of the 21,948.30 square feet building area, then those 14 additional spaces shall be constructed. In no event shall the office usage of the building exceed 40% of the area. No building permits or certificates of occupancy shall be issued for any office use in this building until a calculation is submitted to the Construction Code Official certifying as to the square footage of the building being used for office space.

4. The building shall be served by public water from the Gordon's Corner Water Company and by public sewers from the Western Monmouth Utilities Authority.

5. The Applicant has agreed to comply with the report of the Township Planning Consultant dated July 24, 1990, and the report of the Township Engineer dated July 26, 1990, except as specifically waived herein.

6. The Township Engineer has identified off-site drainage problems that are aggravated by the construction of this project. The Applicant has agreed to contribute its fair share either in dollars or material to address the off-site drainage improvements necessitated by this development.

7. The Applicant has requested a waiver of the buffer requirements along the property line abutting the Englishtown Auction parking lot located on adjacent Lot 4, in Block 30, as there is no practical necessity of establishing a buffer area between two parking lots.

8. The Applicant seeks a waiver to permit parking within 4

feet of the property line, where 20 feet is required by ordinance. The Applicant has agreed to provide low shrubs along the parking lot perimeter where the reduced setback is being requested to ameliorate this condition.

9. The Applicant has requested a waiver of the landscape buffer requirements along the lot line abutting the residential zone to the rear, specifically Lot 3.02 in Block 30. The rear of the Applicant's property is wetlands and the limit of clearing and disturbance is in most instances over 100 feet from the property line. Therefore, the landscape buffer is not required.

10. The Applicant has also requested a waiver of the requirement of filing an Environmental Impact Statement.

12. The Board is of the opinion based upon the evidence before it that the subject preliminary and final site plan application will encourage development and design consistent with the Manalapan Township Land Use Ordinances as set forth in the I-3M zoning regulations.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Manalapan that the application of George Bell for preliminary and final site plan approval with waivers listed above be and hereby is granted in accordance with the maps and plans filed herein and in accordance with the presentation and representations of the Applicant, subject to and conditioned upon the following:

A. Preparation and revision of the plans to conform to the report of the Township Planning Consultant dated July 24, 1990 and

of the Township Engineer, dated July 26, 1990, except as specifically waived herein.

B. Publication by the Applicant of a notice of this decision in an official newspaper of the Township of Manalapan and return of proof of said publication to the Administrative Officer of the Planning Board.

C. The Applicant furnishing proof to the Administrative Officer of the Planning Board that no taxes or assessments for local improvements are due or delinquent on the property in question.

D. Freehold Soil Conservation District approval for a soil erosion and sediment control plan.

E. Approval is subject to a wetlands delineation and buffer requirements of the New Jersey Department of Environmental Protection.

F. The Applicant shall be responsible for its pro rata share of offsite drainage improvements required by this development. The contribution may be in a form of dollars or in contributed materials. The extent of improvements and the contribution required from this Applicant shall be determined by the Township Engineer.

G. All fences, landscaping and buffers shall be installed at the beginning of construction to minimize the impact of this development upon adjoining property owners.

H. This application is subject to approval by the Fire Prevention Bureau.

I. No building permits or certificates of occupancy shall be issued for any office use of the subject buildings unless the Applicant submits a certification to the Construction Code Official stating the amount of the floor area of the building being used as office space at that time. If the percent of the building to be used as office space shall exceed 35%, then the 14 additional parking spaces must be constructed prior to the issuance of a certificate of occupancy for any additional office space. In no event shall the percentage of office space in the building exceed 40%.

J. The existing well servicing a residence on Lot 7.02 in Block 30 shall be tested for quality and quantity prior to any construction by this Applicant. The Applicant shall be responsible for any damage caused to this well during or after construction of this project.

K. Approval of the Western Monmouth Utilities Authority and the New Jersey Department of Environmental Protection for sewer extension and service to the property.

L. Agreement with Gordon's Corner Water Company for a potable water supply to service the property.

M. Entry into a Developer's Agreement between the Applicant and the Township of Manalapan, which agreement shall be prepared by the Manalapan Township Attorney.

N. Submission of proof, not more than 120 days from the date of estimates provided by the Township Engineer, that performance guarantees have been posted by the Applicant and have

been accepted by the Township of Manalapan.

O. The Applicant shall provide deeds of dedication and affidavits of title approved by the Township Engineer as to description and by the Township Attorney as to form for dedication of rights of way and/or sight triangle easement as set forth on the plans filed herein.

P. The Applicant, its successors and assigns shall notify the Township Engineer 48 hours prior to any site clearing, grading, filling or construction in order that the Township Engineer may supervise such site clearing and minimize the impact of same. In addition, there shall be a preconstruction meeting with the Township Engineer prior to the construction of any public improvements. The Applicants shall post with the Township of Manalapan escrows to cover the cost of engineering inspections in accordance with the estimates prepared by the Township Engineer for the purpose of reviewing the above.

Q. This approval shall expire on July 26, 1992 unless further extended by the Board whether or not the conditions satisfied herein have been satisfied by that date.

BE IT FURTHER RESOLVED that the Chairman and Secretary be and hereby are authorized to sign any and all documents necessary to effectuate the purpose of this Resolution, provided the Applicant has complied with the above-stated conditions.

BE IT FURTHER RESOLVED that nothing shall be interpreted to excuse compliance by the Applicant with any all other requirements of this municipality or any other governmental subdivision as set

forth in any laws, ordinances or regulations.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified to be a true copy by the Secretary of the Planning Board, be forwarded to the Township Construction Official, Township Engineer, Township Zoning Officer, Township Clerk, Board of Health, Township Administrator, Township Tax Assessor, Township Tax Collector, Township Attorney, Township Finance Officer and the Applicants herein within ten (10) days of the the date hereof.

BE IT FURTHER RESOLVED that this Resolution shall serve as one of memorialization of the action taken by this Board at its meeting of July 26, 1990 and effective as of that date.

This Resolution memorializes an action taken at the regular meeting of the Manalapan Township Planning Board held on July 26, 1990, with a roll call as follows:

THE FOREGOING RESOLUTION WAS:

Offered by: Mr. Pytlik

Seconded by: Ms. Hanlon

	YES	NO	ABSTAIN	ABSENT
Weiss	()	()	()	(x)
Weisenberg	(x)	()	()	()
Pine	()	()	()	(x)
Patterson	(x)	()	()	()
Hanlon	(x)	()	()	()
Rosenberg	()	()	()	(x)
J. McKenna	()	()	()	(x)
Pytlik	(x)	()	()	()
Nickel	(x)	()	()	()
K. McKenna (alt.)	(x)	()	()	()
Benjamin (alt.)	(x)	()	()	()

The foregoing Resolution of Memorialization was offered by M *Winsky* and was seconded by M *Patterson*, was adopted on roll call by the following vote:

	YES	NO	ABSTAIN	ABSENT
Weiss	(✓)	()	()	()
Weisenberg	(✓)	()	()	()
Pine	(✓)	()	()	()
Patterson	(✓)	()	()	()
Hanlon	(✓)	()	()	()
Rosenberg	()	()	()	()
J. McKenna	()	()	()	()
Pytlik	()	()	()	()
Nickel	()	()	()	()
K. McKenna (alt.)	()	()	()	()
Benjamin (alt.)	()	()	()	()

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Township of Manalapan at its meeting of *Sept. 13*, 1990.

[Signature]
Stephen H. Pine, Secretary

Manalapan Township Planning Board

120 ROUTE 522 AND TAYLORS MILLS ROAD
MANALAPAN, NEW JERSEY 07726
(201) 446-3200 Ext. 310

Pension Park



September 19, 1990

Mr. John A. Giunco, Esquire
Giordano, Halleran & Ciesla
270 State Highway 35
P.O. Box 190
Middletown, N.J. 07748

RE: GEORGE BELL

Dear Mr. Giunco,

Enclosed please find a copy of the aforementioned resolution and the decision contained therein by the Manalapan Township Planning Board.

Yours truly,

Shirley L. Spodak, Director
Administrative Officer
Planning/Zoning Department

ENCLOSURE

C: George Bell