

Meeting called to order by Chairman Martinelly @ 7:30 pm

All saluted the flag & the Presiding Officers Statement was read

Roll Call:

President: Martinelly, Burden, Collela, Hemel  
Attorney: Donato  
Engineer: not in attendance  
Absent: Collins, Moran, Carroll, Betesh, Reger, Forrest, Barnet,

**Minutes:**

A motion was made by Mr. Burden, seconded by Mr. Collela to adopt the May 18, 2016 meeting minutes. All approved.

**Correspondence: none**

**Planning Board Business:**

**Zoning Board Rep:**

Ms. Martinelly reported on the following;

- Reported on the special meeting for Quick Chek on 6/29/2016 another special meeting scheduled for August 29, 2016
- July 6, 2016 – regular Zoning Board meeting – briefly discussed the Litigation for the Shadowbrook – scheduled for July 29, 2016 hearing in Freehold

A motion was made by Mr. Burden, seconded by Mr. Collela to open the meeting to the public for any items not listed on tonight's agenda. All approved.

No questions/no comments

A motion was made by Mr. Burden, seconded by Mr. Hemel to close the meeting to the public. All approved.

**Unfinished Business:**

**Christ Church:**

Bl: 60, Lot: 1

**Adoption of Resolution**

A motion was made by Mr. Burden, seconded by Mr. Hemel to adopt and memorialize the resolution of approval for a Certificate of Appropriateness to allow the placement of a 10 x 10 x shed on the Church property.

Roll Call:

Affirmative: Burden, Martinelly, Collela, Hemel

Negative: None

**M/M Taha Ibrahim:**

**Adoption of Resolution**

Bl: 28, Lot: 20

A motion was made by Mr. Burden, seconded by Mr. Hemel to adopt & memorialize the resolution for a Certificate of Appropriateness to M/M Taha Ibrahim for solar panels at their 420 Sycamore Ave, located in the Historic District.

Roll Call:

Affirmative: Burden, Martinelly, Collela, Hemel

Negative: None

**New Business:**

**Shrewsbury Boro School:**

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Bl: 28 Lot: 1

Long Range Facility Plan  
Capital Project Review

Ms. Donato stated that since we do not have a quorum we can have an informal presentation from the school, or we can carry with an extension of the 45 days.

Mr. Brent McConnell Superintendent of the School stated that he has spoken to members of the D.O.E., and there isn't an extension process. Ms. Donato said that she knows of a school district that did extend the time through the Department of Education.

Mr. McConnell stated that they are here in good faith to present their Budget.

He stated that the proposal will give the school:

- More space
- More instructional space
- Address a lot of the facilities needs for an aging facility
- Allow them to grow into the future

Mr. McConnell stated that they have put a lot time & funds into the proposal, and one of their Bonds is expiring and will be retired. This will be placed on a referendum in order to get the voter approval for money for the improvements and needs. The board and the community have met to talk about the proposal and get their input. This is a curtesy review and to fill their obligation to the Planning Board to comment on the project.

Mr. Frank Sherman, Architect Project Manager – Spiezle Architectural Group gave an overall description of the project, process of the review & approval of the New Jersey D.O.E., updating the Long Range Facility Plan, and taking all the necessary steps to move forward in order for the proposal can go to Referendum in December. They are working on a fast track schedule due to the desire to have the Referendum in December rather than next spring, in order to meet the June deadlines for D.O.E. review. The D.O.E. and the school are going back and forth with comments & questions in order to get the approval in order to move forward with the project.

Mr. Sherman stated that The Long Range Facility Plan will be updated which is part of the requirements when you are considering a major renovation to a school, which should be done every 5 years by the District. The last review was done in 2005. Due to the DOE Website being updated it was not available. Mr. Sherman advised that they will be returning with the final LRFP after the D.O.E. has given their approval.

Mr. Sherman the renovations cover the concerns and desires of the community, health & safety & code issues, it's a lot of renovation work. The original building was built in 1954 with an addition in 1994 on Broad St, & in 2004 there was a gym and Kindergarten classroom. They will be air conditioning the entire school with a new HV/AC. Fire protection with new a new sprinkler system, new lighting. They will be looking at the building systems & technology for the future needs.

Mr. Sherman stated that they are projecting for 2017 – 489 students, which 18 would be available seats for a pre-K program, 2018 – increase to 510 students. 2016-2017 they have 32 unhouse students who needs to be accommodated. The K-8 area they will have an excess of seats, which is a natural progression.

Mr. Sherman the referendum question with regard to the improvements will be at a cost of \$13million which will take the school through 15 years.

Mr. Sherman explained the addition – addresses the unhouse needs and to help with the logistical log jams with the current lay out of the school.

- Described question #2 on the Referendum which would be an addition of 19,000 sq. ft.
- Safety improvements to the existing play areas
- Parking requirements is now maxed out and they are proposing parking with access along Rt. 35
- Acquiring the property adjacent to the school property (Russo property)- Their recommendation that it would be in the best interest of school to control the property and there would be some options for growth. Their recommendation would be that would be the area for an addition if the property was available.

Ms. Martinelly asked if there is any other place on the existing site that an addition can go? Mr. Sherman said that there is Plan “B”.

Ms. Martinelly asked how access would be from the State Highway? Mr. Sherman said that there is an existing curb cut from the adjacent property and access adjacent to the school. They are now entering into conversations with the State, and they have to make sure that they secure the necessary approvals. This parking would be for staff & faculty parking and no student drop offs.

Mr. Sherman described “Plan B” on the west side of the building. This area would put the addition into some existing recreational areas and parking, but they are looking for the comments from the community.

Mr. Sherman explained that the major part of the addition would be a gymnasium. Currently the existing building has a combination cafeteria/auditorium/gymnasium, which is functional but has major scheduling issues for the use of the facility on a daily basis. They are now be limited to the options that the school has. This proposal is within FES Recommendations, it benefits the ability for the school district program curriculum for physical education as well as visual & performing arts and assembly by having 2 distinct spaces. They want to build a gymnasium space with support space, changing rooms, public rest rooms, 2 middle school size regulation basketball courts. The community uses this and wants to use the facility even more on off hours. Will be designed with an access for the community. The building can be closed off to the public and isolated from the school itself.

Mr. Sherman said that they did focus on the special education space and potentially pre-K space which the District indicated these areas could benefit if they had more and better configured rooms within the existing school. He described the redesign of the administrative offices and child study offices, they have pulled these offices away from the students for a “safety point of view”. All of these changes will allow them to do some additions and renovations in the existing building, and will provide some new educational & amenity space.

Mr. Sherman stated that everything they want to do with the addition, by maximizing the benefit and the use of it. This will be Plan “A” with the addition to the south side. This could work on the west side of the building, but they would have to address other issues creatively to make it work. It could go on existing school property.

Mr. Sherman explained that they need to obtain **D.O.E. approval to build the additional spaces and to receive community approval through Referendum to Bond to build the project.**

Ms. Martinelly asked if they can apply to the D.O.E. without knowing which side the addition will be put on? Mr. Sherman said yes, the D.O.E. is interested in functional use of the space, how it supports curriculum and making sure the spaces are adequately sized. They are less concerned about “where it goes” in the final configuration.

Ms. Martinelly asked if that is the “normal” procedure? Mr. Sherman said that “normal procedure” would be similar to this, that we will have a schematic at preliminary level, with space planning, and propose the strategy for the addition and where they would like it to be.

Mr. Sherman stated that all of their submissions are preliminary submissions because they are shy of having some of the answers for the final. With the upcoming referendum and the negotiations that have to go between and December drives them to the decision of putting the addition on the existing. They will return to the D.O.E. and demonstrate to them that they created the same quality, size & scope of the space but they are just locating it on a different area of the property, and they will not have an objection to that.

Ms. Donato explained that the MLUL has a specific requirement for Capital Project Review for a long time. It states that the public agency must come to the Planning Board for its review prior to taking any action necessitating the expenditure of public funds. Ms. Donato asked, how could a Board of Education or any entity present a capital project to the board without incurring some expense to prepare the project. It is intended that there be no moving forward with the project until such time as the local Planning Board has had an opportunity to review the capital project. The Statute was amended to require the Long Range Facility Plan as part of the same section of the Statute, which is supposed to be updated every 5 years showing what is going to be done in the future. The Long Range Facility Plan is like the Master Plan for the school facility.

Ms. Donato stated that she is aware of situations where the State Department of Education, with the consent of the local Board of Education has extended the 45 day period. All time periods are extendable.

Mr. Sherman referred to the 3<sup>rd</sup> Referendum question, but he feels that the first referendum question is the highest priority or Question #1 for the voters. The addition would be priority #2 they feel that it is desirable and probably necessary, could they live without if the voters don't approve it. The 3<sup>rd</sup> question going out to the voters is for a solar project for the school, and the question is for the funding of the extensive solar array on the roof of the existing building and grounds, which would be the lowest priority.

Mr. Sherman again went over the cost of the addition which is \$11,188,500.00, which includes the land, in the overall budget, as well as the solar panels @ \$3,941,080.00, which projections have been calculated. The pay back is 8-9 years for a 25 year system. The solar system is strictly for the use of the school, using a 588 k.w. combined system.

Mr. Burden asked Ms. Donato to explain the Referendum process, he feels that December is very soon. Ms. Donato stated that she doesn't know the Education Law end, but she knows that there is a process, if there are expenditures then they have to go to the public for approval. Mr. Burden asked if the Borough assumes the costs of the Referendum? Mr. McConnell stated that it is part of their costs, and it is a 4 hour special election.

Ms. Martinelly asked if they can put the project to a Referendum until you have resolved the issue as to where it's going? Mr. McConnell said that they don't have the reserves to just buy land or make a major purchase so it has to be included into the referendum, there will be a contingency built into it.

Mr. McConnell stated that it is in the best interest to .... Inaudible..... on the property it is the best solution for the district to move forward and the best facility solution for them, they are very interested in acquiring the property. They have a Bond retiring soon and that is where they will financially benefit and go out for another Bond in order to make the improvements. They have another Bond that is retiring in 5 years.

Mr. Burden asked, in a public situation is it common or legal to actually build a foundation to raise money outside the tax payers base? Mr. McConnell said that he is sure that it is, we have a lot of progressive taxing through the school i.e.: Foundation for Shrewsbury Education. He explained that the school is a Red Cross Relief Area, Inoculation Point for the town, during Sandy they had lights, power, heat, and were able to host people.

Mr. McConnell said that they are developing special education programs i.e.; Pre K class rooms, tuition students due to the excellent level of service and they are looking to expand the program. He stated that by August/September they will be aggressively doing an outreach, and he will be leading a lot of those efforts, and in the falls they will be doing information sessions for the community.

Ms. Martinelly asked if there are tuition students in the K through 8 grades?

Mr. McConnell said no, we do not offer tuition students, where you live you go to school. Ms. Martinelly said that it must be made clear in their presentations. Mr. McConnell stated that they offer State approved facility, curriculum, State Certified teachers, and the convenience for Shrewsbury residents, and can meet the needs of pre-K children.

Mr. Sherman explained that if they get the approval in December they would like to do the bidding process in the summer with the idea of “shovel in the ground” for the fall with completion for the beginning of the school of 2018.

Ms. Donato went over the board’s jurisdiction with respect to this issue. The Capital Project itself the board is supposed to review the project before the Agency takes action, necessitating the expenditure of any public funds. Review it incidental to the location, character, or extent of the project and its relationship to the Master Plan. The Master Plan Facilities Element proposes school buildings for the school property, what do they propose for the adjacent former “Marx property”. That would be the focus of what your Capital project review is. In conjunction you can make any number of recommendations that may be suitable i.e.: parking. The board has something here to look at look at.

Ms. Donato asked if they are actually presenting the Long Range Plan for approval of the Planning Board this evening? Mr. McConnell said no. Ms. Donato said that this is the second part of it, this is putting the “cart before the horse”, since the D.O.E. didn’t have a website that was working for a submission. It is a courtesy review, the entity has to come, but they do not have to “listen” there is an obligation to reasonably consider legitimate local objectives, which is what the Statute requires. Ms. Donato thought they were on the 45 day deadline. The best they can do at this point is to give the board recommendations. Ms. Martinelly said that the board cannot do anything because we don’t have a quorum. Ms. Donato said that they are here to cooperate and listen.

Ms. Donato said that the discrepancy as to whether or not they are here for the Capital Project Review at this time, could be resolved. One of the recommendations could be that upon voter approval they return and do the Capital Project Review along with their Long Term Facility Plan approved. Mr. McConnell said that all of this is contingent upon voter approval.

Mr. Sherman said that they are flexible and accommodating, and will defer to the discussion that will happen over the next few days. Whatever needs to happen they will make sure that everybody is satisfied. There is a lot of uncertainty between them and the DOE with the 45 days period. Mr. Sherman said that Mr. LaSeabeau who is the associate principal and their primary contact has many years of experience working with school district and he will defer to him to interpret from their point of view where he believes we are. They are willing to do a conference call with all parties so everyone has the same understanding. Ms. Donato said that the positive relationship between the Planning Board and Board of Education would help the ....inaudible....

Mr. McConnell agreed and he stated that this is only a cursory review, when things are finalized and approved they will be back. Ms. Donato said that they should return when the project is a reality.

Mr. Sherman will accept any comments made tonight and filter them into the process, and he encourages the board if they have comments to share them and when they clearly understand if there are any legal steps to formalize this they will take it from there.

Ms. Donato asked how they control the use of the parking area along Rt. 35 when community activities are going on, tournaments, etc. Mr. Sherman said that they have had those discussions and they will have them with the board. There are a number of ways that you can control it through gates (manual or automatic), it will be a combination of ways to keep people from parking there, by signage and the school staff.

Ms. Martinelly asked if parking is allowed in the front? Ms. Donato explained that the school is exempt from Zoning, when the use it is a permitted use in the zone, under the Case Law which was cited in her letter, the local Board of Education is exempt from site plan approval, those issues can be worked out. The only time Zoning applies would be if the use is not permitted in the zone.

Mr. McConnell said that they do have a Long Range Facility Plan, he mentioned that a lot of the projects that they addressing are part of Project 1, which have been long standing issues for the community. They have had several community forums on this project, and additional meetings will be held.

Ms. Donato stated that the Land Use Law requires that when you present your Long Range Facility Plan is present it to the Planning Board in order to be in compliance with the M.L.U.L. even if there are any changes. Ms. Donato suggested they update their Long Range Facility Plan prior to going to the Referendum.

Mr. McConnell stated that he will see when their next formal review is due. Ms. Donato suggested amending the Plan subsequent to 2005, if would behoove you to present it to the board, then you will be in compliance with the Land Use Law.

A motion was made by Mr. Burden, seconded by Mr. Hemel to adjourn the meeting @ 9:00 am. All approved.