

The Keyport Unified Planning Board held a Special Meeting on March 14, 2018 which was called to order at 7:00 PM in the Council Chambers at Borough Hall, 70 West Front Street, Keyport, NJ, called to order by Mark Sessa, the Sunshine Law Notice was read followed by the Flag Salute.

ROLL CALL:

PRESENT: Mayor Aumack, M. Goode, N. Vecchio, M. Sessa, R. Benedict, L. Davidson, D. Fotopoulos, J. Kovacs-Olsen

Marc Leckstein, Planning Board Attorney, Donna Miller, Planner, Fran Mullan, Engineer

ABSENT: R. Benedict, K. Howe, J. Oviedo

MINUTES: February 22, 2018

Motion to approve made by D. Fotopoulos, second by L. Davidson

Ayes: Mayor Aumack, M. Goode, N. Vecchio, M. Sessa, R. Benedict, L. Davidson, D. Fotopoulos, J. Kovacs

Nays:

Abstain: J. Kovacs-Olsen

PROFESSIONALS SWORN IN

ADOPTION OF OPEN SPACE AND RECREATION PLAN ELEMENT

Mr. Leckstein read the resolution and asked D. Nellis to send legal to notice to the papers and send a copy to Monmouth County Planning Board.

Motion made by J. Kovacs, second by L. Davidson

Ayes: Mayor Aumack, M. Goode, N. Vecchio, M. Sessa, L. Davidson, D. Fotopoulos, J. Kovacs

Mr. Kovacs asked for clarification regarding the Borough Ordinance for the TRC meeting. He asked who pay for the meeting he asked if the applicant would pay; Mr. Leckstein stated yes. Mr. Kovacs asked who the Committee members were going to be. There was further discussion regarding the TRC members.

APPLICATION: 149 W. FRONT STREET/PORT 149
149 WEST FRONT STREET
KUPB 17-03
BLK 21, LOT 15-19

Exhibits: A1 – Application package
A2 – Preliminary and final site plan (colored version)
A3 – Copy of Coastal Jurisdiction
B1 – T&M Letter dated 10/12/2017

Mr. Larry Luttrell introduced himself and explained that he represents the applicant. Mr. Luttrell explained that 149 W Front Street, LLC is owned by Kevin Nosti and his parents Barbara and Michael. Mr. Luttrell stated that they own and operate the Keyport Fishery that is across the street. Mr. Luttrell discussed the purchasing of the property and described the application.

Mr. Luttrell stated that he is going to go through the issues of the T&M letter but they are asking for waivers for some of the items. They are aware that if they get approved they would have to get a permit from DEP. Mr. Luttrell stated that they did submit a copy of the Coastal Jurisdiction determination (Exhibit A3). He explained that they are not changing the foot print of the previous building that they are building up. If approved they will apply for the CAFRA permit.

Mr. Leckstein asked if T&M had any issues on granting the waivers; Mr. Mullan stated that they don't have objections to most waivers, he did mention some of the items that would be addressed. Mr. Leckstein asked if they were asking for a waiver from the Environmental Impact statement; Mr. Luttrell stated that was correct. Mr. Mullan is comfortable with that since they are going to have to get a CAFRA approval.

Mr. Fotopoulos asked about the storm water management he stated you have a plan in exhibit A2. Mr. Luttrell explained that one condition submitted to Freehold soil is that it is below the threshold, he will go for that if the application gets approved. There was further discussion regarding the plan.

Michael James Monroe, licensed Architect was sworn in. Mr. Monroe spoke about the concept of the building. He explained that they wanted to make an elevated structure, it's approximately 5500 square feet. The proposed structure is smaller than the original building that was there. They will have piling below with decorative bracing, an elevating deck with decorative railing, shingle roofing. Their idea is to have a nice place that can be opened up,

the only thing that won't be opened is the kitchen and bathrooms. There is stair coming up the front or you can take a ramp from the back all the way to the restaurant area with multi-level decks and seating areas along the deck.

Mr. Luttrell spoke about the elevation and the flood zone. Mr. Monroe spoke about the wave action flood zone. Mr. Luttrell spoke about the future if they needed to elevate the ground would that effect the piling. Mr. Monroe replied that the only practical would be placing the pilings in the ground.

There was discussion regarding the parking and the cross easement to the Borough. The applicant agreed that they are okay with granting the Borough a cross easement and having that as a condition on the resolution and filed.

Mr. Sessa asked how many spaces are required; Mr. Mullan replied that by ordinance there are no number required he feels that there is adequate parking.

Mr. Monroe spoke about the storm water management, they will have four (4) dry wells for the roof run off. They don't feel there needs to be anything else. There was further discussion regarding the dry wells. They are willing to add if the Board feels they need to.

There was discussion regarding the public right of way along the bulkhead that leads to the property. Mr. Luttrell said at the pre meeting there was mention that the Borough was going to see if they can get a grant. There was further discussion regarding the development of the bulkhead and a pending grant. Mr. Luttrell stated that they are willing to give the Borough an easement for the right of way.

Mr. Leckstein asked for clarification for the location of the right of way. Mr. Mullan feels that it is a good offer, but would like the obligation for the maintenance be the property owners. There was further discussion regarding the bulkhead. Mr. Leckstein stated it will just be a right of way easement.

Councilman Goode asked for clarification for who would be responsible for maintenance and repair; it would be the property owner the Borough would not have any obligation. Councilman Goode asked if there was going to be any improvement to the bulkhead right now. Mr. Mullan referenced T&M letter regarding to do repairs and improvements to the bulkhead.

Mr. Luttrell stated that his client has no issue with that. His client has made some repairs already and will continue to do repairs. Mayor Aumack stated that the Borough did not receive the grant so the applicant should do whatever repairs are necessary.

There was questions regarding the repairs that have been made to the bulkhead. Michael Nosti, principal of the applicant, spoke about the repairs of the bulkhead. They hired a company and filled the holes and placed stones where needed. They have completed the punch list that T&M gave them. There was further discussion regarding what repairs have been made. Mr. Fotopoulos stated for the record he was present while some of the repairs were made.

Mr. Luttrell explained what has to be sent to CAFRA when they go for that permit.

There was discussion regarding the walkway and it being ADA accessible. Mr. Nosti stated that the only issue they have is four poles that JCP&L have that are will not be able to be used. They are willing to work with the Engineer to configure that walkway to the street. There was further discussion regarding where the walkway would be.

Mr. Fotopoulos asked about the trash enclosure would like to know how they can make sure the trash doesn't go into the bay. Mr. Monroe spoke about placing it under the building, since they have a dry sprinkler system and anchor it so it doesn't float away.

Mr. Fotopoulos spoke about the dunes that are on the plans he asked that the plants be indigenous to the area. Mr. Luttrell spoke about how the Fishery is set up in case it floods. They have a floor that opens up for the water to flow throw once that happens they can open without any damage. There was further discussion regarding the dunes and landscaping.

Mr. Kovacs asked if the applicant was going to use the pole for power; yes. Mr. Nosti explained that they will have the wires overhead not in the ground.

Mr. Mullan asked about the dry wells he referred to the grading in the T&M letter. Does the applicant agree to what is in the letter; yes they agree with all the comments. There was discussion as to where the drywells were going to be placed.

Mr. Mullan would like the boring, the location of the dry well. Mr. Monroe stated that they have a civil engineer look at it and give their recommendation.

Mr. Fotopoulos asked if the drywell design is what is used in flood water areas; yes. Mr. Monroe explained what would be done with the water and how it would be maintained.

Mr. Fotopoulos asked about the patio; it will be like a normal residential patio so some of the water could drain there.

Mr. Mullan confirmed that the drywells are for the roof run off; yes. The 100 year storm the civil engineer will look into it; yes.

Mr. Mullan asked if they will comply with the sanitary sewer conditions; yes.

Mr. Luttrell stated that they proposed to have a vinyl fence for the trash enclosure, since that was moved to underneath the building they might have to use something different. Mr. Mullan requested that the trash enclosure not be visual.

Councilman Goode asked how the walkway would be constructed; possibly pavers subject to what the engineer approves. Mr. Nosti stated that he would prefer asphalt and stone but will leave it to the engineer. Councilman Goode suggested decking.

Mr. Mullan asked about the matching to the existing walkway. There was further discussion regarding what material could be used to construct the walkway and what is presently there. There was discussion regarding what DEP would accept for the walkway.

Mr. Luttrell has a proposal will comply with the walkway but is asking for a five year window to replace the walkway. Mr. Leckstein asked for clarification; they are willing to post a bond.

Mayor Aumack mentioned that the added foot traffic would be good for businesses.

There was discussion regarding the depth of the piling; Mr. Monroe stated that they will go as deep as necessary, they will do test piles.

Ms. Kovacs-Olsen asked if the only handicapped egress is the ramp, she commented that if there was a fire that was the only way out. Mr. Monroe stated that there are sprinklers.

There was discussion regarding the access for emergency personnel. Mr. Monroe stated that there will not be any elevators and he feels that the ramps meet all the requirements.

Motion to open to the public 8:25pm was made by M. Goode, second by D. Fotopoulos with ayes by all present.

Elmer Graham, 22 St. Peters Place, feels the Board should approve the application feels it is great for the Borough.

Michael Lane, 51 First Street, feels it is an excellent concept. Mr. Lane spoke about the elevation drawing. He mentioned that since this is the V zone are the stairs breakaway; yes. There are no mechanics underneath; no. The walk-in box is it anchored; Mr. Monroe replied that it will be secured to the pilings so it won't float away. Mr. Lane asked about the area in the back; Mr. Monroe explained that it is not an enclosure and they can do a break away wall, that will be discussed with the building review.

Mr. Leckstein stated that they will have to comply with the construction department ordinances.

There was discussion regarding the lower deck and what is allowed by the UCC. Mr. Leckstein stated that they are not giving any variances the applicant will do what is allowed.

Mr. Lane stated that he feels it is a great concept as long as all requirement are met.

Motion to close to the public at 9:32pm was made by D. Fotopoulos, second by L. Davidson with ayes by all present.

Application Vote:

Motion to approve application was made by D. Fotopoulos, second by N. Vecchio

Ayes: Mayor Aumack, M. Goode, N. Vecchio, M. Sessa, L. Davidson, D. Fotopoulos, J. Kovacs

PLANNING BOARD PROFESSIONALS: Update on applications

Nothing to report at this time.

Motion to Adjourn:

Motion to adjourn meeting at 9:40pm was made by J. Kovacs, second by N. Vecchio with ayes by all present.

The next regularly scheduled Planning Board Meeting will be Thursday, March 22, 2018.