

The Keyport Unified Planning Board held a Regular Meeting on June 23, 2022 which was called to order by Mark Sessa at 7:02 PM, the Sunshine Law Notice was read followed by the Flag Salute.

ROLL CALL:

Present: Mayor Kennedy, Councilmember Davidson, Mark Sessa, W. McDermott, J. Oviedo, D. Pacheco (arrived 7:08PM), N. Vecchio H. Aumack, G. Kotzas, C. Dickerson
Joanne Royster was present in the audience but could not sit for the application since she is within 200 feet from the project.

Also in Attendance: Marc Leckstein, Planning Board Attorney, Fran Mullan, Board Engineer,

MINUTES: May 31 2022

MOTION TO APPROVE MINUTES: MAY 31, 2022

Motion to approve as made by H. Aumack, second by N. Vecchio with ayes by all present.

RESOLUTION: **KUPB #21-12**
 JOSEPH MICHAEL MERLA
 120 FIRST STREET
 BLK 95, LOT 4
 VARIANCE RELIEF

MOTION TO APPROVE RESOLUTION:

Motion to approve resolution with changes was made by N. Vecchio, second by J. Oviedo

Ayes: Mayor Kennedy, Councilmember Davidson, M. Sessa, H. Aumack, W. McDermott, J. Oviedo, N. Vecchio

Absent: D. Pacheco, J. Royster

APPLICATION: **KUPB #21-14**
 TRIANO
 156-158 MAIN STREET
 BLK 44, LOT 6
 MINOR SITE PLAN/USE VARIANCE
 (Mayor and Councilmember cannot participate for this application)

This application was not noticed correctly, this application will be heard at the August 25th meeting. They will be sending out notices to the residents for this application.

APPLICATION: **KUPB #21-16**
 174 CHURCH STREET LLC
 174 CHURCH ST
 BLK 85, LOT 4-10 & 13
 MINOR SUBDIVISION, MAJOR SITE PLAN, USE

Mr. Leckstein explained that the Mayor and Councilmember cannot participate for this application because it is a use variance. Chairman Sessa noted that Boardmember Royster lives within the 200 feet which means she cannot participate with the application but she is in the audience.

- Exhibit A1 – Preliminary and major site plan dated 11/30/2021 revised 3/22/22
- A2 – Architectural plans dated 3/21/22
- A3 – Stormwater Management Operation and Maintenance Manual dated 3/22/22
- A4 – Alternate Drainage dated 6/13/22 revised 6/22/22
- A5 – Alternative Drainage exhibit stormwater management narrative 6/13/22
- A6 – Drainage calculation charts dated 6/23/22
- A7 – Colored rendering of the site plan dated 6/23/22
- B1 – T&M Letter dated 5/13/22
- B2 – Alternative Drainage review letter dated 6/22/22
- B3 – Original Resolution of approval adopted by the Board 7/22/21
- B4 – Fire Official Letter dated 2/3/22

Mr. Alfieri introduced himself to the Board, he explained that this was a bifurcated application. Last year they received the use and variance approvals that were required for this design. They are before the Board for the second part of the bifurcated which is the subdivision and site plan. Mr. Alfieri explained that they have Mr. Hopkins who is the applicant's engineer. They have an architect present as well as the owner of the property Mr. Fahey.

Walter Hopkin, Engineer for applicant – Mr. Alfieri explained that they had a colored rendering of the site plan that they would mark in as exhibit A7 and handed out to the Boardmembers. Mr. Hopkins spoke about the previously approved application and what was being proposed at this meeting.

At the previous meeting the Board approved the existing resident to remain along with six duplex units and two single family homes. Mr. Hopkins spoke about the surrounding uses, he stated that the area is a mix of single-family homes as well as multifamily. The area also has a commercial property across the street on Osborne. They are proposing to redevelop the site in accordance with the prior approval that they received last year. There will be six duplex building on Osborne, totaling 12 units. Two single family homes along Church Street and the existing residence on the corner of Hurley and Church will remain.

Mr. Hopkins explained that they worked with the Board and Borough professionals to refine the plan especially with regards to the drainage. The improvements they are proposing would include new curb, sidewalk and ADA compliant ramp along Hurley Street. Due to the number of utilities that would go on Hurley they are proposing to mill and overlay half width of Hurley. Mr. Hopkins spoke about the drainage system on the site. The drainage system that the professionals have suggested and the applicant is proposing along Hurley Street to convey water from the newly paved Osborne to an existing drainage system on Church Street. Mr. Hopkins explained that they had a site meeting at the location with all the professionals to inspect the system. As part of this application, they have agreed to TV and clean the lines to ensure that they have the capacity to accept what

would they would be discharging. Mr. Hopkins spoke about the public water and sewer that it would be provided to this location as a matter of improving Osborne Street the water and sewer would be extended along Osborne Street. The Borough Fire Official requested that there be a fire hydrant installed at the corner of Osborne and Hurley which the applicant would do. They also asked for reinforcement in the grass area at the end of Osborne in case of an emergency which would allow them to navigate the area.

Mr. Hopkins stated that Osborne would be paved and curbed 28 feet wide with sidewalk along the residential side. The refuse would be handled by placing the cans to the curbs. There would be new trees and miscellaneous landscaping throughout the site. They have gone back and forth with T&M to refine the drainage system, Mr. Hopkins stated that they have been very helpful and accommodating speaking to them as recently as a few hours before the meeting. They believe that they have come up with something that Mr. Mullan's office will approve. Mr. Hopkin understands that they have not given them enough detail to approve it in its entirety. As a condition of approval, they will submit the necessary details to back up the schematics that they sent to Mr. Mullan to his satisfaction.

Mr. Alfieri asked regarding the T&M review reports that were received Mr. Hopkins would agree as a conditional of approval that he would satisfactorily address the comments contained in the reports; yes.

Mr. Alfieri stated that Mr. Hopkins mentioned the Fire Official report from February and Mr. Hopkins did speak about two of four items but they agree to address the fire officials' comments; yes. Mr. Leckstein asked for the date of the report 2/3/22.

Mr. Alfieri stated that the applicant will seek outside agency approvals; Mr. Hopkins stated that they already have Freehold Soil, they have a letter of exemption from Monmouth County and the site falls below the threshold for CAFRA permit. Mr. Alfieri confirmed that there were no new bulk variances that are required that were not reflected in the bifurcated D variance resolution; correct.

Mr. Alfieri asks about the storm water management they will defer to Mr. Mullan to see if he has any details that he would like to cover.

There was discussion regarding the variances that were approved with the last application. Mr. Hopkins stated that nothing has changed.

Mr. Leckstein mentioned that the conditions that were relevant to the site plan that two single family homes instead of two duplexes would be constructed on Church Street, he confirmed that was completed. He mentioned that he couldn't tell if the stop sign was on the south side of Osborne Street at the intersection of Hurley Street. Mr. Hopkins stated that the stop sign was on the plans. Mr. Leckstein stated the last one was curbs; sidewalks and an ADA ramp being installed along Hurley and Osborne and he confirmed that was on the plans.

Mr. Mullan stated the property would be four lots that would be created, one would be the corner lot that doesn't change, there would be two single lots facing Church Street that would each have a single-family home, and then the duplexes that face Osborne would all be contained in a single tax lot and that would be subjected to a homeowner's association. Mr. Alfieri stated that was correct.

Mr. Leckstein asked if they decided to include the single-family home as part of the home owner's association; Mr. Alfieri stated that they have not decided that, it depends on how the stormwater works. Mr. Leckstein explained he was just curious. Mr. Mullan asked if the drainage has been laid out in a way if those two single families lot stay fee simple and independent ownership there is no co-mingled drainage system, each lot has its own drainage systems; Mr. Hopkins stated that was correct. Mr. Mullan asked if the six duplex buildings that front on Osborne Street will have shared common areas under the HOA control and responsibility for drainage, grading and maintenance. Further discussion regarding rain runoff and drainage on the property.

Mr. Mullan asked about the overlay and pavement on Church Street, Mr. Hopkin stated that Church Street will be subject to the Borough's Engineer inspection. They don't have anything specific. Mr. Mullan asked about the underground utility laterals that will serve the two single-family homes that front on Church Street they will need water, sewer and gas line trench from the foundation of the building to the street to connect to the main. Mr. Hopkins stated at least to half. Mr. Mullan recommends that the applicant mill and overlay at least to the center line of Church Street, across of those two lots. He would also ask the applicant to agree if the Board Engineer feels that any pavement pools, they would be willing to add a note to the plan and consider it a condition if the application goes forward that the applicant would mill and overlay to the center line of Church Street across the entire frontage. Mr. Leckstein asked if they agree if their construction causes any damage, they would take care of the street; Mr. Alfieri agreed. There was further discussion regarding the milling and overlay of Church Street. There was discussion regarding whether this section would be a part of the Church Street improvement project.

Mr. Leckstein asked the Board if they would want the applicant to mill and pave the full length as Mr. Mullan suggested or does the Board agree with Mr. Alfieri that they are not touching it and would only touch it if there was damage done due to their construction.

John Fahey owner and applicant, stated he did speak to Mr. Taylor about the project and they are running a new water and sewer line. Mr. Alfieri asked if he knew anything about the paving of Church; no.

There was discussion regarding whether there were issues of water pooling on the street as well as the possibility if the Borough does work on that street the applicant would not be able to open up the street for five years. Mr. Mullan stated that if the Borough was going to do work on the street, they tell the neighbors to get whatever work needs to be done because they will not be permitted to open the road within the next five years.

Mr. Pacheco asked what would happen if only the water line be done on the street and not paved the street would that be the applicant or negotiation with the town; Mr. Mullan explained that if that whoever does the work, they would be obligated to restore the pavement appropriately. If the development gets approved but the developer doesn't build anything for the next five year or ten years and the Borough puts in a water main and sewer main the Borough contractor that puts the mains in the road would have to restore the pavement to cover both trenches and make it a smooth riding surface. There was further discussion regarding the paving of the road and what lots should be included in the applicant's proposal.

Chairman Sessa confirmed that the applicant would only be putting curb on the applicant's property and not the other side. Mr. Mullan stated it would be curb on the applicant's side. Chairman Sessa asked Mr. Mullan if that is an acceptable procedure to pave a street without a curb. Chairman Sessa questioned the purpose of a curb was there to hold the street together; Mr. Mullan replied that the curb keys in the pavement and makes a gutter where the water is supposed to flow to the nearest inlet. There was further discussion regarding the paving and curbing for this project.

John Fahey, stated that they tried to purchase the property across Osborne Street, the owner of the property stated that he was not selling the property and that his son was in real estate and they might be looking to develop it.

Mr. Leckstein stated that he wouldn't address what work is being done by the town. Mr. Leckstein stated it would be in the applicant's interest to reach out to the town regarding what work is being done. Mr. Alfieri agreed that it is in their best interest to coordinate with the Borough.

Mr. Leckstein stated that the question to the Board is if they want this to wrap around to lot 10.01, that was the compromise that Mr. Mullan came up with. Mr. Alfieri stated that they had no issue to include the corner lot which the applicant owns. Mr. Leckstein confirms that lot 10.01 would be included in the milling and overlay; yes. Mr. Mullan asked for clarification that the applicant would also do the same scope of improvement in the road across the two single family homes fronting on Church; Mr. Alfieri stated yes, the two new homes.

Ms. Dickerson stated she feels that they should be doing all the way across to the middle the road. Ms. Dickerson stated that she lives on a street where there is a lot of pitting and the water flow is a problem. She feels that if this wasn't done evenly across there will problems for their neighbors. Mr. Leckstein suggested that they make it a condition that the applicant approaches the two neighbors across the street to see if they want in on the paving of the street. If the applicant's people are out there and the neighbors could buy into the improvements being made. Mr. Alfieri stated that they have no issue with doing that. Further discussion whether this would be a condition in the resolution. It was decided not to have this as a condition of approval.

Motion to open to the public at 7:47PM was made by D. Pacheco, second by W. McDermott with ayes by all present.

There being no comments or questions from the public the meeting was closed to the public at 7:47 motion to close was made by N. Vecchio, second by D. Pacheco with ayes by all present.

Gary Junkroft, architect for the applicant described what the duplex homes would look like and what materials would be used.

Motion to open to the public at 7:50PM was made by N. Vecchio, second by D. Pacheco with ayes by all present.

There being no comments or questions from the public the meeting was closed to the public at 7:50PM motion to close was made by D. Pacheco, second by N. Vecchio with ayes by all present.

Mr. Mullan asked if the applicant if the HOA was going to prohibit or allow trash cans or recycling containers outdoors, will they be screened or will they be required to be inside the garage. Mr. Alfieri stated that they didn't think that far in advance, if the Board wants the containers to be screened or stored inside. Mr. Mullan stated that would be his recommendation, normally if there is an HOA they ask for screening the containers if they are outdoors so you cannot see them from the sidewalk or street view or they are required to contain them inside the garage or some internal space in the building. Mr. Alfieri stated that they have no issue with that. Mr. Leckstein stated he will make that a condition on the resolution.

There was discussion regarding if the duplexes would be all different colors.

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

Ayes: M. Sessa, H. Aumack, W. McDermott, J. Oviedo, D. Pacheco, N. Vecchio, G. Kotzas

PLANNING BOARD PROFESSIONALS: Update on applications

Mr. Mullan believes there are two or three applications that will be ready for the next few meetings.

The next regularly scheduled Planning Board Meeting will be Thursday, July 28, 2022

Motion to adjourn the meeting at 7:55PM was made by N. Vecchio, second by D. Pacheco with ayes by all present.