

**MINUTES OF THE JULY 26, 2012
KEYPORT UNIFIED PLANNING BOARD**

The Keyport Unified Planning Board held a Regular Meeting on July 26, 2012 which was called to order at 7:02 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: Robert Burlew, Richard Hassmiller Mark Sessa, John Ambrose, John Kovacs (arrived 7:08pm), Juan Carlos-Oviedo. Others Present, Planning Board Attorney, Marc Leckstein, Planning Board Planner, Stan Slachetka, Engineer, Don Norbut

Absent: Mayor McLeod, Councilman Sheridan, Keith Platt, Allen Hudson, Roger Benedict

PROFESIONALS SWORN IN: Donald Norbut, Engineer
Stan Slachetka, Planner

VOUCHERS:

M. Leckstein for July 26, 2012 meeting	250.00
NJPO Membership Fees	360.00
Requisition for Planning Board Stamp	24.98

Motion made by R. Burlew, second by R. Hassmiller

Roll call: Ayes: R. Burlew, R. Hassmiller, M. Sessa J. Ambrose
Nays

Abstain:

Absent: Mayor McLeod, J. Sheridan, K. Platt, A. Hudson, R. Benedict, J. Kovacs

Minutes: April 26, 2012 Planning Board Minutes

Motion made by R. Burlew, second by R. Hassmiller

Roll call: Ayes: R. Burlew, R. Hassmiller, M. Sessa J. Ambrose,
Nays

Abstain:

Absent: Mayor McLeod, J. Sheridan, J. Kovacs, K. Platt, A. Hudson, R. Benedict,

Correspondence:

Resignation from Keith Platt from the Planning Board. Mr. Sessa thanked Mr. Platt for his input as a board member.

Map from Re-examination Committee with Existing Land Use

Mr. Slachetka explained that the map is an existing land use map that he used for the subcommittee.

Information from Monmouth County Planning Board regarding Public Hearing on the Draft Monmouth County Road Plan (Map is filed with the Recording Secretary for you to review)

T&M Letters dated: June 4, 2012 – First Engineers and Planning Review
May 11, 2012 – Completeness Review and fee Determination

Mr. Kovacs arrived 7:08 pm

NEW BUSINESS

Letter from Mr. Mirabelli, Updated Site Plan and Letter regarding Water & Sewer Demand

Application No. 12-01 LNL Realty
55 West Front Street
Block 21.01 and Lot 33
Site Plan and Use Variance

Mr. Mirabelli entered the following exhibits:

A1 – Map Survey dated 4/13/2012
A2 – Site Survey dated 7/12/2012
A3 – Architectural dated 3/12/2012
A4 – Record Owner Search Results
A5 – Lease between L. Vecchio and David Hopla 12/99 – 12/01
A6 – Lease between Lawrence F. Vecchio/Patricia Vecchio and Gregory Stillwell 1/93 – 12/31/94
A7 – Color rendering the rear of the building
A8 – Revised Architect plan dated 7/26/12

Board Exhibits

D1 – T& M Completeness letter dated 5/11/2012
D2 - T&M Letter dated 7/26/2012

Mr. Vecchio was sworn in:

Mr. Lawrence Vecchio of 11 Riverside Lane, Holmdel NJ

Mr. Mirabelli asked Mr. Vecchio who was Lawrence F. Vecchio and Patricia D. Vecchio that were listed on the Record Owner Search; Mr. Vecchio replied his parents. Mr. Mirabelli asked in 2003 the deed was recorded under LNL Realty LLC. Who is LNL Realty, Mrs. Vecchio, myself and our children.

Mr. Mirabelli asked about the leases and how the property was used. Mr. Vecchio stated he lived there for approximately eleven years. Mr. Mirabelli asked when it was converted into office space on the first floor and living space upstairs. Mr. Vecchio stated that it always had a business on the first floor and living space on the second.

There was further discussion regarding the two leases that were marked as exhibit A5 and A6.

Mr. Vecchio stated that Mr. Hopla still uses the apartment when he comes to town. The lease between Mr. Stillwell was when Mr. Vecchio parents were the landlord.

Mr. Leckstein asked if Mr. Vecchio has any idea when the Ordinance was adopted; Mr. Vecchio stated he wasn't sure possibly 1961.

Mr. Leckstein asked if the Board had any questions

Mr. Burlew stated that he can vouch for the people living there, that he had stayed there himself

Mr. Sessa opened to the public, there were no comments.

Mr. Mirabelli asked that Mr. Richard Hauser, Planner be sworn in.

Mr. Hauser spoke of exhibit A2 – site plan dated 7/17/2012

Mr. Hauser gave an overview of the property and how it is being used. Mr. Hauser gave description of what is around the property. Regarding parking Mr. Hauser stated that there is two spaces in the basement which will be used for residential parking. The applicant is seeking a Height Variance.

Mr. Norbut stated that since there are two parking spaces for residential use; no parking variance is needed.

Mr. Burlew asked for height clarification on habitable floor space. Mr Hauser stated that the front view is three stories and the back is four.

Mr. Slachetka stated four stories the garage would be considered one; Mr. Burlew asked if the garage is only parking.

Mr. Kovacs stated that technically that space would be the cellar, parking and storage; applicant replied yes.

Mr. Hauser stated that because of the pitch of the property.

Mr. Slachetka read the ordinance; there was discussion on the ordinance whether they go with stories or height of building. Mr. Leckstein reminded the Board that whatever is interpreted here has to be consistent for future projects.

Mr. Oviedo asked if the elevator opens at every level; Mr. Slachetka stated that is building/fire code ordinance. Mr. Leckstein reminded the Board that should not be worried about codes just zoning.

Mr. Vecchio stated that if it was four stories then he could make an apartment. Mr. Leckstein asked if applicant was to use that area only for storage; yes.

At 7:10pm the power went - meeting reconvened at 7:20pm

Mr. Kovacs made a motion to interpret ordinance as to go along with West Front Street being used as the highest grade, there was no second.

Mr. Hauser described the slope of the property it drops 15 feet from the front to the back. The applicant proposed 40.2 height they are asking 5.2 feet above what the proposed height is.

Mr. Norbut asked Mr. Hauser to go over the height.

Mr. Hauser went through T&M Letter dated 7/26/12.

In regards to 2.1 – The existing West Front Street Streetscape improvements should be replaced in kind as necessary after the building replacement is completed; Mr. Hauser stated whatever is out there now will be same. In the front the pavers will match and the existing 5 foot area which would be grass.

2.2 The site plan should clearly show proposed alley improvements between lots 32 and 33; Mr. Hauser stated that has been addressed

3.2 The applicant should advise the Board of its intent to continue to use the paved real lot as it is currently used.

If it is the applicant's intent do so, a cross access easement and parking easement should be obtained from the borough of Keyport to permit same.

The applicant agrees to obtain easement as condition of the approval

Mr. Norbut mentioned to the Board that the parking spaces in question; if property by American Legion Drive is fenced in the Borough has 4 spaces one would not be able to be used. Mr.

Hauser stated that the applicant is willing to work with Mr. Norbut so that the gate will not interfere with the parking spaces.

Mr. Mirabelli stated he will work with the Borough regarding Fire and Emergency access.

Mr. Burlew mentioned that this is a unique situation – nonconforming it is like book ends would like to see some solid outline.

3.7 The site plan shows various improvements on adjacent Lot 32 encroaching onto the subject lot. They include elevated wooden ramp, retaining wall and AC unit. The applicant should advise the Board of how these encroachments will be handled. The applicant proposes a new 6ft high white vinyl fence along the western property line which will interfere with many of the listed items as well as access to the side of the lot 32 building,

Mr. Hauser stated the rear fence will pull in, east side six foot high concrete block, white vinyl fence applicant will change color to black. Mr. Vecchio stated that he is spending a lot of money and can guarantee that it will look nice.

Mr. Vecchio stated the fence is not on property line it is 2.6 feet off property line.

Mr. Hassmiller asked applicant about the door to the kitchen at the establishment next door; Mr. Vecchio stated that they can access the door.

There was discussion on the landscaping ideas around the fence.

4.1 & 4.2 Storm water run off and drains on roof; applicant agrees to with a dry well

4.3 ADA accessible; does not need ramp because it is residential

5.2 Calculation of estimated Sewage flow; Mr. Norbut would like to see comparison

7.5 Solid waste handling; applicant stated the waste will be kept in garage and the pick up will be on West Front Street

Mr. Sessa asked if there are any questions from the Board for Mr. Hauser; no

The Meeting was opened to the public at 8:00pm

There were no questions or comments from the public the meeting was closed at 8:01.

Mr. Mirabelli asked Mr. Anthony Condoris –Licensed Architect to be sworn in

Mr. Mirabelli asked Mr. Condoris to explain what the building will look like. Mr. Condoris explained exhibit A7 the color rendering rear of building. The front of the building will be same colors as back.

Mr. Leckstein asked about the signs that are on Exhibit A8; applicant will have to check to make sure that the signs are what is allowable by Ordinance. Mr. Vecchio agrees that he will comply to what the ordinance states.

Lighting is not on plan – will add coach lights mounted on the rear, two on front side and four to light up walk area. In the Driveway there will be yard lighting.

Mr. Leckstein asked if the lighting was reviewed by Engineer; Mr. Norbut doesn't feel it would be necessary.

Mr. Sessa asked if there were any questions from the Board; none

The meeting was opened to the public, there were no comments or questions meeting was closed to the public.

There was discussion regarding the balconies in front the building; architect explains that they are only decorative the door open inward.

Open to the public at 8:40pm

Mr. Lane, 51 First Street, stated he liked the application.

There being no further comments or questions the meeting was closed to the public

Motion to approve LNL Application moved by Mr. Burlew, second by Mr. Kovacs with ayes by all present.

Motion to adjourn the meeting at 8:50 pm was moved and carried by all present.