KEYPORT UNIFIED PLANNING BOARD

The Keyport Unified Planning Board held a Regular Meeting on August 24, 2017 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: N. Vecchio, D. Fotopoulos, M. Sessa, L. Davidson, J. Kovacs, J. Kovacs-Olsen, J. Carlos Oviedo

Marc Leckstein, Planning Board Attorney, D. Miller, Planner, B. Heard, Engineer

ABSENT: Mayor Harry Aumack II, Councilman Goode, G. Sappah, R. Benedict

Mr. Leckstein mentioned that the Mayor and Councilman are not in attendance at the meeting because the application is the second part of a use variance application and cannot vote on it.

MINUTES: July 27, 2017

Motion to approve minutes was made by J. Kovacs, second by D. Fotopoulos

Ayes: N. Vecchio, D. Fotopoulos, M. Sessa, J. Kovacs, J. Kovacs-Olsen

Abstentions: L. Davidson, J. Carlos Oviedo

PROFESSIONALS SWORN IN

RESOLUTION: 26-28 WEST FRONT STREET
KUPB 17-05
BLK 61, LOTS 18, 20 & 23
USE VARIANCE/SITE PLAN

Motion to approve resolution was made by D. Fotopoulos, second by J. Kovacs

Ayes: N. Vecchio, D. Fotopoulos, M. Sessa, J. Kovacs, J. Kovacs-Olsen

Abstentions: L. Davidson, J. Carlos Oviedo

OLD BUSINESS: MYSTIC @ KEYPORT, (CUMMINS) CARRIED OVER FROM JULY 27TH MEETING
KUPB 17-01
BLK 22, LOTS 26, 30 & 31
SUBDIVISION

Mr. Leckstein explained that the applicant has asked to be carried over until the September 28th meeting without further notice.

Motion to carry application to the September meeting without further notice was made by J. Kovacs, second by M. Sessa with ayes by all present.

NEW BUSINESS: KUPB 17- 04 KEYPORT REALTY DEVELOPMENT
BLK 116 LOT 1 BLK 133 LOT 1
AMENDED APPLICATION FOR SITE PLAN

Exhibit A1 – Application
Exhibit A2 – Preliminary & Final Site plan dated 3/23/2017
Exhibit A3 – Architectural dated 1/16/2017
Exhibit A4 – Letter from French & Parrello dared May 17, 2017
Exhibit A5 – Page F1.1 from Architectural with edits
Exhibit A6 – Building summary page with highlights
Exhibit A7 – Original site plan dated 6/12/2015
Exhibit A8 – Conceptual site Plan

Exhibit B1 – Original Resolution dated 1/23/2014
Exhibit B2 – Final Site Plan Resolution dated 12/10/2015
Exhibit B3 – T&M Letter dated 8/17/2017

Mr. Sessa stated that J. Kovacs and J. Kovacs-Olsen stepped down from the dais because they live within 200 feet of the project and cannot vote.

Mr. Hanlon introduced himself and stated that he was representing the applicant. He explained that the application is an amended site plan application from 2013. The resolution approved 24 apartments. This year the Board gave the applicant a year extension. The application before the board would be shrinking the building and adding three additional parking spaces. Mr. Hanlon stated that there are no variances being requested. The applicant has looked into the wetlands and to file for a CAFRA permit would exceed half a million dollars and it's their expert's opinion that they wouldn't get the approval. They are requesting an amendment to the

resolution by release of that condition. Mr. Hanlon spoke about the T&M letter; Mr. Mullan stated that he had no objection to the waivers. Mr. Leckstein stated that the application is deemed complete.

Mr. John Montoro was sworn in. Mr. Montoro is a licensed architect in the state of NJ.

Mr. Hanlon asked Mr. Montoro to explain why the applicant is shrinking the building. The architect is referring to Exhibit A5 with his notes. Mr. Montoro explained that the square footage is actually 20 feet smaller. Exhibit A6 is an amendment to Exhibit A5. The building has shrunk on both floors and that is how they added parking. Mr. Montoro stated that the building before was 249.6 feet in length and now is 180.6 feet in length and the width of the building has gone from 71.11 inches to 60 feet 2 1/2 inches. Mr. Montoro explained that the stairway that stuck out was moved into the main block of the building. The common area is larger by approximately 20 feet.

Mr. Leckstein asked for confirmation regarding the changes. Mr. Mullan asked for confirmation to the numbers. Mr. Montoro went through the numbers again.

Mr. Montoro asked the Board to refer to Exhibit A7 the plan before had on the first floor one level apartments and the second and third floor apartments had two levels; what they did now was make all the apartments single level. Mr. Hanlon asked if it is the same number of units; yes.

The other building had roofs that had dormers that made the buildings awkward, the revised plan has a more unified architecture. The height is 32'11" in height what the applicant is looking to do is simplify the building but still give it nice appearance. They are also looking to do more streetscape frontage to add to the appearance. The units themselves will have individual entries with no internal stairs, by eliminating the stairs in some cases the unit becomes larger and the layout is better. The building has been made more compact but they feel with the streetscape feel on the outside they have met the goals they were trying to do originally. The previous application there were questions regarding stairwells and stairways into the attic space and how they would get to it, with this design it gets rid of all the questions and concerns.

Mr. Hanlon asked if the plans included the Boards concern regarding a den; Mr. Montoro stated that the dens have been removed completely.

Mr. Leckstein asked if the gym size was reduced; the gym was going to be a little different in the same place. The design now has a small mail storage, the gym is probably a little smaller

now. Mr. Leckstein reminded the Board that the gym was an important component in the previous application. The previous application the gym was 700 square feet now it's a little less than 400 square feet. They had considered taking the mail room or pushing the building out. They didn't want to lose any parking spaces. The made a larger mechanical room and they added the bathrooms into the hallway outside the community room as well as adding a lobby to the entry area.

D. Fotopoulos asked what the common area included; everything for the building not for tenant use.

D. Fotopoulos asked to confirm the amount of apartments; all two bedroom. Potentially 48 people in this building. There was discussion regarding the amount of bedrooms in Green Grove apartments.

Christopher Knight, Property Manager was sworn in. Mr. Knight explained 40 two bedroom, eight studios and the remaining one bedroom. Mr. Fotopoulos stated it's approximately 204 when building is at full capacity.

There was discussion regarding how the gym would be able to accommodate all the tenants. Mr. Fotopoulos stated that based on what has been said there wouldn't be any kids in the gym; no there shouldn't be. Mr. Fotopoulos stated that the gym was a compromise between the applicant and the Board because the Board wanted sufficient recreation space not specifically for the adults but also for the children of the complex. Right now there isn't anything for the children. Mr. Fotopoulos asked Mr. Montoro if he remembers this compromise; yes there could be times that the gym can only be opened to the children. How the gym is used is really up to management. There was further discussion regarding how the gym can be used. Mr. Leckstein stated that there is no proposal before the Board stating that you will have a supervised gym; correct.

Mr. Fotopoulos asked the purpose of the community room; it was to have small meeting, the tenants can use it as a card game, it would be opened to the tenants.

Mr. Sessa asked if shrinking the building created more space outside for recreation; no. Mr. Montoro explained the reason why it didn't provide more space.

Motion to open to the public at 7:38pm was made by N. Vecchio, second by D. Fotopoulos with ayes by all present.

Michael Lane, 51 First Street, spoke about the use variance for 26 units, Mr. Montoro stated it was exactly what was approved before. There was discussion regarding the amount of units that was requested.

Mr. Lane asked if the buildings were going to have sprinkler system; yes.

Motion to close to the public at 7:41pm was made by N. Vecchio, second by D. Fotopoulos with ayes by all present.

Michael Geller, Licensed Engineer and Planner in the State of New Jersey/

Mr. Geller spoke about Exhibit A7 which was the old site plan that was approved previously. Explained that the easement did not change. Originally there was 57 parking spaces, now with the changes there are a total of 60 spaces. Mr. Geller explained where the spots are situated. The shrinkage of the building is approximately 5,000 square feet, height remained the same. Other than the additional spaces and the shift in the driveway there were no other changes from the site plan the Board approved in 2014. The changes are minor in nature and there is no detriment to the plans that were approved.

Mr. Geller spoke about the T&M report and stated that if any item is not already addressed that are willing to satisfy any outstanding issue.

Mr. Geller spoke about the negative criteria and stated that none of the changes proposed have a negative impact on the zone plan or cause a substantial detriment.

Item 10 general comments in T&M report spoke about the lighting plans and it will be provided to T&M for this approval. Item 10.1 regarding the sidewalk it was an error on the plans. Item 10.2 the applicant will post any fees that are required.

Mr. Mullan asked about any amendments that must be made to the developer's agreement. Mr. Hanlon stated any amendments will be made.

There was a discussion regarding the stock pile and the applicant requesting that it not being removed.

Mr. Hanlon mentioned that the apartments will not be sold they would be rentals.

Mr. Mullan asked if there was any change in traffic; no. The number of units have not changed.

Mr. Fotopoulos asked about the storm water management plan. Mr. Mullan stated that they did comply. Mr. Mullan explained all concerns were accommodated correct; yes it has been done.

There was discussion as to which reservoir the run off would go to.

Mr. Fotopoulos spoke about the garbage enclosures, commended Mr. Knight for the enclosure on 8th Street. There was further discussion regarding the enclosures.

There was discussion regarding whether or not to have numbered permit parking.

Motion to open to the public at 8:04pm was made by N. Vecchio, second by L. Davidson with ayes by all present.

Michael Lane, 51 First Street, asked if the enclosure is on the plan now; yes. Mr. Lane asked that the enclosures have a vinyl fence, mentioned the height on the fence. There was discussion regarding the height of the fence in area.

Mr. Lane spoke about the project and feels that there should be the same enclosures for Green Grove. There was further discussion regarding the dumpster enclosures.

Mr. Lane asked about the retaining wall. He explained that in some spots since the fence was going on top of the retaining wall they might need a fence variance. After discussion it was agreed that variance would be in case it is needed.

There was discussion regarding parking on Williamson Street.

John Kovacs, 33 Eighth Street, what will be done regarding the shortage of parking. He lives on Eighth Street and stated there has been quite a few cars parked there. Mr. Knight explained that they are doing work on Green Grove.

Mr. Sessa believes that the parking permit system will help.

Collette Kennedy, 421 Atlantic Street, spoke about the dumpster enclosures, she asked if they are larger will they be taking away parking; no.

Motion to close to the public at 8:25pm was moved by D. Fotopoulos, second by N. Vecchio with ayes by all present.

Andrew French, Licensed Engineer in the State of New Jersey.

Mr. Hanlon stated that when the applicant received previous approval they were required to seek wetland delineation where the swimming pool used to be for the possibility of having a parking lot. He then asked Mr. French is he was hired by the applicant in connection with satisfying that condition; yes. Mr. French stated that he did a topographic survey of the area, they delineated the wetlands, then submitted the application to DEP. They received a response on 8/18/2016 that confirmed the wetlands delineation and it was a 300 foot buffer and that any future development would require a CAFRA permit. Mr. French spoke about the buffer and limitations on what could be developed in the buffer.

To obtain a CAFRA permit the application fee would be $3,000.00 per unit times 164. Mr. Hanlon asked if he thought they would get approval; Mr. French stated that it was very unlikely and he explained why.

Mr. Sessa asked if the area could be used for a recreation area; no. Nothing could be developed on this site it can be used like someone's back yard. Mr. Sessa confirmed that there couldn't be no swing sets or anything like that, correct. Mr. Fotopoulos asked if the buffer goes all the way to Eighth Street; yes the coastal buffer does.

They will allow temporary parking on the grass for the residents of Green Grove while the project is going on but nothing developed on the area.

Motion to open to the public at 8:34pm was moved by D. Fotopoulos, second by N. Vecchio with ayes by all present.

No comments or questions from the meeting was closed to the public.

There was a motion to take a five minute break. Motion was made by D. Fotopoulos, second by N. Vecchio with ayes by all present.

Roll call at 8:38pm: N. Vecchio, D. Fotopoulos, M. Sessa, L. Davidson, J. Kovacs, J. Kovacs-Olsen, J. Carlos Oviedo

Mr. Hanlon asked the board to approve the revised footprint and feels that they have explored the different sites for additional parking and they cannot do that. He is asking that the Board relieve them of this obligation.

Motion to open to the public at 8:40pm was moved by D. Fotopoulos, second by N. Vecchio with ayes by all present.

Michael Lane, spoke about the parking he would like to still have the permit parking but not with marked spots. Mr. Hanlon stated they would keep the marked spots this way every tenant will have at least one spot guaranteed.

There was discussion regarding the previous resolutions and it being amended to this application before the Board.

Motion to close to the public at 8:44pm was moved by L. Davidson, second by N. Vecchio with ayes by all present.

Mr. Fotopoulos stated that the parking issue has not been improved. Dumpster recycling will show that are committed to fixing and they haven't.

Mr. Leckstein mention that they were never required to develop that land; Mr. Fotopoulos stated yes he knew that.

Mr. Fotopoulos mentioned the recreation area shrinking feels that there is nothing on site for the children.
Mr. Hanlon asked that it the hearing be re-opened.

Motion to re-open at 8:48pm was made by D. Fotopoulos, second by L. Davidson with ayes by all present.

Mr. Hanlon stated that the open space can be used for equipment that can be taken down, like volley ball. They can't place a permanent structure.

Mr. Leckstein stated that this would have to be after the property is used for the temporary parking.

Mr. Fotopoulos asked if a fence can be placed in that area; no.

There was further discussion regarding what type of recreation can be placed in this area. It was agreed that the applicant will work with T&M to see what can be used.

Motion to open to the public at 8:57pm was moved by D. Fotopoulos, second by L. Davidson with ayes by all present.

There being no comments or questions the meeting was closed to the public at 8:57pm.

Motion to approve application was made by D. Fotopoulos, second by N. Vecchio
Roll call: Ayes: N. Vecchio, M. Sessa, L. Davidson, D. Fotopoulos, J. Oviedo

PLANNING BOARD PROFESSIONALS: Nothing to report.

Motion to adjourn meeting at 9:10pm was made D. Fotopoulos, second by N. Vecchio with ayes by all present.

The next regularly scheduled Planning Board Meeting will be Thursday, September 28, 2017.