

KEYPORT UNIFIED PLANNING BOARD

The Keyport Unified Planning Board held a Regular Meeting on November 21, 2013 which was called to order at 7:03 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: Mark Sessa, Robert Burlew, Roger Benedict, Dennis Fotopoulos, J. Kovacs, Juan Carlos Oviedo, Jacqueline Kovacs-Olsen, Planning Board Attorney Marc Leckstein; Engineer Donald Norbut and Planner Marty Truscott

Absent: Mayor Harry Aumack, J. Sheridan, Terry Musson, Allen Hudson

VOUCHERS:

M. Leckstein for November 21, 2013 meeting	\$250.00
C. Puth application	\$73.00
Keyport Realty	\$29.00
Resolution for Cummins application	\$300.00

Motion moved by R. Burlew, second by R. Benedict with ayes by all present

Minutes: October 24, 2013 meeting

Motion to approve made by J. Kovacs, second by R. Burlew

Ayes: R. Burlew, J. Kovacs, M. Sessa, R. Benedict, D. Fotopoulos, J. Oviedo, J. Kovacs-Olsen

Absent: Mayor Harry Aumack, J. Sheridan, Terry Musson, Allen Hudson

Resolution for:

Mr. Fotopoulos stated that the Environmental commission had no input on this application. The environmental commission would like to receive the applications when they are sent out to the Board.

Application No. 13-06 Michael & Catherine Cummins
44 Beers Street
BLK 22, Lots 30 & 31
Use Variance (Bifurcated application)

Motion to approve moved by J. Oviedo, second by R. Burlew

Ayes: R. Burlew, M. Sessa, R. Benedict, D. Fotopoulos, J. Oviedo

Abstentions: J. Kovacs

Absent: Mayor Harry Aumack, J. Sheridan, Terry Musson, Allen Hudson

New Business

Application No 13-05 Keyport Realty Development LLC
101 Green Grove Rd
Block 116 Lot 1
Block 133 Lot 1
Use Variance (Bifurcated application)

Christopher Hanlon, Attorney for applicant. Mr. Hanlon explained how right now the property is a vacant trailer park. The applicant is proposing to build twenty-two (22) unit apartment building.

Mr. Hanlon stated that this will be a bifurcated application this portion is only for the use variance. The Board secretary has received notice and Mr. Leckstein stated they are able to precede.

Mr. Sessa explained that since there are two (2) application and the Board would like to hear both applications there will be a two hour time limit on each applications tonight.

Exhibits:

A1 - Conceptual site development plan prepared by Geller, Sive and Company dated November 6, 2013

A2 - Architectural plans from Montoro architectural group dated November 8, 2013

A3 - Colored version dated November 15, 2013

A4 - colored version of exhibit A2 with extra information

A5 - Photo of Trailers from Williamson Street

A6 - View of Green Grove Road to trailer

B1 - T&M letter dated November 15, 2013

Mr. Hanlon explained that Keyport LLC was formed only to acquire the property. Mr. Jeff Kurtz, Developer of applicant, explained that his affiliation to this application is that his family owns the apartment building across the street. Mr. Kurtz stated that he would like to create twenty-two (22) apartments where there is currently a trailer park. He explained it would be similar to what is across the street. There is currently 164 units in the apartment complex across the street.

Mr. Hanlon asked if the mobile homes would be completely removed; yes.

There was discussion to what type of environmental restraints there would be regarding the creek and whether the wetlands would be cleaned out. Mr. Hanlon explained that improvements will be made such as connection to the public sewer system, removal of old septic tanks and oil tanks.

Mr. Fotopoulos asked about the debris behind the current building relating to cleaning it out; Mr. Kurtz stated that he would clean if needed. Mr. Fotopoulos spoke about the environmental commission concern about the debris. Mr. Kurtz stated that Mr. Knight is the property maintenance person.

Chris knight was sworn in. Mr. Hanlon asked what type of debris the commission was speaking about. Mr. Fotopoulos stated there is a shopping cart and tires. Mr. Fotopoulos explain he wasn't sure about the property line. There was further discussion on the debris as well as blockage behind the Williamson Street homes. They spoke of what the environmental commission would like to be done behind the trailer homes and where the blockage is on Chingarora creek.

Mr. Kovacs stated that there is an existing parking problem; Mr. Kurtz stated the parking will stay the same as it is now. Mr. Hanlon said that the planner will address the parking they are looking to vacated Williamson Street. There was further discussion on the parking.

Mr. Leckstein asked if the applicant has spoken to the Mayor and Council in regards to vacating Williamson Street; not yet.

Motion to open to the public was made and carried.

Mike Lane, 51 First Street, complimented the applicant on the Green Grove apartments, asked out of the 164 units what is the breakdown of bedrooms. Mr. Knight responded 118 are one bedroom, 32 two bedroom and 14 are studios. Mr. Lane asked if they now how many children live there; no.

Pete Volpe, 131 Quail Run court, Freehold, owner of 106-108 Green Grove, asked if they would look to offer the other properties the opportunities to tie into the public sewer lines when doing it for this property; Mr. Hanlon stated that they would be going through Williamson Street. Mr. Volpe commented that that would leave four (4) properties without the possibility to go to public sewer. Mr. Burlew asked Mr. Volpe about how many units would be left; not sure. Mr. Norbut agreed with Mr. Volpe about the sewer line. Mr. Leckstein asked applicant about granting sewer easement; not sure.

Meeting was closed to the public.

Mr. Burlew spoke about possibly having the sewer line go into the street so that other properties can tie into it.

Mr. John Montoro, Architect, was sworn in. Mr. Montoro spoke about his relation to the applicant and described exhibit A-4. There will be twenty-two (22) units total. Eight (8) units will be flats and fourteen (14) units would be two story apartments.

Mr. Leckstein referred to the parking issues that are in the T&M letter. Mr. Montoro stated that the parking is not share between the two complexes.

Mr. Montoro spoke of the height restrictions, Mr. Hanlon stated that the height is satisfied but has three stories and that is why they are seeking the height variance. Mr. Leckstein confirmed that it is a three (3) story building with a dormer.

Mr. Montoro described the building layout and design; Mr. Hanlon asked if these plans were submitted after Mr. Geller; yes.

Ms. Kovacs asked about open space for recreation; Mr. Hanlon said that will be addressed during site plans.

Mr. Fotopoulos stated the den has a closet and can be turned into another bedroom. Mr. Montoro stated they would take the closet out.

There was discussion on the size of the den and the size of the opening. Mr. Leckstein confirmed that the closet will be taken out and there will be a five foot wide opening; yes.

There was discussion regarding the eight foot ceiling and about the fire; Mr. Leckstein stated that the applicant would have to comply with the fire code.

Ms. Kovacs asked about ADA accessibility; yes there is an elevator. Mr. Kovacs mentioned that the elevator only goes to second floor.

Mr. Kovacs asked about sprinkler system; Mr. Monotoro replied it will be addressed. Mr. Burlew asked about the access to the attic space. Mr. Montoro said it would have a sprinkler and it is not for storage there would not be any tenant access.

There was discussion on flood elevation and whether applicant ever considered building duplex. There was discussion as to why the applicant felt the apartments would be better than duplex or townhomes.

Motion made by Mr. Kovacs, second by Ms. Kovacs with ayes by all present to open to the public.

Mr. Lane, 51 First Street, spoke about the parking lot as well as site triangle; the site engineer will answer. Mr. Knight spoke issuing permits for the parking lot and the spaces having numbers. Mr. Lane asked that be a condition of approval. Mr. Leckstein asked if that is something the Board would like; yes.

Mr. Lane asked if the five foot opening be part of the resolution; Mr. Leckstein replied yes. There was discussion on a wetland buffer; Mr. Hanlon stated they will look into a buffer. Mr. Lane asked about the number of bedrooms; forty-four (44).

No more comments or questions motion to close to the public made by Ms. Kovacs second by Mr. Fotopoulos with ayes by all present.

Mr. Michael Geller, Engineer/Planner was sworn in. Mr. Geller spoke of the concept plan, he described the site. The site has twelve trailers and one vacant pad. Mr. Geller introduced exhibits A5 and A6 and described to the board what these exhibits were. Mr. Geller spoke of previous application and what was approved. Attorney Hanlon asked if improvement in the area. Planner explained what applicant would be doing. There was discussion as to the three story building and about the type of zoning in the area. The engineer spoke of the parking spaces for the application, and that the applicant would be looking into having the street vacated. If the street was vacated that would take the burden off the Borough for the up keeping.

Mr. Leckstein asked if the two properties are going to merge; Mr. Hanlon stated they are affiliated companies. Mr. Leckstein stated that then one can always be sold. Mr. Hanlon said they can address concern and will get back to the Board.

There was discussion of the variances they are requesting. The engineer stated he went through the zoning ordinances as well as the Master plan. The 1979 plan discourages multi-unit buildings but the attorney asked if the trailers fit a multi-unit.

The attorney gave negative and positive criteria's for having this application move forward. Mr. Hanlon spoke of the parking issues and whether this application would make it any worse. Mr. Hanlon stated that he felt it didn't make it worse and the applicant is willing to look into adding more parking to this site.

The applicant met with the Borough Engineer and administrator regarding recreation area they decided possibly something behind the building could be worked out.

Mr. Leckstein stated that would be looked at during the site plan and all of this can be addressed the Board has the final say as to what they want.

There was discussion as to what was approved before and how they would have to have a pump the attorney stated that maybe that was never built because it was not affordable. There was further discussion on the easements.

Discussion on parking and whether there was a possibility of putting parking under the complex.

Mr. Sessa mentioned the time and asked the board if they would like to carry this application over to the December meeting; yes. Mr. Leckstein told the public that this application will be carried over. Anyone that would like to hear this application must be present at the December 19th meeting at 7pm.

Motion to carry application to December 19th meeting was made by Mr. Burlew, second by Ms. Kovacs with ayes by all present.

Board took a five minute break, meeting back in session at 9:30 pm

Application No 13-07 Charles Puth
333 First Street
Block 138, Lot 11
Use Variance/Preliminary Site Plan (Bifurcated)

This part of the application is for the Use Variance portion.

Exhibits A1 – Site Plan Carr Engineering dated September 25, 2013
A2 - Proposed elevation dated October 31, 2013
A3 – Photo existing properties
A4 – Aerial map of site
A5 – blown up tax Map
A6 – nine (9) pictures of surrounding properties
A7 - building elevations

B1 – T&M Letter dated November 15, 2013

Mr. Oviedo stepped down from the dais since he lives within 200 feet from application.

Steve Gouin, Attorney for applicant. Mr. Puth was sworn in. Mr. Puth gave a brief background of what he does and when he purchased the property on First Street. Mr. Puth stated that he looked into just raising the building to comply with flood standards but thought it would be nicer to come before the Board and build townhomes. Mr. Puth stated there are currently sixteen (16) bedrooms and is asking increase to twenty-eight (28) bedrooms.

Mr. Gouin stated that the applicant is seeking use variance for townhomes, D5 Density and D6 for height. Applicant noticed for preliminary site plan but is withdrawing that and going for a bifurcated application.

Motion to open to the public was made by Ms. Kovacs, second by Mr. Burlew with ayes by all present.

Sam Minor, 330 First Street, stated that the building is on swamp land and would like it to be built on pilings. The water goes to the creek in the back. Mr. Gouin stated it is in an AE zone and does not need pilings. The drain would be looked at during the site plan. Land testing will be addressed.

Larry Stonerock, 325 First Street, stated that it looks better than what is there now.

Mike Lane, 51 First Street, spoke of his perception of first floor can be livable space, Mr. Burlew explained and spoke of the elevation and the Borough Ordinance that was just adopted.

Motion to close to the public was made by Mr. Benedict, second by Ms. Kovacs with ayes by all present.

Michael Carr, Engineer and Land surveyor was sworn in.

Mr. Gouin asked Mr. Carr if he reviewed the borough ordinance; yes. Mr. Carr described the property and the surrounding area.

Mr. Carr stated that the building that is there now will be demolished by applicant and they would like to build fourteen (14) units. Mr. Carr referred to Exhibit 1 sheet 4, there will be three (3) buildings and parking will be internal.

Mr. Gouin asked Mr. Carr if he had any issues with T&M's letter dated November 15th; Mr. Carr stated there is no problem and he could comply with it.

Mr. Kovacs asked about the flood height required. Mr. Burlew explained the flood elevation and how high the applicant would have to bring the living space to meet this. There was discussion on drainage.

There was discussion on how the buildings would face and about how the owners would enter and leave the complex. Mr. Gouin stated that they will look at when they go to site plan they will also add handicapped spot at that time.

Mr. Leckstein confirmed that they will demo the existing building but not the concrete driveway. Mr. Puth explained that the neighbor uses the driveway and he didn't want to take that from him but, if the Board wants it removed he will do it.

Motion to open to the public was made by Ms. Kovacs, second by Mr. Burlew with ayes by all present.

Mike Lane asked if these would be owner occupied; yes the applicant would like to sell the homes.

There was discussion on how much traffic there is on First Street and also that it is a county road. Mr. Gouin stated they will have to go to Monmouth County Planning Board for the site plan. Further discussion regarding to the site triangle and traffic in the area.

Mr. Leckstein confirmed that the applicant is aware that he would have to go before the county; yes.

Mr. Norbut stated that he had issues of parking; Mr. Gouin stated that when they come back before the Board with the site plan if the board doesn't like it they can deny approval of site plan.

Mr. Leckstein explained to the Board that they can defer applicant on density.

Mr. Burlew spoke about having less units so that the egress and ingress would be better.

There was discussion as to how many units would fit at the site without having issues. Mr. Lane asked if possibly they can eliminate the three (3) units facing First Street; Mr. Gouin stated the applicant is asking for fourteen(14)

Mr. Leckstein explained if the Board approved the fourteen (14) we are not locked with that number the applicant may be willing to reduce.

Motion to close to the public was made by Ms. Kovacs, second by Mr. Burlew with ayes by all present.

John DuPont, Planner was sworn in. Mr. DuPont explained that he had reviewed the Borough's ordinance as well as visited the site. Mr. DuPont spoke of the D1 variance and his opinion that this site is suitable for the application. Mr. DuPont stated that it is currently being used for multi-family, because of hurricane sandy the redevelopment can make a significant impact. The zoning ordinances are not updated and don't include town homes, in the 2012 Re-examination there is some mention of town homes. There was further discussion on the flood elevation.

Motion to open to the public was made by Ms. Kovacs, second by Mr. Burlew with ayes by all present.

John Powers, 119 Bloomfield Street, Hoboken owner of 10-12 Walnut Street, regarding the density feels the homes should go with the flow of road: Mr. Gouin replied the applicant will take it into consideration.

Mr. Truscott stated that bulk variances will be required; correct that will be during site plan.

Mr. Lane stated that he feels the application is positive would like the applicant to review parking and garage access from First Street.

Mr. Stonerock stated he has lived there forty-five years with the apartments; the application looks so much better feels that applicant has done a good job.

Motion to close to the public was made by Ms. Kovacs, second by Mr. Burlew with ayes by all present.

Mr. Fotopoulos asked about outside economics; feels the artistry is beautiful definitely wants something like this but the serious issue is density, site lines, would like applicant to look into reducing the number of units.

Mr. Sessa stated that he is willing to keep an open mind.

Motion to approve made by Mr. Fotopoulos, second by Mr. Benedict

Ayes: R. Burlew, J. Kovacs, M. Sessa, R. Benedict, D. Fotopoulos, J. Kovacs-Olsen

Absent: Mayor Harry Aumack, J. Sheridan, Terry Musson, Allen Hudson, J. Oviedo

PUBLIC SESSION

Motion to open to the public at 10:45pm made by Mr. Benedict, second by Mr. Fotopoulos with ayes by all present.

There was no comments or questions closed to the public at 10:45p.m.

Motion was made and carried to close to the public at 10:45pm moved by R. Burlew, second by R. Benedict with ayes by all present.

Motion to adjourn was made and carried.

The next regularly scheduled Planning Board Meeting will be Thursday, December 19, 2013.