

The Keyport Unified Planning Board held a Regular Meeting on April 24, 2025, which was called to order by Juan Carlos Oviedo at 7:00 PM, the Sunshine Law Notice was read followed by the Flag Salute.

Present: Mayor Araneo, Councilmember Merla, W. Kane, H. Aumack T. Burke, C. Demarest, W. McDermott, J. Oviedo, D. Pacheco, S. Dixon

Absent: K. Bartolome

Professionals: Board Attorney Marc Leckstein, Trevor Taylor, CME, Andrew Denbigh, Engineer and Justin Cutroneo, Planner T&M Associates

MINUTES: March 27, 2025

Motion to approve was made by Mayor Araneo, second by Councilmember Merla with ayes by all present.

APPLICATION: KUPB 25-01 ABROHOM SCHLAFF
ZONING APPEAL/INTERPRETATION
3 CASS STREET
BLK 33 LOT 16

Mr. Leckstein explained that the applicant has asked to be carried to the June 26th meeting.

Councilman Merla asked if they would have to re-notice, Mr. Leckstein explained that with a zoning appeal you don't have to notice the residents but the applicant did notice them out of courtesy. They would not have to re-notice.

APPLICATION: KUPB 25-02 IAN AND JESSICA PORTER
BLOCK 46, LOT 7
76 MAPLE PLACE
VARIANCE APPROVAL

Exhibit A1 – Plot Plan

Exhibit A2 – Architectural

Exhibit B1 – CME Letter dated 3/17/25

Jessica and Ian Porter was sworn in.

Mr. Leckstein asked Mr. Taylor to explain the application.

The applicants are proposing a one-story, 8-foot by 13-foot addition to the rear of the house. They are looking to enlarge the kitchen area. The applicant has provided architectural plans, which Mr. Taylor reviewed as well as the plot plan. Mr. Taylor described what the proposed kitchen would look like. The applicant requires variance for the side yard setback. The required side yard setback is six feet.

The existing house is 3.8 feet from the side yard. The addition is that same 3.8 feet. Mr. Leckstein confirmed that there was no new variance required; correct.

Mr. Leckstein asked the applicant if what Mr. Taylor stated was correct; yes.
No one from the Board had any comments or concerns.

Motion to open to the public at 7:05pm was made by Councilmember Merla, second by Mayor Araneo with ayes by all present.

There being no comments or questions from the public motion to close to the public at 7:06pm was made by Councilmember Merla, second By W. McDermott with ayes by all present.

Motion to approve application was made by Councilmember Merla, second by H. Aumack

Ayes: Mayor Araneo, Councilmember Merla, W. Kane, H. Aumack T. Burke, C. Demarest, W. McDermott, J. Oviedo, D. Pacheco, S. Dixon

Motion to go into executive session at 7:06pm was made and carried. Motion to go back into public session at 7:08pm was made and carried.

Motion to approve salary increase for D. Nellis to \$6,000.00 a year was made by Councilmember Merla, second by W. McDermott

Ayes: Mayor Araneo, Councilmember Merla, W. Kane, H. Aumack T. Burke, C. Demarest, W. McDermott, J. Oviedo, D. Pacheco, S. Dixon

Ms. Nellis thanked the Board.

APPLICATION: KUPB 23-03 NICA NICA
USE VARIANCE
262 FIRST STREET
BLK 43 LOT 9

Mayor and Councilmember stepped down they cannot participate in a use variance application.

Continuation from previous meeting.

Exhibit A6 – Revised plans dated 4/14/25
Exhibit A7 – Architectural plans date 4/11/25
Exhibit A8 – Aerial Exhibit dated 4/24/25
Exhibit A9 – 262 First Proposed 4/24/25
Exhibit B2 – T&M second review letter dated 4/23/25

Mr. McGowan explained that they had a different engineer at this meeting. Douglas Clelland.

Mr. Clelland described the changes that were made. He stated that they are still proposing three units, two of which are three bedrooms, one of which is two bedrooms. The building is being modified significantly to allow for the site to function better. The rear one-story portion is being removed. The rear of the building will be used for mechanicals.

They are proposing six off-street parking spaces. Each is 9 feet by 18 feet in the rear of the building. And that will be accessed via a two-way driveway that is 21 feet wide.

The existing curb cut on Fulton Street will be widened. Mr. Leckstein confirmed that before there was four and now you have six; yes. There was discussion regarding how many spaces are required yes. Mr. Clelland stated that they now comply with quantity of parking. We still do need a variance; yes, but not for parking.

The site plan that was submitted provided a turning template to show how a passenger vehicle, full size, can be accessed all the parking area. They are using the northern side of the driveway for trash and recycling cans that will be contained in a fenced-in path. Mr. Denbigh asked the number of trash receptacles; there would be three refuse and two recycling. There was discussion regarding how the trash would be handled by the residents and how it would be picked up. The applicant has agreed to work with the Board Engineer on the enclosure of the trash area. There was further discussion regarding how the trash would be picked up as well as the turning template.

The areas beyond the pavement and walkways will be finished with decorative gravel and landscaping as shown on the plan. A six-foot solid fence is proposed from the southwest corner of the building all around the parking lot to Fulton Street for additional screening.

In addition to the front landscape bed plantings, the applicant is proposing five arbor trees. The lighting design has been changed, the applicant is proposing a single wall-packed light in the rear and a smaller wall-packed light above the trash area.

There will be no light spillage on adjacent properties. The applicant has agreed to work with the Board Engineer to come up with a reasonable draining solution as a condition of approval if the Board approves the application.

Mr. Clelland stated that they will agree to assign parking spaces to each of the units. Mr. Cutroneo stated that this would eliminate the issue of having headlights going into unit B.

Mr. Cutroneo confirmed that the fence would be white vinyl; Mr. McGowan replied yes. There was discussion regarding having the fence step down so the neighbor could see when pulling out of the driveway.

There was further discussion regarding the parking. Mr. McGowan stated the Board had concerns about getting in and out of parking spaces. The applicant is trying to make the building viable. To completely redo the building to two units is not feasible.

Mr. Denbigh mentioned that there is no room for green recreation. There was discussion regarding tenants sitting outside and possibly barbecuing. Mr. Clelland stated that there is no space there currently.

Mr. McGowan stated that there are currently two families occupying the building currently. He continued to state that his client has spent a significant amount of money on the property.

Mr. Aumack stated that the property looks nice and wouldn't change the front; Mr. McGowan thanked him.

There was discussion regarding having two fences right next to each other. Mr. Clelland said that they would reach out to the neighbor to see what could be done.

Mr. Burke stated that he likes what has been done. There was a lot of issues and he was impressed with the changes.

Chairman Oviedo stated that it was a lot better than what was previously before the Board.

Mr. Aumack stated that he felt the applicant did a lot of work on the project to address the Board's concerns.

Mr. McDermott explained he was not comfortable with the six spots and doesn't know how trucks will get in and out. He also isn't comfortable with the cars having to make K turns to get out of the lot. If you put snow in the lot he doesn't know where the cars will park.

Mr. Clelland stated that they went through the traffic package and will provide further analysis to the Board Engineer.

Motion to open to the public at 8:25pm was made by W. McDermott, second by D. Pacheco with ayes by all present.

Jeffrey Slipek, 253 First Street – explained that he doesn't have driveway in my property he parks on the street parking is really tight. There are currently five cars at this property two of which park in the street at any time. As Mr. McDermott noted, it looks good on paper not sure how it will work. Mr. Slipek stated that he feels the tenants end up parking on the street when there aren't enough spaces now and when it snows you are not allowed to park on First Street which will make it more difficult. He explained the last snow storm he had to park three blocks away from his house.

Mike Lane, 51 First Street. Mr. Leckstein reminded Mr. Lane he is still under oath. Mr. Lane asked the Board if they saw the engineers report because it wasn't on line. D. Nellis replied that she did place it on the webpage right after she emailed the letter to Mr. Lane. He also

mentioned that he didn't have a chance to review the exhibits before the meeting so he couldn't comment on them; Mr. Leckstein explained that they were just introduced at the meeting.

Mr. Lane also stated that the Board has decisions regarding the non-conforming use of this property since 2002 he stated that the property record card data shows two units. Approving this application will increase the number of units to three and as some have indicated earlier it doesn't fit. Mr. Lane went over a few items that he brought up at the last meeting.

Mr. Lane explained that he has to place his trash cans in the back of my house. All my neighbors put their trash cans in the back of their house. The applicant will have the trash cans where you can see them from the street.

Mr. Lane stated that the impervious coverage of the site wasn't even close. He spoke about the screening and the site triangle. Mr. Lane felt that the site is barely enough to fit two units.

Mr. Lane did feel that the parking plan an improvement and eliminating all the old storage.

Lawrence Vecchio, 55 W. Front St stated he wasn't familiar with the case. Mr. Vecchio felt that the Board should put themselves in the applicant shoes.

Motion to close to the public at 8:40p, was made by W. McDermott, second by D. Pacheco with ayes by all present.

Justin Auciello, Planner for applicant. Mr. Auciello spoke about the D1 variance for the application. He went through all the variances. Mr. Auciello spoke about the positive criteria of the application. Mr. Auciello doesn't see any negative criteria. The applicant is willing to work with the Board Professionals. The project is consistent with the Master Plan.

Mr. McGowan stated currently there are five parking spaces and they are making six spaces.

Motion to open to the public at 9:05pm was made by D. Pacheco, second by D. McDermott with ayes by all present.

Mr. Lane, 51 First Street – mentioned that the only thing that was approved on the site was a single dwelling with a business on the first floor everything else was done without permits. Mr. Lane spoke about the Master Plan.

There was discussion what was previously on this site. Mr. Leckstein stated that in 2002 the previous application was to convert downstairs to a single family which was denied. In 2022 the application Nica Nica went to the zoning officer for approval to change downstairs to residential and it was denied by the zoning officer. There was further discussion regarding the past uses of the property.

Nancy Kalb, 48 Bethany Rd – owner of 1 Fulton Street. Stated that the town has parking issues in the Borough. She mentioned the overflow of this property parks on the street.

Motion to close to the public at 9:15pm was made by D. Pacheco, second by W. McDermott.

Motion to approve subject to all conditions discussed was made by H. Aumack, second by T. Burke

Ayes: Chairman Oviedo, W. Kane, H. Aumack T. Burke, C. Demarest, J. Oviedo, D. Pacheco, S. Dixon

Nays: W. McDermott

Motion to adjourn at 9:20pm was made by D. Pacheco, second by W. Kane with ayes by all present.