The Keyport Unified Planning Board held Special Meeting on May 22, 2018 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: Mayor Aumack, R. Benedict, K. Howe, N. Vecchio, M. Sessa, R. Benedict, L. Davidson, D. Fotopoulos, J. Oviedo, J. Kovacs-Olsen (arrived at 7:08pm)
Absent: Councilman Goode

Marc Leckstein, Planning Board Attorney, Donna Miller, Planner, Fran Mullan, Engineer

MINUTES: March 22, 2018

Motion to approve minutes was made by J. Kovacs, second by N. Vecchio
Ayes: N. Vecchio, M. Sessa, R. Benedict, L. Davidson, D. Fotopoulos, J. Kovacs, K. Howe, J. Kovacs-Olsen
Abstain: Mayor Aumack, J. Oviedo

CORRESPONDENCE:

Letter from Carlo Manetto requesting an extension for KUPB Application 06-09 for a two year extension.

Chairman asked to have the application pulled so that the Board can review the application at the Thursday, May 24th meeting.

PROFESSIONALS SWORN IN

RESOLUTION: 149 W. FRONT STREET/PORT 149
149 WEST FRONT STREET
KUPB 14-03
BLK 21, LOT 15-19

Mr. Leckstein requested that the resolution be carried to the May 24th Planning Board Meeting. The Professionals had a few comments they wanted added to the resolution.

RESOLUTION: KEYPORT 44 REALTY LLC
193 CHINGARORA AVENUE
KUPB 14-09
BLK 1.01, LOTS 43, 44, 45

Motion to approve resolution was made by J. Kovacs, second by R. Benedict

Ayes: N. Vecchio, M. Sessa, R. Benedict, L. Davidson, D. Fotopoulos, J. Kovacs, K. Howe

Abstain: Mayor Aumack

NEW BUSINESS:

APPLICATION: KUPB 18-01
KEYPORT HOMES, LLC
138 BROAD STREET
BLOCK 60 LOTS 15 & 16
USE VARIANCE
PRELIMINARY AND FINAL SITE PLAN

Mayor Aumack was asked to step down since the application is a use variance.

Exhibits A1 – Application
A2 – Site Plan last revised 5/10/2018
A3 – Architecture dated 5/11/2018
A4 – Sanitary Sewer & Potable Water Report
A5 – Storm water Report
A6 – Monmouth Country Planning Board Approval
A7 – Colored version of Site Plan dated 5/21/2018
A8 – colored version of Architect Plans
A9 – Photographs of the houses that were on the location previously
B1 – T&M Letter dated 5/15/2018
B2 - Traffic Safety dated 2/21/2018
B3 – Site Plan review from the Property Maintenance Officer 2/20/2018
B4 – Property Maintenance dated 5/18 regarding current violations on Property

Mr. Kovacs askes since there is violations can the Board still hear the case. Mr. Leckstein explained that the violations are just for the Board's knowledge so that the Board can ask them to clear the up as part of the application.

The Boards professionals were sworn in.

Mr. Alfieri, Applicant's attorney, explained the initial application that was filed was for three (3) units. They had a technical meeting with the Board's professionals and after receiving the reports the applicant to amend the application to two (2) units. Mr. Alfieri explained that there was originally two homes on the property that was damaged by a fire.

Mr. Hopkins, Licensed Engineer in the state of New Jersey was sworn in. Mr. Alfieri asked Mr. Hopkins if he prepared the site plan; yes. Mr. Alfieri asked if he had any exhibits to enter for this application. Mr. Hopkins explained that he had a colored version of the site plan that was submitted to the Board with an overlay aerial photography. This exhibit was marked in as Exhibit A7. Smaller version of exhibit A7 was handed out to the board.

Mr. Hopkins explained what is currently on the property, he stated it is considered an RA zone. Mr. Leckstein asked if the homes that were on the property destroyed by fire; yes. Mr. Hopkins explained that there was two homes that were destroyed by fire. Mr. Hopkins described what types of homes are surrounding the applicant's property. He explained that they did meet with the professionals and since they were involved with the last application listened to the Boards concerns and comments from the Chingarora application.

They are proposing two (2) units approximately 2000 square feet, each unit will have a two (2) car garage and outside the garage for parking which gives you a total of six (6) parking spaces that would be three (3) per unit. The parking would front from Warren Street, they are also proposing new curbs and sidewalk. There would be new street trees along Warren Street, there will be a right of way dedication along Broad Street as requested by Monmouth County. There would be a new ADA compliant handicap ramp at the corner of Warren and Broad. The two lots will be consolidated as requested by the professionals, the units will be served by public water and sewer, and rubbish cans will be stored in the garage and brought to the curb for public pick up. The sight distance is clear. They feel since there was originally a two (2) homes on the property there would be no additional traffic.

Mr. Alfieri asked if there was anything in the T&M report that can't be addressed; nothing that couldn't be addressed as a condition of approval.

Mr. Alfieri asked about the run off, they have provided a storm water report that states there is no additional run off, however, T&M has asked for recharge for the roof run off.

Mr. Alfieri asked if the parking on site is RSIS standard; correct.

Chairman Sessa, asked if any Board member has questions.

J. Kovacs asked if this would stay as one lot; currently they are two (2) lots. The professionals have asked them to consolidate them to make them one (1) lot. There was discussion regarding the how the lots will show up on the tax lot. They would be considered condos. Each unit owner would be responsible for their own unit.

Mr. Fotopoulos asked why they flipped the front from Broad to Warren; the County requested that. Mr. Sessa stated it would probably be safer to back out on Warren then Broad Street. There was discussion regarding the access of the units.

Mr. Mullan asked about page 8 the grading and drainage comments do you agree with our assessment; yes.

There was discussion regarding an overlay on the road on Warren Street after all the utilities have been installed; yes they agree to overlay the road.

Motion to open to the public at 7:15pm was made by J. Kovacs, second by R. Benedict with ayes by all present.

Kathleen Reeve, 137 Broad Street – Ms. Reeve explained that her home is across from the property. She asked to see the elevation; Mr. Alfieri stated that the architect would describe the elevation. Ms. Reeve wanted to see what it is going to look like and what type of fencing. There was discussion regarding trees and shrubs instead of the fencing.

Michael Lane, 51 First Street – Mr. Lane asked about the buffer and fence; Mr. Hopkins stated that they are not proposing fences. Mr. Alfieri stated that they can put in the homeowners association regarding fencing. Mr. Lane complimented the applicant on the project.

The lots being merged is that a conditional of approval; yes. There was a discussion regarding whether it would be beneficial to having two lots or one lot. Mr. Leckstein explained that his recommendation is for one lot and have homeowners association. There was further discussion regarding having a homeowners association or not having one.

Motion to close to the public at 7:28pm was moved by J. Kovacs, second by N. Vecchio with ayes by all present

Michael Testa, licensed architect New Jersey. Mr. Alfieri asked if he prepared the architect that was submitted; yes.

Mr. Testa submitted Exhibit A8 which is a colored rendering of the plans and the front elevation of the project. Mr. Testa described what the units would look like from the exterior. The interior floor plans were described the ground floor consists of large garage, a place storage for the trash receptacles and in the rear there is a recreation room with a full bathroom.
The second floor consists of an open dinning / kitchen area with ½ bath and a closet. The third floor has three (3) bedrooms and two (2) bathrooms. Each unit is approximately 2800 square feet.

Ms. Davidson asked the height of the attic; the attic is shallow will not be used for storage. There is no access to this area between the two units.
Mr. Kovacs asked if there was going to be sprinklers, the applicant will provide whatever is needed to comply with the Borough ordinances.

Ms. Kovacs-Olsen asked what would prevent someone to make the recreation room as a bedroom; they aren't sure. Ms. Kovacs-Olsen suggested that they move the closet into the garage; they agreed move closet into the garage. Mr. Fotopoulos stated that a closet does provide the room to become a bedroom. There was further discussion regarding the recreation room being used for anything else.

Mr. Fotopoulos asked if there was ample space for four (4) cars; yes. Would the applicant agree as a condition of approval no street parking; Mr. Alfieri stated that they can put that in the Master Deed. There was further discussion regarding parking in the area.

Mr. Howe asked if the second floor windows were man sized; Mr. Testa stated that they were a little smaller. Mr. Howe stated that the only way to access unit for a fire fighter was through the front. Mr. Testa replied that they can make egress windows on the second floor.

Mr. Fotopoulos asked if there were window in the rear; over the counter. There was further discussion regarding the windows. Mr. Testa stated that they will place egress windows on the side of the units.

Mr. Howe spoke about the Master Plan in the area was a duplex there before. Would like the units to fit into the area. There was discussion regarding how to make these units look more like single family homes. Mr. Testa stated that they can pump out the front window. Mr. Leckstein suggested that if you are asking for a change in the architecture that the Board shouldn't vote on the application until they see the changes.

There was further discussion regarding what types of changes the Board would like to see on the architecture of the units. After discussion the Board decided to leave closet in the recreation room. There was discussion as to what should be included in the Master Deed.

Mr. Leckstein stated that if it going to come back to look at the final architect plans, the Board can finish up the application this evening and they can carry the application to the June meeting. Mr. Leckstein stated that he will have the resolution ready and the applicant can show the changes and if the Board is good with the changes they can vote on the application at that time.

Motion to open to the public at 7:51pm was made by R. Benedict, second by J. Kovacs with ayes by all present.

Mike Lane, 51 First Street, would like in the Master Deed would prohibit no flooring or storage in the attic; yes.

Motion to close to the public at 7:52 was made by J. Kovacs, second by L. Davidson with ayes by all present.

Mr. James Higgins, Licensed Planner in the state of New Jersey. Mr. Alfieri asked if Mr. Higgins reviewed the plans, the Master Plan and the ordinances of Keyport; yes. Mr. Alfieri handed out photographs.

Mr. Higgins spoke about the application being in a RA zone. He stated that what you have before you is a two lots that had two (2) single family dwellings. Mr. Higgins spoke about the photo's that were handed out. He described the buildings that were there prior to the fire. Mr. Higgins stated that he feels that what is being proposed to the Board is far more superior to what was there previously. Mr. Higgins spoke about the setbacks and how the previous homes were two separate lots with individual owners, the applicant is willing to purchase both lots. He feels that there is no detriment to this application to what was previously there, he spoke about the two car garages as well as how these units both front Warren Street and not Broad Street, believes that the variances for the application should be granted. Mr. Higgins stated that the application fits into the neighborhood. As far as the negative impacts, Mr. Higgins doesn't see any.

Mr. Kovacs asked if the utilities will be underground; yes.

Mr. Fotopoulos stated that the Planner mentioned road widening he asked if there was any information regarding that. Mr. Higgins explained that the initial dedication of road so that in the future the county decides to widen the road there will be no issue.

Mr. Mullan asked for clarification for the variance relief in regards to the height. Mr. Higgins explained that the building height will meet the 30 foot requirement. It would be considered a "C" variance. There was discussion regarding the height. Ms. Miller stated that the issue is there are three stories. Mr. Higgins explained the reason for the units to be three stories and the building coverage.

Mr. Leckstein asked for clarification they are not seeking a variance for the height they are looking for a variance for the amount of floors. There was discussion regarding the floors and variance. Mr. Alfieri stated that they would be under 30 feet but will be three (3) stories.

Motion to open to the public at 8:08pm was made by J. Kovacs, second by N. Vecchio with ayes by all present.

Mike Lane, 51 First Street, asked where he found that the loss of population of 200; census data. There was discussion regarding the decrease in population as well as houses.

Motion closed to the public at 8:10pm motion made by J. Kovacs, second by L. Davidson with ayes by all present.

Mr. Fotopoulos asked for clarification regarding the variances the applicant is seeking. Mr. Leckstein stated he believed it was just a use variance.

Ms. Davidson asked if there was anything in the Master Deed about not to rent out; it is not enforceable.

Motion to open to the public at 8:11pm was made by J. Kovacs, second by K. Howe with ayes by all present.

Elmer J. Graham Jr., 22 St Peters Place – looking at the plan and feels that the Board should approve the application.

Mike Lane, 51 First Street – likes that the units face Warren Street, Mr. Lane asked for a summary of what would be on the Master Deed. There was discussion regarding what should go on the Master Deed.

Motion to close to the public at 8:14pm was made by J. Kovacs, second by R. Benedict with ayes by all present.

Motion to carry to the June 28th meeting to review the Architectural and vote on the application was made by R. Benedict, second by D. Fotopoulos with ayes by all present.

Motion to take a five minute break was made and carried.

Roll call at 8:25pm: N. Vecchio, M. Sessa, R. Benedict, L. Davidson, D. Fotopoulos, J. Kovacs, K. Howe, Kovacs-Olsen, J. Oviedo

APPLICATION: KUPB 18-02
KEYPORT HOMES, LLC
26 WAVERLY PLACE
BLOCK 128 LOTS 2, 3, 4.01
USE VARIANCE
PRELIMINARY AND FINAL SITE PLAN

Mr. Leckstein explained that R. Benedict, J. Kovacs, J. Kovacs-Olsen had to recuse themselves because they were affiliated with the fire department that is involved with the applicant.

Exhibits A1 – Application
A2 – Site Plan
A3 – Architectural
A4 – Sanitary Sewer & Potable Water Report

A5 – Storm water Management report
A6 - Monmouth County Letter
A7 – Color rendering of the site plan submitted to the Board dated 5/1/2018
A8 – Color rendering of the architectural plans submitted to the board
B1 – T&M Letter
B2 – Traffic Safety Letter
B3 – Property Maintenance Letter
L1 – Town homes on First Street
L2 - Update new single family home constructions

Mr. Alfieri spoke about the application before the Board. Mr. Alfieri asked Tom Gallo to come up and explain the sale of the property.

Thomas Gallo, 50 St. Peters Place, President of Keyport Fire Patrol. Mr. Alfieri stated his applicant has a contract to purchase the property. Mr. Alfieri asked Mr. Gallo to explain why the fire company is selling the property and what the plan is for this fire company. Mr. Gallo explained that they are consolidating fire companies. Each fire house is individually owned and maintained by their volunteers. Mr. Gallo explained how they would have to buy into another fire house. Mr. Alfieri stated that the sale cannot be used for the fire company other than to buy into another fire company; yes.

Mr. Alfieri asked that the contract of sale of the property is contingent to the application being approved; yes.

Motion to open to the public at 8:31pm was made by D. Fotopoulos, second by K. Howe with ayes by all present.

Scott McClary, 225 First Street – how are you making a sale contingent on the approval of the application with so many variances? Mr. Alfieri explained it is a common practice, if they are not approved the purchaser has the option to either go through with it or terminate the contract.

Elmer J. Graham, 22 St. Peters Place – recommended that the Board approve the application.

The Boards professionals were sworn in.

Motion to close to the public at 8:34 pm was made by D. Fotopoulos, second by L. Davidson with ayes by all present.

Walter Hopkins, licensed Engineer in the State of New Jersey. Mr. Hopkins handed out a reduced copy of Exhibit A7. Mr. Hopkins described the property, the structure on the property and the houses surrounding the property. Mr. Hopkins stated that there is access on First and Waverly Street, it is in the RA zone and outside the flood hazard area. Mr. Hopkins stated that they met with the Board Professionals and received feedback and incorporated in the current plans. The applicant is proposing eight (8) attached town homes units approximately 1500 square feet. Each unit has a one (1) car garage and driveway which is expanded to allow for three (3) parking spaces per unit or 24 off street parking spaces. There is a comment in T&M letter regarding privacy fences, they will place small privacy fences between each unit. Mr. Oviedo asked how tall the fences would be; approximately six (6) feet.

Mr. Leckstein asked for clarification regard the driveway parking was it going to be stacked; yes.

Mr. Hopkins spoke about the fencing that is being proposed around the perimeter of the site. T&M also mentioned that they would require a variance, the applicant is respectfully request that because the fence along First Street would be six (6) feet high which would provide privacy for the units.

The applicant is willing to provide new curbs and sidewalks along Waverly and First Street. The project is below the threshold for major development. New street trees are going to be placed on First and Waverly, there will be trees, shrubs as well as a gazebo in the larger portion of the rear yard. The Board's professionals have asked for a detailed plan, the applicant agreed to provide that as a condition of approval. They don't have any plans to light the gazebo at this time. They will issue a right of way easement proposal for First Street as requested by Monmouth County that would be dedicated to them in case of future road widening.

They are also proposing a new ADA compliant handicapped ramp at the corner of First and Waverly. The units would be served by public water and sewer, regarding trash it would cans to the curbs. The storage of the refuse would be in the garage until the day of pick up. The pads on the side that was originally going to be used for storage would be removed.

At the intersection they have checked the sight distance and they are in compliance. Mr. Hopkins feels that the increase in traffic with the addition of the units would be insignificant.

In the engineers letter the ordinance requires the driveway should be 15 feet they are proposing a 12 foot driveway. They are asking for a waiver for that.

There was discussion regarding the T&M conditions in the letter. The applicant stated they will work with T&M.

Mr. Leckstein asked about the lights for the gazebo in the future; Mr. Alfieri stated that they will place that in the Master Deed that there would be no lights.

Mr. Mullan asked about the proposed draining system asked if the pipe is perforated or solid; solid pipe. There was discussion regarding the grading height.

Mr. Mullan asked that the sewer main extend to the street; no objection. Also, would requested the fresh overlay on both road. Mr. Mullan would also request a sight triangle easement; yes.

Mr. Mullan asked if the cross drain in First Street is adequate and fee of any issues carrying water; they will analyze so that they don't increase it. There was discussion regarding the pipe size. Mr. Hopkins stated that it is a county road and that issue did not come up in the review.

Mr. Alfieri stated that the county did issue an approved letter from the County. There was discussion regarding the right of way dedication.

Mr. Mullan asked that the applicant two inch pavement overlay on Waverly; yes, the applicant will agree to that.

Mr. Mullan asked for clarification for the driveway, that there will be green in between the units and not a full concrete area; Mr. Hopkins stated that there will be green in between unit as well as a paved area. Mr. Leckstein confirmed that the landscape will resemble exhibit A7; correct.

There was discussion regarding the maximum building coverage and the amount of units per acre.

Mr. Fotopoulos asked what the single family dwelling units per acre is; Mr. Mullan replied approximately 5.8 dwelling units per acre. For a two family; 11.6 dwelling unit per acre. There was further discussion regarding number per acre.

Mr. Howe asked Mr. Hopkins to describe the frontage of the units. Mr. Howe asked the canopy height of the trees on First Street. Ms. Miller stated that when the trees achieve full size the canopy will hang over the roadway. There was further discussion regarding the trees. The applicant will work with the Engineers regarding the types of trees.

Mr. Fotopoulos asked about the First Street sidewalks being close to the road; they can move it back a little. There was further discussion regarding the sidewalk.

Mr. Mullan asked if they are proposing any street lighting; no.

There was further discussion regarding the changes that are being proposed for the site plan.

Motion to open to the public at 9:12pm was made by K. Howe, second by L. Davidson with ayes by all present.

Angela Mateo, 153 Second Street – described where her house is in regards to the project. Ms. Mateo asked about the fencing; privacy. Would like as a condition of approval that the gazebo stayed unlit; yes it will be a condition of approval.

Mr. Mullan asked for confirmation of the fence and the type of fence that will be used; it will be around all units and it would be vinyl fence. There was discussion regarding the landscape along the fence.

Mike Lane, 51 First Street – where are all the air condition units going to be located; in the rear of the units. Mr. Lane asked about the stack cars and the driveway, where would the cars go when they are moving the cars out of the driveway; in the street.

Mr. Mullan asked about the rest of the utilities; not sure but he believes First Street.

Mr. McClary – asked where they are getting the utilities from, the poles. There is currently electricity from Waverly.

Motion to close to the public at 9:18pm was made and carried with ayes by all present.

Michael Testa, Licensed Architect in the state of New Jersey. Mr. Testa described the architectural plan. Mr. Leckstein noted that the landscape plan is different than what is presented on the plans. Mr. Testa stated that the units are three (3) stories; first floor would be garage with storage and small living area; second floor is the

common area with steps to the living, dining, small bathroom and kitchen area; the third floor two (2) bedrooms, laundry area and two (2) bathrooms.

The attic space would be to low for storage there would be no flooring. Mr. Testa described the rear and side areas of the units. There was clarification to where the privacy fence was going to be; between the units and around the units. The dividing fences would be five (5) feet in height.

Motion to open to the public at 9:26pm was moved by N. Vecchio, second by L. Davidson with ayes by all present.

Mike Lane – asked about access to all the floors in case of fire; Mr. Testa explained that there are patio doors in the back and larger windows on the other floors.

Motion to close to the public at 9:28pm was made by N. Vecchio, second by D. Fotopoulos with ayes by all present.

Mr. Howe asked for one clarification regarding the second floor deck on the back and the exterior light, not sure if there would be screening for the neighbors. There was discussion regarding the deck. As a condition of approval the applicant will have to submit a lighting plan.

Leonard Rubenstein owners Representative for Keyport Homes. Mr. Rubenstein spoke about the size of the driveway. The applicant felt that to have a complete concrete frontage was less appealing then having the green space in between the units.

Mr. Leckstein mentioned that one other solution was to be cutting the number of units. There was discussion regarding the reason the applicant didn't want to cut the number of units. Mr. Rubenstein mentioned that the density that works for the applicant with all the items to enhance the neighborhood. Mr. Fotopoulos asked Mr. Rubenstein to explain what he means. Mr. Rubenstein spoke about over paving to the road extending the sewer line and other enhancements. There was further discussion regarding the number of units to the offset improvements.

Mr. Mullan spoke about the sewer main extensions. There can be a trade discussed to the number of units possibly just pave to the center line of the road. Mr. Alfieri spoke about demo costs.

Mr. Rubenstein stated that the pavers will match one of the stones to carry the color from the units. There was further discussion regarding the pavers and driveways.

Motion to close to the public at 9:37pm was made by N. Vecchio, second by L. Davidson with ayes by all present.

Michael Lane, asked if the applicant invasions the homes to be homeowners or rentals; homeowners.

In the Master Deed would you include no alterations on the outside; yes. Merge of lots; yes. Mr. Alfieri stated they will merge the lots and form a Home Owners Association. Mr. Lane if the Home Owners Association will maintain the property; yes.

Elmer J. Graham – feels that the application should be approved, and that it would help the Borough.

Motion to close to the public at 9:39pm was made by N. Vecchio, second by K. Howe with ayes by all present.

James Higgins, Licensed Planner in the state of New Jersey. Mr. Higgins described the site and the existing building. They are proposing to demolish the building and build eight units on Waverly. Mr. Higgins spoke about the parking as well as the neighborhood.

Mr. Higgins stated that the units are three stories but meet the height requirement in the ordinance. The applicant is seeking a D1 variance the test for this variance would be to see the site can suited for the use being proposed. Mr. Higgins stated he has no concern for the density and fits on the site, has adequate parking. He feels that the project is appropriate for this site. Mr. Higgins spoke about the Master Plan and how this project he feels fits into the Plan. Mr. Higgins spoke about how the project fits in to the Land Use laws.

Mr. Higgins mentioned that the existing building is closer to the property line than what is being proposed. Mr. Higgins feels the positive criteria outweighs the negative criteria. Mr. Higgins stated he doesn't feel any negative impact to the neighborhood.

Mr. Fotopoulos stated he understands the desire of the applicant to have eight units because based on financial reasons, how do you get around the land use element stating in the Master Plan trying to preserve single and two family homes in the residential zone. Mr. Higgins stated that the Master Plan talks about not converting single or two family homes, it doesn't talk about taking a non-conforming lot and developing it into multi family. Mr. Higgins stated that the site would not be developed to single family homes he feels it is not feasible.

Mr. Fotopoulos stated that the only way this site would be developed would be to have at least eight (8) units. Mr. Higgins stated that if the Board tries to force fewer amount of units the applicant doesn't feel that would work for him so the alternative would be to have the site sit until someone else comes along.

Mr. Fotopoulos states the problem that they are faced with is they have a Master Plan and the density of this project was trying to be prevented. There was further discussion regarding the density on this site.

Mr. Sessa stated that he has the same issues as Mr. Fotopoulos, he feels the plan is fabulous but has an issue with the density of the plan. Mr. Higgins states that he disagrees with the issue of the density and feels the site works.

There was further discussion regarding what the Master Plan states and possibly having fewer units on the site financially.

Ms. Miller spoke about the Master Plan meetings, she stated that ideally the size lots needed for single family and two family homes. The lot before the Board it is irregular shaped lot with development on it. If you stick to two family density you would get six (6) units under the new zoning. She feels that this site with the new zoning would be six (6) units. Mr. Vecchio asked could they be three (3) or four (4) bedrooms; yes. Ms. Miller spoke about the County restrictions and what is allowed at this site right now.

Mr. Mullan spoke about a large tree on the adjourning lot number one that would have to be removed. The other item he would like confirmation on the width of the pavement, he is concerned about the on street parking. A 20 foot way paved road is narrow for two way traffic feels it is relevant to the traffic coming in and out with the stacked driveway.

Motion to open to the public at 10:12 pm was moved by K. Howe, second by N. Vecchio with ayes by all present.

Mr. McClary – is there going to be sidewalk on Waverly; yes there will be one constructed.

Mr. Lane – mentioned there is parking on only the east side and it is a very narrow street. The Planner mentioned that 1.5 spaces per unit were necessary; yes it is the Boroughs ordinance. There was discussion regarding the state RSIS parking criteria. There was discussion regarding the amount of parking needed for each unit.

There was discussion regarding what the use for an RA zone is in the 1979 Land Use Ordinance as well as the 2014 Master Plan.

Jacqueline Kovacs-Olsen 45 Church Street, Planning Board Member recused from the application – stated she was involved with the other applications before the Board where they stated they can't do it, and they came back with less units. Ms. Kovacs-Olsen feels that the street cannot handle an additional 16 cars per day. She feels a traffic study should be done. Ms. Kovacs-Olsen stated that she doesn't feel the area. The houses that are in the neighborhood that are multifamily are pre-existing.

Ms. Mateo – is happy that the houses were going to be owner not rented but feels you are placing a peacock in this area. Ms. Mateo spoke about the parking and the traffic in their neighborhood. Feels that the developer has not looked in the neighborhood. Feels that the applicant is shoving eight (8) town homes in the area. Doesn't think that this application fits in the area.

Mr. Gallo – appreciates the work and effort at the meeting. As president of Fire Patrol there have an agreement with the Borough and they pay no property taxes. The fire department can't not afford to fix up their building, and they have been sighted by property maintenance in the past. Mr. Gallo spoke about the masterplan and how the houses in the neighborhood have ended up being three and four families. Mr. Gallo stated that the fact that Waverly Street is a narrow road is not the problem of the person that is going to purchase the property it is a problem of the Borough. The Borough should have made it a one way street, the sewer is the Boroughs issue as well. He discussed previous Master Plans and the benefits of this application to the neighborhood.

Motion to close to the public at 10:28pm was made by K. Howe, second by L. Davidson with ayes by all present.

Mr. Rubenstein spoke about the feasibility of the project. Ms. Miller mentioned six units for this site; question to the Board what would be the difference between eight units that are two bed room, or three (3) two family homes with three or four bedrooms. Mr. Rubenstein spoke about density on society and municipalities. Open to all suggestions, but he has needs as well he feels to move forward a give a take. He hears the residents say cramming this project in a space or peacock. Mr. Rubenstein spoke about other town homes in the Borough. Mr. Rubenstein spoke about the positive things this project is bringing to the

neighborhood. Ms. Mateo stated that is not what she meant. She stated that the project he was speaking about was a different neighborhood. Ms. Mateo stated that it is not in her backyard.

Mr. Leckstein reminded everyone that what was done in the past has nothing to do with this application.

Mr. Rubenstein spoke about the developer's needs.

Ms. Davidson stated that the area has a lot of historic homes and feels that the project should be more in tuned with the Victorian look. More architectural pleasing, the project that is before the board is the same as everything else that was before the Board and there is no character to the units. Ms. Davidson feels it should be less density.

Motion to open to the public at 10:37pm was moved by K. Howe, second by L. Davidson with ayes by all present.

Mike Lane stated that the Planning Board has been faced with site to upgrade in the past. Mr. Lane gave some examples. Mr. Lane handed out exhibit L1 and spoke about the town homes on First Street. Exhibit L2 showed update new single family home constructions. Mr. Lane asked the board to follow the Master Plan. He spoke about the size of the units and applications that have been brought before the Board recently.

Robert Zwingraf, 36 Cedar Street – stated that it is good to have a Master Plan something to follow. Since they are talking about a RA zone that is the way it should stay. Don't want the Board to feel trapped because they gave approval to someone else.

Motion to close to the public at 10:48pm moved by L. Davidson, second by K. Howe.

Mr. Alfieri stated his client would like to vote on the application that is before the Board.

Mr. Howe stated he is struggling, feels they are trying to get a lot in a little area. Eight (8), two bedroom units low impact on the school. The testimony of the neighborhood, perhaps not the location for this project. Doesn't feel the project is in line with the Master Plan.
Mr. Sessa feels that it is to dense for this area. Possibly three (3) duplexes, six (6) unit instead. The improvements are definitely a plus.

There was further discussion from the Board regarding the density.

Motion to open to the public at 10:55pm was made by D. Fotopoulos second by N. Vecchio with aye by all present.

Tom Gallo, spoke about the road size of First Street as well as the grass that no one can do anything with since it backs First Street.

Motion to close to the public at 11 pm was made by L. Davidson, second by N. Vecchio with ayes by all present.

Motion was made to deny application by D. Fotopoulos, second L. Davidson
Ayes: K. Howe, M. Sessa, D. Fotopoulos, L. Davidson
Nays: N. Vecchio, J. Oviedo

Motion to adjourn the meeting at 11:03pm was made by K. Howe, second by N. Vecchio with ayes by all present