KEYPORT UNIFIED PLANNING BOARD

The Keyport Unified Planning Board held a Regular Meeting on August 27, 2015 which was called to order at 7:06 PM in the Council Chambers at Borough Hall, 70 West Front Street, Keyport, NJ, called to order by Roger Benedict, the Sunshine Law Notice was read followed by the Flag Salute.

Moment of Silence for Jill Gregorin the previous Planning Board Secretary,

ROLL CALL:

PRESENT: Mayor Harry Aumack II, Councilman Cooper, Terry Musson, Roger Benedict, Dennis Fotopoulos, John J. Kovacs, Robert Burlew, George Sappah, Mark Sessa, Jacqueline Kovacs-Olsen

Marc Leckstein, Attorney, Martin Truscott, Planner and Francis Mullan, Engineer

ABSENT: Juan Carlos Oviedo

Minutes from the July 27, 2015

Motion to approve moved by T, Musson, second by R. Benedict

Ayes: Mayor Aumack, Councilman Cooper, R. Benedict, T. Musson
Abstentions: R. Burlew, M. Sessa, D. Fotopoulos, J. Kovacs, G. Sappah, J. Kovacs-Olsen
Absent: J. Oviedo

APPLICATION: 15-02 NY SMSA Limited Partnership d/b/a Verizon
Blk 21.01, Lot 39
35 West Front Street
Use and Height Variance, Site Plan

Applicant has asked that the application be carried to the September meeting without further notice.

Mr. Musson stated that he feels the applicant was not prepared and should have to re-notice residents and paper. Mr. Burlew agreed with Mr. Musson.

Mr. Leckstein asked if anyone was here just for this application, no one was at the meeting just for this application. Mr. Leckstein explained that the applicant received feedback from SHPO, which involved a suggestion about the positioning/attachment of the proposed antennas and that was why the applicant asked for the application to be carried.

Motion made by J. Kovacs, second by Mr. Sessa to allow application to be carried without further notice.

Ayes: Mayor Aumack, Councilman Cooper, M. Sessa, R. Benedict, J. Kovacs, J. Kovacs-Olsen
Nays: R. Burlew, T. Musson, G. Sappah, D. Fotopoulos

APPLICATION: 15-03 Keyport Realty Development
Blk 116, Lot 1
Blk 133, Lot 1
101 Greengrove Road
Site Plan

Mr. Leckstein marked in the following exhibits:
A1 – application dated 6/18/2015
A2 – preliminary & site plan prepared by Giller, Sive & Company dated 6/18/2015
A3 – Conceptual Plan prepared by Giller, Sive & company dated 6/18/2015
A4 – Boundary & Topographic Survey dated 4/2/2015
A5 – Preliminary & Final Site plan prepared by Giller, Sive & Company dated 6/18/2015
A-6 - Site Development Plan prepared by Montoro Architectural group dated 6-27-13 revised 6-26-15
A-7 – Environmental Impact Study prepared by Giller, Sive & Company dated 6/12/15
A-8 – Traffic Impact Study prepared by Giller, Sive & Company dated 6/12/15
A-9 – Storm water Management Report by Giller, Sive & Company dated 6/12/15
A-10 – Updated Site Development Plan prepared by the Montoro Architectural group revised dated of 8/27/15
A-11- Description of light mounting for parking area – Cooper Industries
A-12- Colored rendering plan – Aerial Map dated 8/27/15
A-13- Picture of the sign in front of existing Green Grove apartments

B-1 – Bifurcated resolution dated 1/23/14
B-2 – Planning Board letter from T&M dated 7/20/15
B-3 – Keyport Environmental Commission Letter (no date)

Exhibits from Mr. Lane
L1 – Picture of parking on Williamson Street at 6:45am on a Sunday morning
L2 - Picture of parking on Williamson Street at 8:31pm on a Tuesday evening

Christopher Hanlon, Applicants Attorney, spoke about the previous application approval for 26 apartments. The applicant has returned to seek site plan approval.

Mr. Hanlon explained what variances the applicant will be asking to have approved. The site plan application has 24 units being proposed not the 26 units that were previously approved. Mr. Hanlon spoke about the changes that the Board wanted changed from the previous use variance application.

Mr. Fotopoulos asked if the applicant would continue to work with the Environmental commission to clean the stream; yes.

Mr. Burlew asked about the number of units that are currently being rented at Green Grove and how many parking spots there are; 164 apartments and 189 parking spots. Going forward Mr. Burlew would like there be a clause in the lease regarding one vehicle per application for each apartment.

There was further discussion regarding the parking spaces for the tenants on both properties.

Mr. Christopher Knight, Regional Manager of Apartment Complex for eleven years was sworn in.

Mr. Hanlon asked about the parking for the existing apartments; Mr. Knight replied that every apartment is guaranteed one spot. If the tenant doesn't have a car than they are not assigned a spot.

Ms. Kovacs-Olsen stated that assigning spots would make it worse. People don't always work the same shifts. There may be spots that can be used during the day/night from the working residents that would not be able to be used if they are assigned to a particular apartment.

Mr. Hanlon stated that there will be tags issued and the vehicles without the tags will be towed at owners' expense. There will be tow signs posted.

Mr. Hanlon stated that it would be hard to propose new rules to existing tenants but would for new tenants.

There was further discussion regarding the parking and tow signs.

Mr. Kovacs asked once the applicant owns Williamson Street will they change the name. Mr. Hanlon replied that once it is vacated they will take the street sign down.

Mr. Montoro was sworn in. Mr. Hanlon asked if he prepared the plans dated 6/26/15; yes.

Mr. Montoro described the plans, the building will consist of three floors with an attic. Part of the parking would be under the apartments, second floor would be living area. The only access to the attic would be from the stairways. Mr. Hanlon asked what the attic would contain; Mr. Montoro stated it would contain the furnace. The attic would be locked.

Mr. Kovacs asked if there was a sprinkler system; yes.

Ms. Kovacs-Olsen asked if there would be a lock box for the fire department; yes. There was discussion as to the height of the building and emergency vehicles being able to access building.

Mr. Montoro spoke about the changes in the plans. The Board requested that the closet in the den be removed, that was done. They asked that the door way be five feet, that door way will have an arch opening approximately five feet in width.

Mr. Burlew asked if there was a deck from the den; yes.

There was discussion regarding the type of variance for the height. It was agreed that it was a C variance.

Mr. Montoro spoke about the lighting in the parking area underneath the building. Mr. Mullan asked if the lights will be visible from the street. Mr. Montoro described the lighting he explained that the lights will shine directly down. You will see part of the light fixture from the street but the light would not shine on the street.

Motion to open to the public at 7:59pm moved by T. Musson, second by B. Burlew with ayes by all present.

Mike Lane, 51 First Street, asked about the elevation of the building from ground to ceiling; Mr. Montoro replied 28.1 3/8. Mr. Lane asked if that included parking area. Mr. Montoro stated they raised the second floor. There was further discussion as to the height of the building.

Motion to close to the public at 8:05pm was moved by T. Musson, second by D. Fotopoulos with ayes by all present.

Mike Geller, Engineer and Planner for applicant was sworn in.

Mr. Geller described the variance the applicant is seeking and agreed that it would be a C variance. Mr. Hanlon asked about the sign variance. Mr. Geller stated the sign they are proposing would be 18 square foot low mounted sign similar to the one in Exhibit A-13. Mr. Geller stated that there is no determent regarding sign. Mr. Mullan asked if they were going to have lights; yes they plan to light external with flood lights if the application was approved.

Mr. Leckstein confirmed that all plans are revised to 3 1/2 stories and there would be anti-towing signs on the premises; yes.

Mr. Geller discussed the engineering aspects of the plan in Exhibit A-2. Mr. Geller spoke about reconstructing Williamson Street. Mr. Hanlon asked about the driveway waiver; the reason for the waiver is that the ordinance reads it has to be 50 feet and the applicant is at 40 feet. Once the Street is vacated this waiver would not be needed because this no longer be a street just a driveway.

Mr. Geller stated there would be signs at each end of the underneath parking area stating low clearance. Once the street is vacated

Mr. Geller spoke about the site drains and how the water will now be grated – they will have a meeting with T&M regarding this. Mayor asked if they will be making a new storm water plan; yes.

There was extensive discussion regarding the storm water and water quality systems.

Mr. Geller spoke about the recreation area. The applicant has looked at the site for outdoor recreation area but feels that it will take away from the parking. The applicant is proposing an indoor community room and a recreation room (gym) for the residents to use.

Ms. Kovacs-Olsen stated that there used to be a playground behind building 15. Mr. Hanlon stated that there were problems with that location the wetlands and the surrounding residents complained about the noise. That was why it was closed. Mr. Geller stated that they applied to DEP for an LOI and they are looking at grass pavers (concrete with either grass or stone in the holes).

Ms. Kovacs-Olsen asked that they continue to look into a playground. There was discussion as to whether the Board would like to take a straw poll regarding moving the recreation area inside so that it doesn't interfere with the parking.

Straw poll on recreation area inside and 23 spot parking lot to meet parking need.

Mayor Aumack (yes), I. Cooper (yes), R. Burlew(yes), M. Sessa (yes), R. Benedict(yes), T. Musson (yes, to recreation/no to parking), D. Fotopoulos (same as Mr. Musson), G. Sappah(yes);J. Kovacs (yes), J. Kovacs-Olsen (no recreation/yes to parking)

Mr. Hanlon said they would look into it and come back with more information at the next meeting.

Mr. Geller discussed the two technical waivers, the Borough requires the outdoor parking to be screened, the applicant would like to place evergreen hedges on three sides of the parking there would be none on the north side; Mr. Mullan had no objection. The second waiver is in regards to the parking space the ordinance states that the space size should be 9' x 20' the applicant is proposing the size 9' x 18'.

Mayor Aumack asked what was being proposed of the rest of the high ground; Mr. Geller replied that there is nothing they can do with that area because it is environment conservation area. The only thing that can be done is to remove the concrete slab.

Mayor asked if that meant it would go back to nature. Mr. Burlew asked that anything taken out be replaced.

Mr. Kovacs asked who would maintain this property; the applicant.

Mr. Geller addressed the dumpster enclosure and the parking area.

Mr. Hanlon stated that to proceed with parking area this would require DEP approval with wetlands. Mr. Hanlon asked that the Board bifurcate the site. Resolution of Compliance to commence within one year. Mr. Leckstein stated that the Board would require proof. Mr. Leckstein asked what happens if DEP turns down area for parking lot; Mr. Hanlon replied that the area would not be used.

Mr. Fotopoulos asked about the traffic impact report; Mr. Geller feels there would be no significant impact.

Motion to open to the public at 10:10pm was moved and carried.

Bob Ludwig, 50 Beers Street, Apartment 6C, stated he had three concerns:

1. Fire vehicle access – Mr. Leckstein stated that would have to be approved by fire marshal
2. Consideration for access to Williamson Street for people living or visiting for parking. Feels that it is extremely important to have multiple access and site safety.

Mr. Benedict stated that this was done already. Mr. Kovacs asked about adding sidewalks.

3. Green Team/Environmental Commission spoke about whether or not there is enough seclusion for the dumpsters.

Mr. Fotopoulos is satisfied with the commitment the applicant gave today. Mr. Ludwig asked what if the applicant did not follow through with the commitment. Mr. Fotopoulos stated it would be part of the resolution. Mr. Ludwig felt there should be some type of recourse.

Mr. Mullan explained that before their performance bond being returned all work would have to be completed as stated.

Michael Lane, 51 First Street, question regarding the pump for water could applicant add fill which would raise the building. Mr. Geller replied that they are looking at other alternatives for the sewer. Raising the building isn't necessary for the sewer.

Mr. Lane questioned the parking on Williamson Street asked Mr. Knight if he observed the parking on Sunday; no. Mr. Lane handed in two pictures Exhibit L1 - Picture of parking on Williamson Street at 6:45am on a Sunday morning and Exhibit L2 - Picture of parking on Williamson Street at 8:31pm on a Tuesday evening. Mr. Lane stated that there has been a parking issue for Green grove for years. Mr. Lane asked board to approve parking spaces on Fulton and 8th Street.

Mr. Lane asked if there was a public notice; Mr. Hanlon replied that the applicant noticed all residents within the 200'. Mr. Lane felt there was a deficiency with the notice. Mr. Leckstein disagreed.

Mr. Lane asked if there would be a decorative fence to protect the easement will the fence be on the sidewalk; Mr. Geller stated that they would have to get approval from Monmouth County that is not up to the Planning Board.

Mr. Lane spoke about the conservation line to the Board as well as the outdoor recreation area.

Motion to close to the public at 10:45pm was moved by J. Kovacs, second by I. Cooper with ayes by all present.

Motion to carry this application to the September 24th meeting without further notice was moved by J. Kovacs, second by G. Sappah with ayes by all present.

Motion to adjourn meeting at 10:47pm was moved and carried.