

KEYPORT UNIFIED PLANNING BOARD

The Keyport Unified Planning Board held a Regular Meeting on December 10, 2015 which was called to order at 7:04 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.

ROLL CALL:

PRESENT: Roger Benedict, Robert Burlew, Dennis Fotopoulos, John Kovacs, Terry Musson, George Sappah, Mark Sessa, Juan Carlos Oviedo

Marc Leckstein, Attorney, Francis Mullan, Engineer and Nicholas Dickerson, Planner

ABSENT: Councilman Cooper, Mayor Aumack, J. Kovacs-Olsen

Minutes: November 12, 2015 meeting

Motion to approve made by J. Kovacs, second by M. Sessa

Ayes: M. Sessa, D. Fotopoulos, R. Benedict, T. Musson, G. Sappah, R. Burlew, J. Kovacs

Abstentions:

Absent: Mayor Aumack, Councilman Cooper, J. Kovacs-Olsen

RESOLUTION FOR V&F AUTO KUPB15-05 BLK 34 LOT 1-8

Mr. Leckstein discussed the changes that needed to be made to the resolution. Will email the final version to the Recording Secretary for distribution.

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

Ayes: M. Sessa, R. Benedict, T. Musson, G. Sappah, R. Burlew, J. Kovacs

Abstentions: D. Fotopoulos

Absent: Mayor Aumack, Councilman Cooper, J. Kovacs-Olsen

RESOLUTION FOR KEYPORT REALTY DEVELOPMENT KUPB15-03, Blk 116, Lot 1/ Blk 133, Lot 1

Mr. Leckstein explained the changes that needed to be made to the resolution. There was discussion on the changes. Mr. Leckstein will email the final version to the Recording Secretary for distribution.

Motion to approve resolution with amendments made by M. Sessa, second by T. Musson

Ayes: M. Sessa, R. Benedict, T. Musson, G. Sappah, R. Burlew,

Nays: D. Fotopolous

Abstentions: J. Kovacs

Absent: Mayor Aumack, Councilman Cooper, J. Kovacs-Olsen

RESOLUTION FOR 84 CHURCH STREET KUPB 15-06 BLK 82 LOT 6.01

Motion to approve resolution made by D. Fotopoulos, second by R. Burlew

Ayes: M. Sessa, R. Benedict, D. Fotopoulos, G. Sappah, R. Burlew, J. Kovacs

Abstentions: T. Musson

Absent: Mayor Aumack, Councilman Cooper, J. Kovacs-Olsen

NEW APPLICATIONS:

**APPLICATION: COMMON BOND LLC
 34-36 W.FRONT STREET
 BLK 61 LOT 21 &22
 PRELIMINARY AND FINAL SITE PLAN**

Exhibits A1 – As Built Floor Plans, prepared by Stefan R. Durant dated 9-24-15
 A2 – Site Plans, prepared by Noel A. Barnett, dated 9-24-15
 A3 – Aerial Exhibit, prepared by Noel A. Barnett, dated 12/10/2015
 B1 – T&M Letter dated 11/2/2015

Mr. Mirabelli, Attorney for applicant explained the application and spoke about the previous application that was approved for this location.

Nolan Barnett, Licensed Engineer was sworn in for applicant. Mr. Nolan stated the applicant would comply with the conditions on the T&M letter dated 11/2/2015. Mr. Mullan stated that T&M had no objections for waivers 2, 3, 4 & 5.

Mr. Mirabelli stated they were waiting to hear back from Monmouth County Planning Board.

Mr. Nolan explained what was granted with the use variance application. This application added a fire escape on the second floor and showed the trash/recycling enclosure under the fire escape. The applicant is seeking a waiver for parking. Mr. Mirabelli stated that the applicant agreed previously to contribute to parking fund as condition of each CO getting approved.

Mr. Leckstein stated that all conditions would be placed in the resolution of compliance.

There was discussion on the location of the fire escape and where the dumpster enclosure is. There was concern as to the dumpster catching fire and the egress and ingress to the dumpster's location.

Mr. Nolan felt that the water/sewer laterals are adequate. If there is a higher demand they will upgrade the line.

PUBLIC SESSION

Motion to open to the public at 8:06pm made by R. Burlew, second D. Fotopoulos with ayes by all present.

Robert Ludwig, 50 Beers Street, spoke about the audio damage of the construction to easement and physical damage; Mr. Nolan stated he would have to defer that to architect.

Mr. Ludwig asked about the emergency exits for the upstairs space when there is snow or ice out; Mr. Nolan deferred to architect.

Mr. Ludwig spoke about a power back up for the apartments; Mr. Nolan deferred to architect.

Mike Lane, 51 First Street, asked if the applicant spoke to anyone regarding permit parking; believes that it is not allowed. Mr. Burlew stated that he believes by Gales Hardware there is overnight parking. If there isn't overnight the applicant would have to write a letter to Council to request permit parking. There is also a parking lot on Church and First Street.

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

Stephen Durant, Architect for applicant was sworn in. Mr. Durant spoke about the air-conditioning units being placed on the roof. Exhibit A-4 shows that the units will not be seen from the street. As far as the noise they haven't looked into that.

Mr. Mullan asked the dimensions on how far back from the front the units would be; at least six feet.

Mr. Fotopoulos asked about the noise. Mr. Mullan stated that he is not an expert on this he would have to leave it to the engineer. Mr. Burlew stated that it is common to have roof top units on the building. Mr. Kovacs mentioned that there were units on the roof of Borough Hall. There was further discussion regarding roof top units and where the buildings around this application have their units.

There was discussion regarding the location for the fire escape and the possibility of moving the stairs to another part of the building.

Mr. Leckstein stated that as a resolution condition that the applicant must get Engineer and Fire Marshal's approval as to where the fire escape is going to be located. Mr. Mirabelli stated it would be the same with the trash.

There was discussion on if the applicant spoke to the recycling coordinator regarding the design for the recycling and dumpster area. This would need to go to recycling and the Board Engineer. Mr. Fotopoulos would also like the environmental commission to be allowed to give input in this matter. Mr. Mirabelli stated the applicant would comply.

Mr. Mullan asked about the roof replacement; Mr. Durant stated that the roof was just replaced.

Mr. Mullan asked about any proposed signage; applicant will be replacing the sign above the awning. Will comply with any ordinance if the applicant decides to add any new signage.

Mr. Burlew said he would work with the applicant regarding the signage.

Motion to close to the public at 8:49pm was moved by R. Burlew, second by D. Fotopoulos with ayes by all present

APPLICATION VOTE:

Motion to approve application made by D. Fotopoulos, second by R. Burlew

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

OLD BUSINESS:

**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**

Mr. Leckstein spoke about the non-license for the Engineer. The applicant's attorney supplied the information regarding the Telecommunications expert doesn't need a license.

Mr. Leckstein marked in the following exhibits:
A1 – Site plan dated 4/22/15 with revision dated 9/2/15
A2 – Survey dated 3/21/15 with revision date of 4/18/15

A3 – Radio Frequency Emission Study dated 7/16/15
A4 – Radio Frequency Analysis and Report dated 7/16/15
A5 – Approval from Monmouth County Planning Board dated 7/13/15
A6 – Photos
A-7 – New revised plans dated 11/17/2015
B1 - T&M Review Letter dated 9/15/2015

L1 - Picture taken by Michael Lane 12/10/2015
L2 – Picture of Light House
L3 – Price sheet/specifications of light house

Mr. Richard DeLucry, Attorney for applicant stated that they did re-notice for this meeting.

Mr. Fotopoulos asked if any of the owners were present; no.

Mr. DeLucry spoke about the application before the Board and went through each of the variances the applicant is seeking.

Frank Colasurdo, Licensed Architect was sworn in.

Mr. Colasurdo described the revised plans and the area. The project would consist of a small Verizon node, two (2) antenna's approximately 24" high, and two (2) radio cabinets. Applicant is proposing raised concrete for the radio cabinets. Mr. Colasurdo described the equipment cabinets and where they will be placed and the fence.

Mr. Fotopoulos asked the total height; nine feet, two inches.

Mr. Colasurdo stated that the cabinets would be the size of a small college refrigerator. The antennas will be in a fake chimney. The facility will be unmanned there will be a 24 hour silent alarm that goes directly to Verizon.

There was discussion regarding the location of the cabinets.

Mr. Burlew asked what makes this location the most desirable. There was discussion regarding other locations and the benefit of the selected location.

There was discussion as to what would be done in case there was an issue with the antenna or when the site is undergoing improvements. The engineer stated it depends on what was being done, they have different ways to handle the repairs/improvements.

Mr. Musson asked about the term of the lease; five (5) years. What happens if Verizon decides they don't need this location will they just leave the wires hanging; no Verizon would remove their equipment and wires.

Mr. Fotopoulos stated he was sorry the owner wasn't here, the lease will be five years if it has to be removed they would need the cooperation of the owner; yes. Mr. Fotopoulos asked about what if the Borough needed to make changes.

Mr. Mullan asked about the layout in the back for mechanics the width of lot is 18'.61". What is being proposed is 14' wide, how people would get in and out to park.

Mr. Musson spoke about the area between the fence and the building he wanted to know how that property would be kept clean. Mr. Kovacs asked if the cabinets could go to the property line; Mr. Colasurdo stated that he couldn't answer that.

There was further discussion regarding the parking behind the building.

Mr. Sessa asked about the sewer easement at 15 feet the plans show an electric conduct.

Mr. Leckstein asked if the lease had both property owners listed; yes. Mr. Leckstein stated that it would be a condition on the resolution to have both the owners listed on lease.

Mr. Oviedo asked if the equipment can be in the back of the building; Mr. Colasurdo stated they had it that way at one time. Mr. Oviedo stated he didn't want to see the equipment.

Mr. Mullan asked if they have ever had small network nodes in any other municipalities; Mr. Colasurdo replied that they have placed in small towns.

PUBLIC SESSION

Motion to open at 10:11pm was made by R. Burlew, second by D. Fotopoulos with ayes by all present.

Bob Ludwig, 50 Beers Street, spoke of the drawing part of application for the antenna. He asked architect if he understood they would have to come back.

Mike Lane, 51 First Street, asked about if the platform was going to be like a deck; Mr. Colasurdo replied yes. Mr. Lane said if they know of any deck that is 20 feet away from the building. Mr. Colasurdo replied he wasn't sure. There was further discussion regarding the decks of different buildings.

Mr. Lane spoke about the notice and asked why the Board was not looking for a site plan for both. Mr. Benedict stated that the applicant had explained that already.

Mr. Lane showed a picture he took on 12/10/2015 (Exhibit L1) of the back of the building. Spoke about the partially owned by the Borough and spoke about the access of the egress. Mr. Lane would like some kind of easement for the parking and structure.

Mr. Lane spoke about the waterfront and how he felt the structure wouldn't be a benefit to the town. He suggested that the applicant place a light house on the concrete platform. He felt that would be a positive impact to the waterfront. Mr. Lane gave applicant the information for the light house.

There was discussion as to whether the applicant would need to submit a full site plan as well as parking for the residents of the apartments at this site.

Motion was made by T. Musson, second by D. Fotopoulos for site plan to be submitted.

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

Mr. DeLucry asked the level of detail; Mr. Leckstein stated the Board wants to see how parking is going to be.

Motion to carry application to January meeting without further notice was made by J. Kovacs, second by R. Burlew with ayes by all present.

Motion to adjourn at 11:37pm was made and carried

The next regularly scheduled Planning Board Meeting will be Thursday, January 28, 2016.