

KEYPORT UNIFIED PLANNING BOARD

The Keyport Unified Planning Board held a Regular Meeting on February 25, 2016 which was called to order at 7:05 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: Dennis Fotopoulos, John Kovacs, Terry Musson, Mark Sessa, Jacqueline Kovacs-Olsen

Francis Mullan, Engineer, Donna Miller, Planner, Marc Leckstein

ABSENT: Mayor Harry Aumack II, Councilman Goode, R. Benedict, R. Burlew, G. Sappah, J. Carlos Oviedo,

Minutes: January 28, 2016 meeting

Motion to approve made by T. Musson, second by J. Kovacs-Olsen

Ayes: M. Sessa, T. Musson, D. Fotopoulos, J. Kovacs, J. Kovacs-Olsen

Abstain:

Absent: Mayor Harry Aumack II, Councilman Goode, R. Benedict, R. Burlew, G. Sappah, J. Oviedo

VOUCHERS:

Asbury Park Press- Annual Notice	\$75.50
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NJPO Training for two members	\$110.00
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Motion to approve moved by J. Kovacs, second by T. Musson with ayes by all present.

COMMUNICATION

Letter from P. Mirabelli asking for an extension on M. Cummins application, 44 Beers Street, Block 22, Lots 30 & 13 (KUPB 13-06)

Motion to approve extension for one year moved by T. Musson, second by J. Kovacs

Ayes: M. Sessa, T. Musson, D. Fotopoulos, J. Kovacs, J. Kovacs-Olsen

Absent: Mayor Harry Aumack II, Councilman Goode, R. Benedict, R. Burlew, G. Sappah, J. Oviedo

Referral to Planning Board by Mayor and Council as to dock permitting process

Mr. Leckstein spoke to the Borough Clerk and would recommend the Board to carry over to the March meeting when Mayor Aumack and Councilman Goode are present so that a subcommittee can be formed.

Motion to carry over to the March meeting was moved and carried.

OLD BUSINESS

**APPLICATION: 15-02 NY SMSA Limited Partnership d/b/a Verizon
Blk 21.01, Lot 38, 39
35 West Front Street
Use and Height Variance, Site Plan**

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
A7 – New revised plans dated 11/17/2015
A8 – Photo Simulation dated 2/11/2016
A9 – Revised Plans dated 2/8/2016
A10 – Letter dated June 30, 2015 to Keyport Historical Society

B1 - T&M Review Letter dated 9/15/2015
B2 – T&M Review Letter dated 2/23/2016

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

Mr. DeLucry spoke about the application that has been before the Board and the changes that the applicant has made. He spoke of the professionals that will testify on behalf of the applicant. Mr. DeLucry spoke about the December 10, 2015 plan that had the equipment compound in the rear yard and that the Board had expressed their concern regarding the location. The application that was before the Board has relocated the equipment compound to the Verizon building on Maple Place and the only equipment that will be on the building would be a small node placed on the side of the building and two antenna's enclosed.

Mr. Leckstein stated that since there are only five members that are present all would have to approve the application. Mr. DeLucry asked if they could present the rest of the application and submit the transcript for the other members to read and be carried to the next meeting. It was agreed that the application would be carried over to the April Planning Board meeting to be voted on.

Frank Colasurdo, Licensed Architect was reminded he was still under oath was sworn in. Mr. Colasurdo walked the Boardmembers through the changes. He explained that the cabinet and concrete foundation was removed and they are now going to use a land line which is located at 32 Maple Place. The antenna that was going to be in the rear of the building is now going to be on the roof, and both antennas are going to be placed in a fake chimney so that they aren't seen by the public. We will have a smaller cabinet on the side of building to help the antennas receive the signals.

There was discussion regarding the cabinet as well as the antennas being supported by on the roof. Mr. Colasurdo felt that the existing roof will hold the antennas and if he felt there would be an issue they would secure the roof.

Mr. Leckstein asked if there would be enough room for the routine truck in the back to circulate whatever the truck needs to do; yes.

Mr. Musson asked for clarification as to where the cabinet would be located; Mr. Colasurdo explained it would be on the outside wall.

Mr. Mullan asked for dimensions of the cabinet; 20 inches deep, 43.9 inches tall and 24 inches wide. Mr. Colasurdo said it is smaller than a college refrigerator.

Mr. Mullan asked if it would be easily serviceable by the tech person from the roof; it's four feet. The top of the cabinet is 4 feet, above the roof. There was further discussion regarding the cabinet.

Mr. Fotopoulos asked if the owners were present at the meeting. Mr. DeLucry replied no. There was discussion as to why the owners weren't present at the meeting.

There was discussion on the brick and whether the bricks were in good shape.

Motion to open to the public at 7:34pm was made by T. Musson, second by J. Kovacs-Olsen with ayes by all present.

Bob Ludwig, 50 Beers Street, asked if anyone checked the consistency of the design with the redevelopment plan that is going on in the area. He stated that there is a study being commissioned by the Borough to figure out how they want to dress up the back of the area, has anyone looked at that? Mr. Fotopoulos replied no. Mr. Mullan suggested that the nature of the proposed improvements would not impede any redevelopment in the area.

Mr. Ludwig stated that he had concerns about the extent of the commitment.

Mr. Fotopoulos asked about the lease agreement; Mr. DeLucry stated that he will provide a copy for Mr. Leckstein's review. Mr. Fotopoulos asked if the Board could see it; Mr. Leckstein can share it they will redact the financial terms.

Motion to close to the public at 7:37pm moved by J. Kovacs, second by J. Kovacs-Olsen with ayes by all present.

Margaret Lyons was reminded that she was still under oath from the last hearing. Mr. DeLucry asked Ms. Lyons if she had the opportunity to review the changes of the application; yes. Ms. Lyons was asked about the old bank building and whether that would be a better site for the antennas. Ms. Lyons explained why that site wouldn't work and why the proposed site is the best location for the antennas.

There was discussion as to why the antennas could not be placed closer together and the type of roof on the proposed building.

Mr. Fotopoulos asked how long companies have used building mounted antennas; Ms. Lyons replied that they have been going on roofs over 30 years. There was further discussion regarding the antennas.

Mr. Fotopoulos stated if this application was approved would the Board be inclined to approve others; Ms. Lyons stated she disagreed with that. There was a discussion on the distance between how far the antennas would have to be.

Motion to open to the public at 7:50pm was made by T. Musson, second by J. Kovacs-Olsen with ayes by all present.

Bob Ludwig, 50 Beers Street, asked about the purpose of the rear-facing antenna; Ms. Lyons stated to help with the coverage down the waterfront. What about the front facing one; Ms. Lyons explained that the front one of the building is for Front St, Main Street, down towards Broad. Mr. Ludwig confirmed that it is not a repeater; yes.

Mr. Ludwig asked about a backup power; Mr. Colasurdo replied there is a battery backup underneath the cabinet. There are four batteries that hold about 40 to 60 minutes for each battery.

Meeting was close to the public at 7:54pm was moved by T. Musson, second by J. Kovacs-Olsen with ayes by all present.

Ms. Tsavia Adar, Planner with Dewberry was sworn in. Mr. DeLucry asked if Ms. Adar to confirm that she was the person that prepared the photo simulations marked as Exhibit A-8; yes.

Ms. Adar described the site for the application and the variances they are requesting. Ms. Adar described each of the photos and from where they were taken.

Mr. Sessa asked about the noise that would come from the unit; Ms. Adar stated that it is minimal.

Mr. Musson asked if the equipment mounted on the side would encroach to the other property; Ms. Adar replied yes. Mr. Leckstein state that there will have to be some sort of easement recorded that binds these two properties together for this use. There was discussion as to what would be needed.

Ms. Adar felt that this application has no detrimental effect to the town. Ms. Adar felt that the applicant listen to all the Board's concerns and made the changes to the application.

Mr. Fotopoulos asked that the State was mentioned a couple of times during Ms. Adar's presentation. He asked if it was the State Historical; Ms. Adar replied the preservation office. There was discussion as to whether the state understood what area Ms. Adar was talking about in Keyport. Mr. Fotopoulos asked if they spoke to anyone from the Keyport Historical Society; Ms. Adar replied no. There was further discussion on the Historical Society and the Masterplan.

Motion to open to the public at 8:29pm moved by T. Musson, second by J. Kovacs with ayes by all present.

Bob Ludwig, 50 Beer Street, agreed with Mr. Fotopoulos regarding contacting the Historical Society. Mr. Musson stated the Historical Society is a society that collects antiques. Anyone from Historical Society could have been at the meeting and gave their input.

Mr. DeLucry stated that they have a letter dated June 30, 2015 that was addressed to the Keyport Historical Society advising them of the application.

Mr. Ludwig spoke about the public notification, he stated that people have said they didn't receive any notice. Mr. Leckstein asked if he was referring to this meeting; yes. There was discussion regarding the process and responsibility of the applicant to notice the residents within 200 feet of the application.

Motion to close to the public at 8:35pm was moved by J. Kovacs, second by J. Kovacs-Olsen with ayes by all present.

Mr. DeLucry went through the T&M letter and felt all issues have been addressed. Mr. Mullan agreed and no objection moving forward.

Mr. Fotopoulos wanted to confirm the comment he had made earlier regarding additional applications that might come before the Board each application is case by case. If AT&T came in and the Board we could deny the application. Mr. Leckstein explained that every application is its own.

Mr. Leckstein asked to take a five minute recess so he may talk to the Boardmembers. Motion to go into closed session at 8:51pm was moved by J. Kovacs-Olsen, second by T. Musson with ayes by all present.

Motion to re-open the meeting at 8:57pm was moved by J. Kovacs-Olsen, second by T. Musson

Roll call: M. Sessa, T. Musson, D. Fotopoulos, J. Kovacs, J. Kovacs-Olsen

Motion to carry application to the March meeting to vote on moved by J. Kovacs, second by J. Kovacs-Olsen with ayes by all present.

Motion to adjourn at 9:00pm was moved and carried.