

The Keyport Unified Planning Board held a Regular Meeting on August 26, 2021 which was called to order at 7:03 PM. The meeting was called to order by Mark Sessa, the Sunshine Law Notice was read followed by the Flag Salute.

Roll Call: Mayor Kennedy, H. Aumack, K. Howe, J. Oviedo, D. Pacheco, M. Sessa, N. Vecchio, W. McDermott, G. Kotzas

Absent: Councilmember Davidson

Professionals were sworn in: Fran Mullan, Engineer and Kendra A. Lelie, PP, AICP, LLA

Minutes: July 22, 2021

Motion to approve was made by H. Aumack, second by K. Howe

Ayes: Mayor Kennedy, H. Aumack, K. Howe, D. Pacheco, M. Sessa, N. Vecchio, W. McDermott

Abstain: J. Oviedo, G. Kotzas

COMMUNICATION: Coastal Permit Application for 149 West Front Street

Email from Environmental Commission Chair regarding Brown's Point Marina

Email and Resolution from the Clerk's office regarding the Reinstating the Designation of Mariners Village at Keyport Urban Renewal, LLC as Redeveloper

Motion to receive and file was made by K. Howe, second by D. Pacheco with ayes by all present.

**RESOLUTION: KUPB # 21-04
31 WEST FRONT STREET, LLC
31 WEST FRONT ST
BLK 21.01 LOT 41
PRELIMINARY AND FINAL SITE PLAN**

Motion to approve was made by H. Aumack, second by N. Vecchio

Ayes: Mayor Kennedy, H. Aumack, K. Howe, D. Pacheco, M. Sessa, N. Vecchio, W. McDermott

Abstain: J. Oviedo

**CARRIED APPLICATION: KUPB 17-07
357 WEST FRONT STREET, LLC (BrownsPoint Marina)
BLK 20, LOTS 1,2,3,5,6,6.01,7,9, 11.01, 13 & 14
REQUEST FOR EXTENSION OF PREVIOUS APPROVAL
WHICH EXPIRED ON DECEMBER 12, 2020**

APPLICATION: KUPB 20-01
357 WEST FRONT STREET, LLC (BrownsPoint Marina)
BLK 20 LOT 9,11.01, 13, 14 & 14.01

Motion to carry to the September 23, 2021 meeting without further notice was moved by K. Howe, second by Mayor Kennedy

Ayes: Mayor Kennedy, H. Aumack, K. Howe, D. Pacheco, M. Sessa, W. McDermott, G. Kotzas

Abstain: N. Vecchio

Mr. Pape mentioned that he didn't receive the two correspondences; D. Nellis stated she will check and resend Mr. Pape the information.

APPLICATION: KUPB # 21-03
HUDSON POINT
75 MANCHESTER
BLK 120, LOT 8 & 9
BLK 130 LOTS 42, 48, 49, 50, 51 & 52
PRELIMINARY AND FINAL SITE PLAN APPROVAL

Exhibits: A1 - Boundary and Topographic
A2 – Architectural prepared by James Hopkins
A3 – Site Plan dated 10/30/20 last revised 5/14/21
A4 – Letter May 18 addressing T&M review
A5 – Stormwater Management Report
A6 – Traffic Report
A7 - Environmental Impact Statement
A8 - Potable Water report
A9 – Sanitary Sewer
A10 - Colorized version of Site Plan Map
A11 – Colorized version of Architectural drawing
A12 – Colored schemes for the buildings
B1 – T&M Letter dated July 30,2021
L1 – Pictures taken by Mr. Lane – drainage ditch south side of trail

Mr. Alfieri explained that he is the Attorney representing the Hudson Pointe Redevelopment Plan. Mr. Alfieri stated that he had three (3) witnesses that would present at the meeting.

Mr. Hopkins, Engineer for the applicant spoke about the property and the surrounding properties around the project. He described the design, he stated there would be two (2) larger buildings that would have 24 units in each, there would be 44 two bedroom units and four one bedroom units. There would be six (6) duplexes, 12 units that would have three bedrooms, two single family houses with three bedrooms and one two family house each having two bedrooms. There would be a club house by the Henry Hudson trail. The parking spaces will be 9x18 and have a handicapped space, proposing new curbs and sidewalk. Inside project will have pedestrian access between the duplexes – north of the Henry Hudson Trail. They met with the Monmouth County park and they will add landscaping as required. The distance between the Club house from the trail is eight feet which makes them lose five parking spaces bring the total spaces to 130, only 128 parking spaces are required.

There was discussion regarding the distance that was proposed to what the distance was changed to from the Club house to the trail.

Mr. Hopkins explained that they will be having a private refuse hauler for the dumpster and the other units would be the trash cans to the curb to have it picked up, this will also be done by a private hauler. They units will be using public sewer and water.

The water quality enhancement will have roof leaders with and underground system that releases to the Henry Hudson trail, it will meet all DEP requirements.

There was discussion regarding the correct amount of parking spaces that the applicant has proposed.

Mr. Aumack asked about removing the parking spaces; Mr. Hopkins spoke about the spaces for the club house. Mayor Kennedy mentioned that she is in favor of losing the club house. Mr. Alfieri stated that his client is okay with removing it.

Mr. Oviedo was concerned that there would not be enough recreation area for the children; Mr. Hopkins mentioned that they could have some type of outdoor recreation. Mr. Mullan spoke about the age group for the possible outdoor recreation area, he asked if there would be swings or a fitness system. Mr. Howe asked if it would be open to the public and who would maintain the area. Mr. Alfieri stated it would be maintained by the developer. Further discussion regarding the outdoor recreation area.

Mr. Mullan asked if they could describe the Maple Place improvements and the designated parking spaces. Mr. Alfieri explained that the management will control onsite parking and residents would have permits. Mr. Mullan asked if the permits would be tenants or owner; there was discussion whether these units would be sold or rented. Mr. Alfieri stated it would depend on the demand.

Mr. Hopkins explained that the extension would be paved, there would be parking on either sides. The developer would maintain the area.

Mr. Leckstein confirmed 135 spaces; Mr. Vecchio asked if that included the public parking on Maple Place. Mr. Hopkins stated he would check on the numbers. Mr. Alfieri feels that there is adequate parking. Further discussion regarding the parking spaces that are available.

Mr. Oviedo stated that he would like to see a green area instead of the Club House with a park, maybe a barbecue and chess set.

Mayor Kennedy asked if the Fire Marshal has reviewed application concerned with the middle island. Mr. Howe stated that he believes that the fire apparatus would be able to get into the area.

Mr. Mullan asked about the two family house on 7th Street he wondered if the house could be shifted to the left to give more depth to have a two car driveway; Mr. Hopkins mentioned that it was the minimum lot size, he would look into the suggestion.

Mayor mentioned at the community meeting it was suggested to only have that location as a single family home; Mr. Alfieri stated that the two family home is replacing the existing two family home that is already on the property.

Mr. Mullan mentioned that he believes that instead of four cars side by side they might do a two car single wide driveway. Mr. Leckstein confirmed that Mr. Mullan suggested a 2x2 driveway instead of four cars across. Further discussion regarding the possibilities of different driveways.

Mr. Hopkins spoke about the setback of the building and explained the property line is 50 feet from the building. There was discussion regarding what variances would be needed and if the applicant did notice for any variances. Mr. Alfieri read their and it was included in their notice.

Mr. Mullan mentioned that they should ask for 40 feet yard setback, they would need 20feet to access the driveway and 40 feet for the left rear yard.

Mr. Leckstein, the variance would be 10 feet rear yard for the 7th family home.

Mr. Mullan mentioned that in the redevelopment it mentions Club House but does not allow for a playground. The applicant would have to consider a waiver. Ms. Lelie read the four uses that is included in the redevelopment plan.

Mr. Hopkins mentioned that there would be two gazebos and three charging locations on the property. They would have a six-foot vinyl fence, 384 shrubs and 283 trees. There will be decorative lighting by the trail.

Mr. Alfieri stated if the Board grants the approval of the application they would work with T&M regarding the landscaping as well as the signage. Mr. Howe asked if they are planning on removing the landscape junk in the corner of the property; yes.

Mr. Howe asked if they were tying into the water supply on Manchester; yes, Mr. Hopkins mentioned they also are connecting to Fulton Street.

Mr. Aumack mentioned that there was an eight-inch line on Fulton which would be good for fire suppression.

There was discussion regarding the stormwater and where the water would flow to.

Mr. Howe confirmed that all utilities would be underground; yes.

Mayor stated she was concerned that there are only two dumpsters on the property, she asked if they could possibly add another one. Mr. Hopkins explained that there was not enough room but they can have it picked up more than once a week. Mayor mentioned the neighbors and the noise of the trucks. Further discussion regarding the dumpsters and the amount of times they would be emptied.

Mr. Vecchio asked about the Maple Place fence; Mr. Hopkins explained it was six-foot vinyl fence. Mr. Vecchio asked if they would consider four feet open fencing or three feet solid; Mr. Hopkins spoke about the redevelopment requirements. There was discussion regarding height of fence and type of fencing that could be used as well as additional landscaping.

Mr. Aumack asked about the fire hydrant on Maple Place/Manchester he is hoping that it is a new hydrant and just moved back, Mr. Aumack stated that he feels this is a perfect location for the hydrant' Mr. Hopkins stated it is just moved back. Mr. Aumack asked if they would consider adding another hydrant on the south side; Mr. Hopkins stated that they will comply with whatever the Fire Official recommends.

Mr. Leckstein asked about the single family homes; Mr. Alfieri stated that those would be sold.

Mr. Vecchio mentioned that the front yard is three feet; Mr. Mullan explained three feet along road frontage but rear is six feet. Mr. Leckstein confirmed that the rear property, the side coming off Manchester that fence was staying at 6 feet. Mr. Howe asked if the fence goes all the way to East 7th. There was further discussion regarding the fencing.

Motion to open to the public at 8:12 PM was made and carried.

Frank Muccino, 15 Haven Way – asked if the stormwater under the trail would that cause more water on his property. Mr. Hopkins replied that the amount of water run off should improve with the system they are installing.

Christa Weston, 64 Fulton Street – stated her house is right behind the dumpster and she asked how far the dumpster is from the fence; Mr. Leckstein stated it was right behind the dumpster. There was discussion regarding the dumpsters; Mr. Mullan requested that the applicant have a self-closing lid that is rainproof. He explained that this is common practice and should be on both the refuse and recycling dumpsters; Mr. Alfieri agreed.

Joe Walling, 197 7th Street – spoke about the parking, explains what happens when houses have three to five cars where would they park. He also mentioned that there is a lot of wild life that live in the area. Mr. Walling asked if the lights would be staying on while the residents are trying to sleep. Mr. Mullan asked where his house was located; he showed him on the map. Mr. Mullan stated that at the present time they are presenting that there would be a six-foot-high vinyl fence and then go to three feet.

Mr. Walling stated he was concerned with the dumpster and the parking. Mr. Hopkins spoke about the lighting on the site. Mr. Mullan asked if the residents had a concern after they were installed they would be addressed.

Mr. Leckstein asked about the two-family dwelling; Mr. Alfieri stated that goes to the owner.

Mark Zibro, 3 Maple Place – said they spoke about the condos, duplexes what about the little house. He spoke about stripping the spaces to put seven cars he mentioned that he has five cars for his house. There was discussion regarding the seven spaces; Mr. Hopkins mentioned that there was a driveway, he suggested parking the cars side by side.

Mr. Zibro asked if they were going to put his utilities underground as well; Mr. Hopkins stated that would be up to JCP&L.

Mr. Zibro asked if there was going to be more U-turns by his house; they don't anticipate that happening.

Mr. Hopkins stated that by the parking there would be a six-foot high fence and on the other side of the fence would be landscaping. It was asked if the landscaping was on Mr. Zibro's property; yes. Mr. Leckstein asked if Mr. Zibro was aware of this.

Mr. John Kling, Property Owner of application; explained that there would be a six-foot high fence, then a five-foot sidewalk and buffer it would be approximately 10 feet.

There was discussion regarding the landscaping being in Mr. Zibro's yard and that it would be his responsibility for the upkeep of the plants. There was some discussion regarding removing Mr. Zibro's chain link fence; Mayor Kennedy stated that there had to be a fence because of the pool in his yard.

Mr. Zibro mentioned that it is a dead end what happens when there are parties there would be no parking for him when he gets home. Mr. Aumack asked if the seven spots on Maple Place are resident parking only; Mr. Hopkins replied no.

Mr. Kotzas asked if the developer was going to give parking permits to the surround residents for parking; Mr. Alfieri stated that they don't have extra parking for that. Mr. Leckstein stated that residents are not entitled to five on street parking spaces.

Len Rubenstein, 31 Worthily Street, Red Bank - Partner of the property asked Mr. Zibro if they possibly could remove his fence, replace it with a vinyl fence and then they would plant several species of plants taller than wide, they would work with T&M to decide what plants would work. Mr. Rubenstein stated that they will work with T&M to see what fence would give Mr. Zibro the most privacy from the headlights.

Mr. Zibro asked about the underground utilities, Mr. Leckstein stated that they will not change the posts. Mr. Rubenstein stated that he can ask them to add them to add them. Mr. Rubenstein mentioned that the parking lot will be paved with curbing all around.

Mr. Leckstein confirmed that as a condition the landscape and fencing on the property would be worked out with T&M; yes. Mr. Mullan mentioned that he would give his recommendations but feels that it would be a private matter.

Michael Lane, 51 First Street, spoke about the dumpster enclosure on the west side he mentioned per the ordinance there should be an enclosure gate; Mr. Hopkins stated that they would comply with the ordinance.

Mr. Lane asked if there was a bumper so the cars couldn't go over the sidewalk; there is a curb.

Mr. Lane spoke about the environmental report from Beacon in 2019 regarding asbestos; Mr. Alfieri stated that his client purchased the property and will have to get a demo permit and it would be monitored for the asbestos.

Mr. Lane spoke about the floodway ditch by Green Grove and Fulton (Exhibit L1) the drainage ditch on the south side of the Hudson trail. There was further discussion regarding the drainage in the area; Mr. Alfieri stated that they had a legal obligation for the stormwater drainage, he stated he has to apply to the Monmouth County Board if they have a problem with this area they will address it.

Mr. Mullan asked Mr. Hopkins to describe the grading discharge and how it would function; Mr. Hopkins stated that it would have to be modified since the club house is being removed. Mr. Mullan asked about the existing pipe; there is a 24" concrete pipe. There was further discussion regarding the water runoff.

Mr. Lane asked spoke about the pipe underneath Manchester. He stated that there are multiple sources feeding into the ditch; Mayor Kennedy mentioned that they can ask the County to televise the pump. Mr. Mullan stated that would be a reasonable request for the municipality. Mayor asked if the County denies can they ask for permission. Further discussion regarding the pipe.

Christa Weston asked if the ground behind her was going to level; Mr. Hopkins stated it would be built up. Ms. Weston confirmed on top of that would be a four story building. Mr. Hopkins stated it is a four story building, three feet from the edge of the property. Ms. Weston asked about the run off into her property. Mr. Hopkins spoke about the run off explained it wouldn't go into her property.

There was discussion regarding the height of the building in regards to Ms. Weston's house. Ms. Weston spoke about how the existing trees that are on the property messed up her patio; Mr. Alfieri stated that Mr. Klein purchased the property and is ready to demo the building and they will be removed. Mr. Alfieri agreed to clean the back of the property within two weeks.

Mark Zibro mentioned the survey on his property it looks as though the street is going to be higher than the driveway; Mr. Hopkins stated that he was not part of the design team, that is not what is attended. There was discussion regarding the subject's driveway and the pitch to the street.

Motion to take a five-minute break at 9:49PM was made by K. Howe, second by N. Vecchio with ayes by all present.

Roll Call at 9:55PM, Mayor Kennedy, H. Aumack, K. Howe, J. Oviedo, D. Pacheco, J. Royster, M. Sessa, N. Vecchio, W. McDermott, G. Kotzas

Mr. Sessa reminded the applicant that they have a 11PM curfew.

Mr. James Monteforte, Architect spoke about the plans that were submitted, he described exhibit A-11. He mentioned that the corridor goes through the building, they turned the balconies to minimize the backyard view for the neighbors. Mr. Leckstein asked if there were any balconies facing the back; just the ones in the middle.

Mr. Monteforte stated that each building had a sprinkler system and elevator. Each unit had their own storage area as well as their own laundry. There was no basement.

Exhibit A-12 is the material of the buildings; Mr. Monteforte described what color each of the buildings would have as well as the type of material they would use.

Mr. Monteforte stated that the duplexes are three stories, the first is parking and den, second floor living space, third floor are the bedrooms. The mechanics for the duplexes are in the back under the deck.

Mr. Howe asked if the two-family houses would blend into the neighborhood; yes, same quality. Mr. Howe stated that the stone work on the bottom might not fit in. Mr. Monteforte stated that there was no stone just siding. Mr. Howe asked that they please make them fit in with the neighborhood.

There was discussion regarding what type of siding was being used. Mayor Kennedy asked if the three duplexes were going to be similar; yes.

There was discussion regarding the lighting for the patio's as well as the gazebo. For the gazebo there would be a ceiling light and possibly an electric outlet.

Motion to open to the public at 10:10PM was made by K. Howe, second by Mayor Kennedy with ayes by all present.

Christa Weston asked about the amount of windows in the back; only bedrooms were facing the back.

Motion to close to the public at 10:14PM was made by Mayor Kennedy, second by N. Vecchio.

Mr. Alfieri stated that the applicant had no further testimony.

Mr. Mullan explained that they had no objections to the waivers listed in their review letter.

Mayor Kennedy mentioned that the Board did receive the current 200 foot list.

Motion to open to the public at 10:16PM was made Mayor Kennedy, second by N. Vecchio

Christa Weston, said she wasn't happy that there would be a four story building in her backyard as well as a dumpster. She asked the height of the trees that were going to be; the planner mentioned that they are proposing 14 feet for the coverage.

Ms. Weston mentioned that she never floods what happens if she starts getting flooded, Mr. Leckstein stated if that happens they would have to fix it.

Mr. Mullan added that Ms. Lelie would work with the applicant to go over the landscaping; Mr. Alfieri agreed.

Mike Lane, 51 First Street, spoke about the site plan feels that there should be a final site plan; Mr. Leckstein asked what Mr. Lane thought it was missing. Mr. Lane stated that there wasn't written letters from the zoning, traffic, fire official, Board of Health and Borough Engineer. There was discussion regarding distributing the application to the different departments and receiving their response. Mayor questioned whether the applicant would have to meet the fire codes; yes.

Motion to close to the public at 10:29PM was made by K. Howe, second by Mayor Kennedy with ayes by all present.

Motion to approve application was made by K. Howe, second by D. Pacheco

Ayes: Mayor Kennedy, H. Aumack, K. Howe, J. Oviedo, D. Pacheco, J. Royster, M. Sessa, N. Vecchio, W. McDermott

Motion to adjourn at 10:31PM was made by K. Howe, second by D. Pacheco with ayes by all present.