

KEYPORT UNIFIED PLANNING BOARD

The Keyport Unified Planning Board held a Special Meeting on February 6, 2019 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 Roger Benedict, the Sunshine Law Notice was read followed by the Flag Salute.

ROLL CALL:

Present: Mayor Kennedy, Councilman Goode, M. Sessa, H. Aumack, R. Benedict, L. Davidson, K. Howe, D. Pacheco, N. Vecchio, J. Oviedo, J. Royster

Attorney Marc Leckstein was also present at the meeting.

PROFESSIONALS SWORN IN

MINUTES: January 24, 2019

Motion to approve was made by R. Benedict, second by K. Howe with ayes by all present.

RESOLUTION KUPB 04-19 - APPOINTMENT OF T&M ASSOCIATES AS CONSULTING PLANNING BOARD ENGINEER AND PLANNER FOR THE TERM OF ONE YEAR, JANUARY 1, 2019 TO DECEMBER 31, 2019

Mr. Leckstein explained why the resolution is needed so that T&M can complete any applications that are still pending.

Motion to approve was made by R. Benedict, second by Councilman Goode with ayes by all present.

OLD BUSINESS:

**APPLICATION: Keyport Professional Plaza, LLC
25 East Front Street
KUPB 18-04
Block 80, lot 1.02
Use Variance/ Site Plan**

Mr. Leckstein explained that since the Borough adopted a new zoning ordinance that the use variance is no longer needed on this application and that the Mayor and Councilmember can vote on the application.

Mayor Kennedy and Councilmember are able to vote on application. Councilman Goode stated that he listened to the tapes and will participate. Mayor Kennedy stated that she will participate in the meeting but would like to abstain from voting since she was unable to listen to all the tapes.

Mr. Pacheco and Ms. Royster will participate but were not able to listen to the recording so they could not vote on the application.

Mr. Clarkin introduced himself to the Board. Mr. Clarkin asked how many Boardmembers are eligible to vote; Ms. Nellis stated there are seven Boardmembers and one alternate that would be eligible to vote.

Mr. Clarkin explained that the applicant was before the Board on December 13 and since that meeting the Council adopted a new zoning ordinance which now permits a mix use like they are proposing and has also changed the height variance up to 70 feet. Board Attorney does agree that the ordinance is applicable with the application. The change in the ordinance has changed the applicant and they no longer needed the use and based on the architects' presentation tonight the applicant will no longer need a height variance.

Mr. Leckstein asked if the applicant's attorney and the attorney for the town home came to an agreement.

Mr. Clarkin read to the Board the ten items that the applicant and the town home attorney Mr. Keatts has agreed to.

1. Improve the dumpster and enclosure
2. Make all sidewalk and curb repairs
3. Limit access for waste management vehicles from East Front Street only
4. Direct all construction delivery vehicles to access the property only from East Front Street
5. Install temporary construction fencing in a way that will not interfere with the driveway/easement between the condominium units on the applicant's improvement
6. Erect a stop sign at the exit to the garage
7. Add signage directing vehicles to exit in an easterly direct and provide traffic arrows on the pavement
8. Erect a "private parking only" sign identifying six (6) parking spaces for use by the condominium owners only
9. Limit the easement/alley to one-way traffic pattern with all traffic heading east and providing signage to effectuate same
10. Increase the number of reserved parking stalls for the condominium owners from five (5) to six (6)

Mr. Leckstein asked Mr. Keatts if those conditions were acceptable; yes.

Mr. Leckstein stated that ten (10) items will be a condition of approval of the resolution; Mr. Clarkin agreed.

Exhibit A23 – New Architectural Plans dated 1/22/19
Exhibit A24 – Front of Building on East Front Street with details
Exhibit A25 – Rear of the building
Exhibit A26 – Google Earth view of First Street
Exhibit B3 – T&M letter dated 2/1/19
Exhibit L4 – picture of a structure that is on the existing site
Exhibit L5 – Aerial view of site

Mr. Keatts, Attorney for the townhomes, thanked the applicant for accommodating them on the issues. Mr. Keatts asked if all the conditions that were agreed on would be part of the resolution if the application is approved; Mr. Leckstein replied yes.

Mr. Rick Perez, Architect for applicant, described exhibit A24 and A25 to the Board. Mr. Clarkin went through the T&M letter dated February 1, 2019 with Mr. Perez. There was clarification that there were no apartments on the basement floor. Mr. Clarkin confirmed that the apartments were going to be studio, one and two bedrooms; yes. Mr. Clarkin asked if all the apartments were going to be at least 675 square feet; yes. There was further discussion regarding the T&M letter.

Mr. Clarkin stated that they will still need the parking variance. Mr. Clarkin asked what the maximum building height will be; 64 feet 4 inches it would be less than the 70 feet in the ordinance. There was discussion regarding how Mr. Perez calculated the height.

Mr. Clarkin mentioned at the last meeting there was question regarding the visibility of their building from the shore line. Mr. Perez introduced exhibit A26 he explained that their building will be blocked off from the view by the town homes.

Mr. Truscott wanted to make clear to the Board that the elevation is 64 feet not 64 feet. The ordinance allows the elevation 70 feet and they are six (6) feet below that.

Mr. Perez described the exhibits. Mr. Mullan asked that Mr. Perez to describe the height of the building from the sidewalk. There was further discussion regarding the exhibits.

Mr. Leckstein asked if the application was approved would the building look like the exhibit; yes.

Mr. Aumack stated he listen to the tape, you spoke about garbage and parking he didn't know if they spoke about the way they were planning on protecting the existing building from a fire. Mr. Aumack asked what is protecting the new building; Mr. Perez stated that it will be a steel structure will have a concrete slab and two hour fire wall. There was further discussion regarding the sprinkler system and the building and fire codes.

Motion to Open to the Public:

Motion to open to the public at 7:27pm was made by K. Howe, second by N. Vecchio with ayes by all present.

Michael Lane, 51 First Street, stated he lives within 200 feet of this project. Mr. Lane stated that he was impressed by the architectural drawing and is happy that the conditions were worked out with the townhomes. Mr. Lane asked about the site triangle, he feels that needs to be looked at.

Mr. Marinelli, stated that the access point off of First Street is existing. They are changing it any way. They can look at it in a site triangle perspective as a condition of approval. Mr. Marinelli stated that the site has been there a long time and is not aware of any issues.

Mr. Leckstein stated that they can make as a condition of approval that they have to prove to the Board Engineers that there is no site triangle issue.

Mr. Lane handed Mr. Clarkin and the Board Exhibit (L-4) which was a picture of the structure previously on the site. Mr. Lane asked applicant about structure. Mr. Marinelli stated that the structure is not on the proposed site. It is on lot 1.10 which is part of the town homes. Mr. Marinelli stated that he believes it is a pump station. There was further discussion regarding the location of this structure, it is agreed that. There was further discussion regarding the run off, storm water and the drainage for this project.

Mr. Lane handed Mr. Clarkin and the Board Exhibit (L-5) which is an aerial view of the site. Mr. Lane pointed out the south side of roof. The water drains into the driveway inlet from the two-story building and then into the pump station main drainage. Mr. Marinelli stated that the proposed project will not change the volume of run off from the site on East Front Street.

There was discussion regarding Mr. Lane's exhibits. Mr. Leckstein asked Mr. Lane if he had any other information regarding the run off besides his personal observation. There was further discussion regarding the existing pump station.

There was discussion regarding the existing pump stations condition and whether it is functioning properly and if the applicant has looked at the station to perform as expected going forward. Mr. Marinelli stated they did not analyze the existing pump station. The applicant has agreed to take all the additional run off and redirect it. There was further discussion regarding redirecting the run off from the proposed project.

Mr. Sessa asked who is responsible for the pump station; Mr. Marinelli replied he assumes that it was the home the pump is located on. Mr. Clarkin stated that the key issue to who maintains it might be part of the easement that happened long ago.

Mr. Lane stated that the town homes do not have a condo association, he doesn't feel that one person would be responsible. Councilman Goode stated that it was possible. There was further discussion regarding the responsibility of the pump station. Mr. Clarkin stated that they will do some research to see who is responsible for the pump station. He will make an OPRA request.

Motion to Close to the Public:

Motion to close to the public 8:14pm was made by K. Howe second by L. Davidson with ayes by all present.

There was discussion regarding the parking spaces. Mr. Benedict stated that he would like to see more parking spaces but feels the amount will work. Mayor Kennedy asked if there was a bike rack in the garage; yes.

Motion to open to the public at 8:16pm was made and carried.

John Kovacs; Mr. Leckstein stated that Mr. Kovacs was a member of the Planning Board when the application started. Mr. Kovacs asked if the attorney for the townhomes knows where they are putting their garbage. Also wanted to know if the garbage truck goes behind the town homes.

Mr. Vecchio stated that he believes the trucks go behind the town homes. Mr. Clarkin stated that the town homes has nothing to do with this application. Mr. Clarkin said that they will look into whether the garbage trucks go behind the town homes.

Mr. Howe stated that the applicant has complied with everything that was asked.

Motion to close to the public at 8:17pm was made and carried

Application Vote:

Motion to approve application was make by R. Benedict, second by K. Howe

Ayes: M. Goode, M. Sessa, H. Aumack R. Benedict, L. Davidson, K. Howe,
N. Vecchio

Motion to Adjourn:

Motion was made to adjourn the meeting at 8:16pm was made by M. Goode, second by L. Davidson with ayes by all present.

The next regularly scheduled Planning Board Meeting will be Thursday, February 28, 2019