**WORKSHOP MEETING: 7:30 P.M.**

**Roll Call** **Members Present** – Dr. Kloby, Councilman Fligor, Mr. Hawley,
Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Pepe, Mrs. Murray, Chairman Colangelo, Ms. Drew, Mr. McGoldrick, Mr. Illiano

 **Members Absent** – Mr. Dougherty

Michael Steib was present as Board Attorney. Douglas Rohmeyer was present as Board Engineer.

Chairman Colangelo called the meeting to order and stated that the meeting is being held in compliance with the Open Public Meetings Act. Mr. Colangelo called for a moment of silent prayer followed by the Pledge of Allegiance.

**Public Comment** – Mr. Colangelo opened the meeting to any members of the public who wish to make comments.

Mark Fisher, 91 Third Avenue, asked about the progress of the Master Plan with Mayor and Council approval. Mr. Steib explained that the Master Plan does not require the approval of the Governing Body, that it is the vision of the Planning Board. He said that the Governing Body can act on whatever they feel is appropriate. He said that the Board can refer hot button items to the Governing Body, but they are not given a list of revision items. Mr. Fisher suggested that since the Master Plan Sub Committee knows all the ins and out they should share that with the Governing Body.

**Pending Litigation** – Mr. Steib noted that there is no pending litigation at this time.

**Other Business** –

**Basement/Cellar Discussion** – Mr. Pepe began the discussion with the suggestion that if they measure from the point of the highest grade to 34 feet they won’t need the distinction between basement and cellar. Dr. Cetron said that he is wrestling with the below grade issue. Mr. Steib suggested that the FAR could be the solution and discussion continued. It was decided that this could be addressed within the application checklist if worded correctly.

**Public Hearing / Possible Adoption of Amended Housing Element and Fair Share Plan**

Mr. Steib noted that he has reviewed service, service is in order and the Board does have jurisdiction to hear this matter. Erik Nolan and Susan Gruel were present as the Borough’s COAH Attorneys. Mr. Nolan explained that the original plan included two duplex units at Leonard Avenue, but that had been changed to one duplex unit on Leonard Avenue and picking up two units from the proposed building on West Lincoln Avenue. Ms. Gruel said that we are working with the same numbers, just adjusted. No additional Ordinances are needed. Dr. Cetron asked if this would tie the Boards hands, being that the West Lincoln Avenue project hasn’t come before the Board yet. Mr. Steib said that it did not. Ms. Drew asked about the Vacant Land Assessment and how it is defined. She asked if the land was being used if it could still be considered vacant. Mrs. Gruel said that it could not.

Chairman Colangelo asked for Public Questions.

Mark Fisher, 91 Third Avenue, asked if the two units were being moved to the old Juliani building on West and Lincoln. He asked if the building that is there now will be demolished. Mr. Neff said that this will be discussed later in the evening.

Being no further Public comment, Chairman Colangelo opened Board Discussion.

Councilman Fligor said that the changes are text changes and change of placement only.

COUNCILMAN FLIGOR MOVED TO APPROVE THE AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN, SECONDED BY DR. PEPE.

Ayes: Dr. Kloby, Councilman Fligor, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Pepe, Mrs. Murray, Mr. Colangelo

Nays: None

Abstain: None

Absent: Mr. Dougherty

Mr. Colangelo noted there is no further business to be discussed during the Workshop Meeting.

MRS MURRAY MOVED TO ADJOURN THE WORKSHOP MEETING, SECONDED BY MR. PEPE. BY VOICE VOTE ALL AGREED.

There being no further business to come before the Board, the Workshop Meeting Adjourned at 8:06 P.M.

Michelle Clark

 Planning Board Secretary

**REGULAR MEETING: 8:06 P.M.**

**Roll Call** **Members Present** – Dr. Kloby, Councilman Fligor, Mr. Hawley,
Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Pepe, Mrs. Murray, Chairman Colangelo, Ms. Drew, Mr. McGoldrick, Mr. Illiano

 **Members Absent** – Mr. Dougherty

Michael Steib was present as Board Attorney. Douglas Rohmeyer was present as Board Engineer.

**Approval of Minutes for the May 9, 2019 Meeting**

MR. NEFF MOVED TO APPROVE THE MEETING MINUTES FOR MAY 9, 2019, SECONDED BY DR. CETRON.

Ayes: Dr. Kloby, Councilman Fligor, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Pepe, Mr. Colangelo, Ms. Drew

Nays: None

Abstain: Mrs. Murray

Absent: Mr. Dougherty

**Approval of Attorney’s Voucher for April 2019 in the amount of $3,577.50**

MRS. MURRAY MOVED TO APPROVE THE ATTORNEY’S VOUCHER FOR APRIL 2019, IN THE AMOUNT OF $3,577.50, SECONDED BY MR. PEPE.

Ayes: Dr. Kloby, Councilman Fligor, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Neff,
Mr. Pepe, Mrs. Murray, Mr. Colangelo

Nays: None

Abstain: None

Absent: Mr. Dougherty

**PB18-06, Block 142, Lot 5, 17 Avenue D (Denholtz Custom Homes)** – Memorialize Resolution Granting Preliminary & Final Subdivision with Variances

MR. HAWLEY MOVED TO MEMORIALIZE PB18-06, SECONDED BY COUNCILMAN FLIGOR

Ayes: Councilman Fligor, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Colangelo

Nays: None

Abstain: None

Absent: None

**PB18-05, Block 102, Lots 7 & 8, 188-190 First Avenue (Atlantic Highlands Real Estate Partners)** – Memorialize Resolution Granting Requested Waiver

MR. HAWLEY MOVED TO MEMORIALIZE PB18-05, SECONDED BY MR. PEPE

Ayes: Dr. Kloby, Councilman Fligor, Mr. Hawley, Dr. Cetron, Mr. Neff, Mr. Pepe, Mr. Colangelo

Nays: None

Abstain: None

Absent: Mr. Dougherty

Chairman Colangelo, who wasn’t feeling well, left the meeting at this time, 8:09. Vice Chairman Pepe took control of the meeting.

**PB18-13, Block 61, Lot 8, 77 Memorial Parkway (Grable) – Application for Site Plan Approval and Use Variance.**

Mr. Steib announced that an email was received from Mr. Grable requesting to withdraw his application.

DR. CETRON MOVED TO DISMISS APPLICATION PB18-13 WITHOUT PREJUDICE, SECONDED BY MR. PEPE

Ayes: Dr. Kloby, Councilman Fligor, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Pepe, Mrs. Murray, Ms. Drew

Nays: None

Abstain: None

Absent: Mr. Colangelo, Mr. Dougherty

Councilman Fligor and Dr. Kloby recused themselves at this time, 8:10 pm, being the next two applications are for Use Variances and they cannot sit for these.

**PB19-01, Block 37, Lot 23, 24 East Avenue (Raymond Residence) – Application for Bulk and Use Variance**

Mr. Steib announced that he as reviewed service, service is in order and the Board does have jurisdiction over this matter. He then listed the exhibits which have been received by the Board to date. Exhibit A-1, Zoning Review from Zoning Officer Michelle Clark, dated March 4, 2019. Exhibit A-2, Application for Variance of Joseph Raymond, dated March 1, 2019. Exhibit A-3, Plan of Survey, prepared by Vallee Surveying, Inc. Exhibit A-4, Architectural Site Plan, prepared by Jeffrey Rudzonis, Architect, LLC, dated February 22, 2019. Exhibit A-5, Architectural Elevations and Floor Plans prepared by Jeffrey Rudzonis, dated February 22, 2019. Exhibit A-6, Review #1 from CME Associates, dated April 5, 2019. Mr. James, attorney for the Applicant gave an opening statement. He said that they are looking to add a level to a bungalow and will be keeping with the character of the neighborhood. Mr. James said that this is an undersized lot and there will be a slight increase in FAR. Vice-Chairman Pepe asked that the exhibits be turned so that they could be seen by the audience. Joseph Raymond, 126 Church Street, Belford was sworn by Mr. Steib. Mr. Raymond is the contract purchaser. Mr. Raymond said that they would like to add a second story to make the home look nice. They will use the garage for storage of the car, the site triangle will be cleared of shrubs and they do plan to live there. There were no questions from the Public. Vice Chairman Pepe asked for questions from the Board. Dr. Cetron asked if there would be any further testimony about the site triangle issue. Mr. Jeffrey Rudzonis, was called and sworn by Mr. Steib. Mr. Rudzonis gave his educational background and licenses and was accepted as an expert. Mr. Rudzonis said that this is a one-story single-family home and they are proposing to add a second story. There will be no change in the footprint, just a second story bump out and reconstruction of the front porch. He said that the covered porch will meet building code with new steps. Mr. Rudzonis said that the side entrance will not add to any encroachment. Mr. Rudzonis marked Exhibit A7, Board Mounted Architectural Plan with photos. Referring to Exhibit A-5 Mr. Rudzonis showed that they are proposing a small entry and pad, the front porch on East Avenue will have a covered roof. Mr. Rudzonis went through the items listed on the CMR Review letter. Mr. Rudzonis said that the lot/building coverage increase is due to the bump out and covered porches. He said that there is no detrimental impact and that the structure does not trigger FAR. He said it fits into the fabric of the neighborhood and meets the intent of the Ordinance and Master Plan. Mr. Rudzonis then explained how they corrected the issue of the site triangle. Mr. Neff asked what standards were used. Mr. Rudzonis said they were working with Aashto. Douglas Rohmeyer was sworn by Mr. Steib. Mr. Rohmeyer said that if the Aashto Standard is applied that he is in agreement that the proposed porch does not impact the site triangle. Mr. Rohmeyer asked that the applicant clarify what will be done with the vegetation. Mr. Rudzonis said that it will all be cleared. Dr. Cetron asked if this could be a condition of approval. Mr. Rudzonis said that that was acceptable. Vice Chairman Pepe asked for questions from the Public. Ms. Julie Evans, 30 East Avenue asked if the footprint would remain the same. She was told that it would. Vice Chairman Pepe asked for questions from the Board. There were none. There were no Public Comments. Vice Chairman Pepe asked for Board Discussion. Mr. Neff said that the applicant is asking for minor variances and this will be a big improvement. Dr. Cetron said that the Site Triangle National Standard makes more sense and giving that this is a dead end with a stop sign he is ok. He said that he feels that two stories will not overpower the neighborhood and will fit in. Mrs. Murry asked if the removal of the vegetation will be in the Resolution. She was told that it would.

MRS. MURRAY OFFERED A MOTION TO APPROVE THIS APPLICATION, SECONDED BY MR. NEFF.

Ayes: Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Pepe, Mrs. Murray, Ms. Drew, Mr. McGoldrick, Mr. Illiano

Nays: None

Abstain: None

Absent: Mr. Colangelo, Mr. Dougherty

Recused: Dr. Kloby, Councilman Fligor.

Vice Chairman Pepe called for a shore recess at this time, 8:37 pm. Meeting resumed at 8:45 pm.

**PB19-03, Block 107, Lots 4 and 5, 15 West Lincoln Avenue (West Lincoln, LLC) – Application for Preliminary and Final Site Plan Approval, Bulk and Use Variances**

Mr. Steib announced that he has reviewed service, service is in order and the Board does have jurisdiction. Mr. Steib then listed the exhibits which the Board has received to date. Exhibit A-1, Zoning Review from Zoning Officer Michelle Clark, dated January 22, 2019. Exhibit A-2, Letter from Attorney Debbie Gregg, dated April 5, 2019, Exhibit A-3, Drainage Narrative, prepared by InSite Engineering, LLC, dated April 3, 2019 with existing and proposed coverage plan. Exhibit A-4, Boundary and topographic survey, prepared by InSite Surveying, dated December 13, 2018. Exhibit A-5, Architectural Elevations and Floor Plans, prepared by Sonnenfeld and Trocchia, dated April 1, 2019. Exhibit A-6, Preliminary and Final Major Site Plan, prepared by InSite Engineering, LLC, dated April 2, 2019. Exhibit A-7, Completeness and Technical Review #1, from CME Associates, dated May 23, 2019. Exhibit A-8, Application for Variance of West Lincoln, LLC. Exhibit A-9, Soil Boring Report by Kluk Consulting, dated August 1, 2018. Meryl Gonchar was present for the applicant. Ms. Gonchar said that Jason Fichter from InSite Engineering would be testifying this evening. Ms. Gonchar said that they are looking for preliminary and final site plan approval as well and c and d variance relief. They are proposing to construct a multi-family unit consisting of ten residential units and twenty parking spaces in the CBD zone. They will need a D variance for the multi-family use, a D variance for exceeding the usable FAR and bulk variances for impervious coverage, which is being reduced. They will need a variance for site triangle and site waivers. Mr. Steib noted that according to the CME Report the FAR is not over. Ms. Gonchar withdrew that D variance request. Jason Fichter, InSite Engineering, Rte 34 Wall, was sworn by Mr. Steib. Mr. Fichter listed his background and licenses and was accepted by the Board. Mr. Fichter marked Exhibit A-10, site exhibit dated June 13, 2019 and Exhibit A-11, Aerial exhibit of 200’ Radis, dated June 13, 2019. Dr. Cetron asked if there would be sidewalks. Mr. Fichter said that there would. Mr. Fichter described the site. He said that this site was 13,500 sf in the CBD zone, consisting of 3 buildings with almost 100% impervious coverage. Surrounding uses are all commercial with one residential use. They are proposing a new residential building and parking. The building will be three stories with three units on the first and second floors and four units on the third floor. They will have 36.4% building coverage which will be a reduction from what is there now. All utilities are along the front. There will be less storm water run off on the proposed site, all parking will be onsite and there will be less traffic than from a commercial use. Mr. Fichter said that there will be a refuse room, which will be hidden but will have easy access and landscaping will be provided. He said that there will be a fence, but it will comply in height. Mr. Fichter then spoke of the requested site waivers. He said that there should be a buffer between non-residential and commercial spaces, but he feels that a six-foot fence would serve as an appropriate buffer. Discussion followed, and it was agreed to put in some foundation plantings. A waiver is requested for the 30% open space requirement and for a 4.9-foot encroachment to take a portion of one parking space in the front and make it ADA accessible. Vice Chairman Pepe asked for Public Questions. Mr. Fisher, 91, Third Avenue said that there are trees on all sides of the storage facility and they should make it uniform. Dr. Cetron said that there would be foundation plantings. Vice Chairman Pepe asked for Board questions. Mr. McGoldrick asked about the site triangle variance. Mr. Fichter explained that the Aashto Site Triangle standards can be met. Mrs. Murray agreed that the Aashto Standards made more sense. Ms. Drew asked about the lighting in the parking lot. Mr. Fichter said that there would be two building mounted lights and one pole. He said that there would be overspill onto the commercial garage. Mr. Rohmeyer asked if there would be a turnaround area in the parking lot and if the fence was mounted into the curb. Mr. Fichter said that there was no issue with space for backing out of those last couple spaces. He said that the design works. Mrs. Murray asked if there would be assigned parking. Ms. Gonchar said that would be explained by the next witness, but that each unit would have 2 spaces included in their rent. Andrew Trocchia, Holmdel, Architect was sworn. Mr. Trocchia listed his education, background and licenses for the Board and was accepted. Mr. Trocchia marked Exhibit A-12, Amended 3rd floor plan, which explains the roof deck. Mr. Trocchia went over the description of the building. Speaking about the roof deck, Mr. Trocchia said that its use would be limited to the hours of 10 am to midnight and would be screened with four-foot safety rails on two sides and building on two sides. Mr. Hawley asked for the overall height. Mr. Trocchia said it will be 36’ to the parapet. He said that the roof deck would be over the two-story section. Dr. Cetron suggested there be a locked gate on the four-foot rail. Mr. Trocchia said that the lighting house shields will comply. The exterior finishes will be vertical siding. Mr. Trocchia marked Exhibits A-13, Lincoln Avenue south side rendering and A-14, Parking lot side. Mr. Trocchia said that the windows will be residential type. He said that there will be direct access to the parking lot and West Lincoln Avenue. Dr. Cetron asked if the elevator would be big enough for a stretcher. Mr. Trocchia said that it is a standard size and would fit a stretcher. Vice Chairman Pepe asked for questions from the Public. There were none. There were no Board questions. Mr. Fichter was called back in the role of Planner and was reminded that he was still under oath. Mr. Fichter went through each of the requested variances. He said that he feels that they have proven that the D1 Variance for the multifamily use in the CBD zone is supported by the Master Plan and is site suitable. The impervious coverage variance is for 86.6% where 80% is permitted and this number has been reduced from what is presently there. The site triangle meets the Aashto requirements. Light spillage is only a small area, one half candle overage. Mr. Fichter said that this application does promote the general welfare and safety and advances the purpose of planning. Light, air and open space is promoted, and he feels this is an appropriate application. There were no Public questions for this witness. Mr. Neff asked about snow removal. Mr. Fichter said that that will be worked out. Vice Chairman Pepe asked for Public Comments. Mr. Fisher, 91 Third Avenue said that this is a definite improvement over what is there now. Vice Chairman Pepe asked for Board Comments. Mrs. Murray said that she agreed with Mr. Fisher. Dr. Cetron said that this is on the border of the zone and is a nice transition. He said that the design is nice with the mixture of residential and industrial and bridges the gap between commercial and residential. Mr. Hawley said that the location is Light Industrial and that there are businesses there with 24-hour operations. He said that people will be complaining about the noise. He also noted that it’s a beautiful building. Mr. Fisher thanked the applicant for not giving the town any more parking issues.

DR. CETRON OFFERED A MOTION TO APPROVE THIS APPLICATION, SECONDED BY MRS. MURRAY.

Ayes: Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Pepe, Mrs. Murray, Ms. Drew, Mr. McGoldrick, Mr. Illiano

Nays: Mr. Hawley

Abstain: None

Absent: Mr. Colangelo, Mr. Dougherty

Recused: Dr. Kloby, Councilman Fligor.

**Adjournment**

There being no further business to come before the Board, Vice Chairman Pepe asked for a motion to adjourn the meeting.

MR. NEFF MOVED TO ADJOURN THE REGULAR MEETING AT 10:02 PM, SECONDED BY DR. CETRON. BY VOICE VOTE ALL AGREED.

 Michelle Clark

 Planning Board Secretary