

## **FREEHOLD BOROUGH PLANNING BOARD**

### **MINUTES OF AUGUST 14, 2019**

#### **MONTHLY MEETING**

The monthly meeting of the Freehold Borough Planning Board was held on Wednesday, August 14th at 7:00 p.m. in the Council Room of the Municipal Building.

Chairman Reich stated that this meeting was provided in accordance with the Open Public Meeting Act, by providing a copy of the agenda to the official newspaper and posting same on the official bulletin board of the Municipal Building.

#### **ROLL CALL**

PRESENT	MR. WILLIAM BARRICELLI
ABSENT	MS. MICHELE GIBSON
PRESENT	MR. GARRY JACKSON
PRESENT	MR. PAUL CEPPI
PRESENT	MR. JOSE GERONIMO
PRESENT	MR. MICHAEL McCABE
PRESENT	MR. ADAM REICH
PRESENT	MR. MICHAEL WILDERMUTH
PRESENT	COUNCILMAN GEORGE SCHNURR

**Mr. Reich read Item No. 3 on the Agenda as follows:**

Approval of Minutes from Planning Board Meeting July 24, 2019.

Mr. Reich - any questions or comments;

Mr. Barricelli made a motion to approve the minutes, Mr. Jackson seconded.

#### **ROLL CALL**

Yes	5	Barricelli, Jackson, McCabe & Councilman Schnurr & Wildermuth
No	0	
Abstain	3	Ceppi, Geronimo & Reich
Disqualified	0	
Absent	1	Gibson

**Mr. Reich read Item No. 4 on the Agenda as follows:**

Memorialize Resolution for DRJ Hospitality – t/a TRE Restaurant

Application Number: PB-SP-2019-006

Applicant: DRJ Hospitality LLC (t/a TRE Restaurant)

Location: 611 Park Avenue - Block 108 Lot 4, 4.02 & 7

Zone: CM & B2-B

Request: Preliminary and Final Site Plan Review and Approval

Mr. Reich – any questions or comments;

Mr. Barricelli made a motion to approve the Resolution, Mr. Jackson seconded.

ROLL CALL

Yes	5	Barricelli, Jackson, McCabe & Councilman Schnurr & Wildermuth
No	0	
Abstain	3	Ceppi, Geronimo & Reich
Disqualified	0	
Absent	1	Gibson

**Mr. Reich read Item No. 5 on the Agenda as follows:**

Reexamination of the Master Plan to Incorporate the Downtown Freehold Vision Plan.  
Review of the report “Downtown Master Plan Element 2019” which is intended as an amendment to the land use element of the Master Plan specifically addressing the issues in the Downtown Freehold

Mr. Cucchiaro advised Robert Melvin, Professional Planner, PP & AICP;  
Julie Connochie, AICP they are still under oath;

Julie Connochie;

We have prepared a handout for you tonight outlining all the changes discussed at the Planning Board meeting of July 10, 2019; we made all the changes requested by the Planning Board;

Pg 12 – minor change adding first paragraph last sentence “Each area should proceed separately through the redevelopment process”

Pg 12 – rework paragraph on Borough Plaza, now is the last paragraph in Redevelopment section;

Pg 15 – correct West State Street to East Main Street

Pg 41 – added Borough Plaza to map of proposed Redevelopment / Rehab areas and expanded rehab boundary area to include all parcels in redevelopment areas;

Pg 42 – adopt rehab and redevelopment plans – No vision was completed for the Borough Plaza investigation – should conduct public visioning sessions to develop a vision for the area;

We also reviewed the public comments from that meeting and made the changes that were most relevant;

And the Downtown Element we addressed the following

Pg 46 – added language regarding the HPC to the last paragraph to clarify our findings; “Though a County study of historic assets was conducted in 1980, the study area was significantly smaller than the historic district is today and properties were never classified using the above definitions” (referring to “key,” “contributing,” and “non-contributing” properties identified in HPAC Ordinance).

Pg 62 and 64 – no changes;

Pg 65 – regarding parking we added “If parking limit hours are expanded to evenings and weeknights, parking enforcement hours will also need to be lengthened. The Master Plan is used for guidance, framework so to speak, not to set up parking that is for a parking authority;

Councilman Schnurr – it does not provide, hours of day or times;

Ms. Connochie – correct;

Mr. Geronimo – the stats come from a parking assessment;

Mr. Bellina – yes it will;

Ms. Connochie – continuing -

Pg 68 – McGackin Triangle was added to list of recommended lots for improvement;

Existing Conditions – we made no changes and is subject for discussion; Appendix A and Land Use Analysis in Appendix B was a separate study by the NJTPA and we prefer not to alter as they are part of past studies;

Mr. Melvin – this doesn’t change any substantive parts of the document;

Councilman Schnurr – Mr. Melvin will you please discuss the proposal of redevelopment area at Broad and Court Street;

Mr. Melvin – a property owner has a few properties in the Broad Street and Court Street area and has gone to Mayor and Council for discussion of redevelopment; they are proposing to take down the current structure and build four (4) storey homes with parking underneath; Council reviewed it, thought it made sense and are willing to talk and review proposal;

This doesn't have to be part of the Master Plan specifically, you can keep the three (3) sites in the Master Plan were recommended but look at other sites; keeping with the ideas, flow and set up;

Mr. Cucchiaro – is there anything in the Master Plan Element to support or no that we need to look at now;

Ms. Connochie – I think it flows with the Master Plan and does not have conflict with anything in the Master Plan;

Mr. Cucchiaro – there is no hindrance in the Master Plan;

Mr. Melvin – there is not;

Mr. Cucchiaro – here is the process;

Borough Council to adopt an ordinance for the Planning Board to look at the Master Plan; Local redevelopment housing law to look at, have a hearing with presentation providing they have satisfied the criteria or none have been satisfied; Put together a list for redevelopment; Zoning ordinance put together, then goes to Mayor and Council;

Mr. Ceppi – will sites be identified

Mr. Reich – sites will be listed but can also add to the list;

Mr. Cucchiaro – Broad policy goals;

Mr. Reich – any questions from the Board;

Mr. Reich – we will open to the public for questions regarding the revisions discussed tonight since the meeting of July 10, 2019; seeing none

Mr. Jackson – made a motion to close public comments; Mr. McCabe seconded;  
All in favor – aye (all) – opposed – (none);

Mr. Reich – any final comments; anyone want to make a motion to approve the revisions to the Master Plan Element;

Mr. Wildermuth – made a motion to approve; Mr. Geronimo seconded the motion;

ROLL CALL

Yes	8	Barricelli, Gibson, Jackson, Ceppi, Geronimo, McCabe, Councilman Schnurr, Reich & Wildermuth
No	0	
Abstain	0	
Disqualified	0	
Absent	1	Gibson

**Mr. Reich read Item No. 5 on the Agenda as follows:**

Application Number: PB-UV-2019-007

Applicant: Green House at Freehold LLC

Location: 3 Monument Street - Block 39 Lot 5 - Zone: R-7

Request: Use Variance with Preliminary and Final Major Site Review and Approval

William Mehr, Esq., Counsel for the firm, Sonnenblick, Parker & Selvers;

I would like for the engineer to come up and go through the exhibits as we will make reference to them throughout the presentation;

Mr. Cucchiaro – swore in Bhaskar Halari, P.E., Concept Engineering;

Mr. Cucchiaro – we have a list of exhibits, if it is new we will start with A-13;

Mr. Halari

A-13 – - Ariel Photograph

A-14 – Ariel photograph – larger

A-15 – Photographs – Photo Exhibit from 2018

A-16 – Coloring Rendering of

A-17 – ADA Lift photograph

Mr. Mehr – I have four (4) witnesses

1. Peter Licata, Esq.
2. Bhaskar Halari, P.E.
3. John Rea, P.E.
4. Allison Coffin, PP, AICP

Mr. Mehr – I would like to start with Peter Licata, Esq.

33:39

Peter Licata, Esq, resident at 12 Blossom Lane, Manalapan; practice law with Sonnenblick, Parker & Selvers currently located at 4400 Route 9 South, Freehold;

Mr. Mehr – what is your relationship with applicant Green House at Freehold LLC;

Mr. Licata – I am one of two members of the LLC, the other is my wife;

Mr. Mehr – you have a contract to purchase the property, 3 Monument;

Mr. Licata – correct;

Mr. Mehr – please give a brief history of the law firm and what is going to happen if you are successful in getting this Use Variance approved;

Mr. Licata – my father in-law, Gerry Sonnenblick started a small firm 40 years ago, in a small Victorian home not that far from here; it grew and expanded and they relocated to Rt 9 in Freehold current location; the firm has downsized over time in stages; my father in-law has retired, the other two founding partners are soon retiring; we currently have two (2) to three (3) full time attorneys and two (2) to three (3) part time attorneys; I would like to transition to a new generation to carry on my father in-laws work as well as Bills work as he has come on board as Counsel;

Mr. Mehr – it is your intention to move the firm to this location;

Mr. Licata – yes, the current space is bigger than we need, not a great landlord and looking to make a new start in a new location which we can maintain properly;

Mr. Mehr – if you are successful in making this location into a law office, what do you project as the number of attorneys and staff;

Mr. Licata – we will stay at current size for the foreseeable future, again two (2) to three (3) full time attorneys and two (2) to three (3) part time attorneys and three (3) administrative staff; over time I would like to see a maximum of five (5) attorneys and staff will be three (3) to five (5); the ratio has changed due to technology, many of the younger attorneys do much of their own work;

Mr. Mehr – one item requested by Mr. Wentzien and planner, what will the hours of operation and attendance at the location on an average day;

Mr. Licata – daily schedule is 8:30am – 5:30pm, weekends attorneys will come in for a few hours on a Saturday or Sunday to work without interruption; we do not schedule evening appointments as a rule; all of our client appointments, closings, depositions are all scheduled by appointment; this helps keep our conference room from overlap of closings, depositions etc;

Mr. Cucchiaro – that may be generally what happens, having experience in the field, there will be nights an attorney has to work late;

Mr. Licata – certainly, if your facing a deadline or sometimes a working client just can't get out of work, so they will come in before or after hours;

Mr. Mehr – so that would be what hours;

Mr. Licata – 5:30pm to 7:30pm – I try to get home early;

Mr. Cucchiaro – I wouldn't want an associate to hold my resolution and say its 8:00pm I have to leave;

Mr. Mehr – our architect is on vacation – I would like for you to talk about the architectural features of the house and what will be maintain and what is anticipated to be modified – use the photo exhibits, start with the interior;

Mr. Licata – looking for a location for about a year, found this house which was on the market for awhile; the architecture spoke to me, it is a warm and inviting environment, uplifting and dignified; I can't think of a better place for our firm to spend the majority of our working hours; it is my desire that the firm continue to project, a professional reputation; Mr. Dittmar has an outstanding job of improving the property and condition, a series of renovations, quite extensive and expensive to update and maintain the original integrity by way of color, texture, wood working; the esthetics are huge benefit and hope to come to serve as a representative of my firm;

I would look to make as minimal changes for a functioning office; specifically would not propose any change of the front, nor left side by Mr. Travino or right side that faces triangle shape lot, owned by Mr. Zlotkin; interior, take one of the existing rear entrances, which comes into the conservatory, make it an ADA compliance entrance, by way of lift rather than a ramp for two reasons; the typography doesn't work well for a ramp and the visual esthetic result of a long ramp; the lift will go up to the top of the stair platform, it set in from the exact side wall of the property; it is at the back of the property and a little in;

Referring to exhibit A-15, the center picture, there is an entrance way that is hidden by this shrub, that will remain unchanged; this door will be slightly enlarged to be ADA compliant, existing stairs will be replaced in similar fashion with larger landing platform, we can build over, install the lift, the lift will raise to where this window is, and exit at the platform and enter the conservatory; about a quarter of the conservatory will be the initial reception area; as you go back further in the conservatory, there will be a few working stations for the administrative staff, then continue into the house at the front, there is a fire place, we will put a non load bearing wall or partition wall to have a small secondary conference room; coming from the conservatory, there is a door way that is the mid section of the house, goes into the living room, leads to wooden sliding doors; leaving the dining room as is and using as the main conference area; I would put a small non load bearing wall or partition wall for a main office and will allow for you to continue through the house;

I don't anticipate changing the vestibule at all, we can use as additional waiting area put a few chairs; I would not use the front for any arrivals of any clients or deliveries; all the parking is going to be in the rear; the kitchen will remain as it is; an L shape butlers pantry with a small toilet room with a sink, we can combine the two and make an ADA compliant bathroom; so you can get to this from the conservatory in the rear as well as coming from the front area of the house; the first floor will have administrative staff, one main attorney and conference rooms; upstairs has three bedrooms and two bathrooms; the bathrooms will remain, one is very large and could be converted partially for work space but not at this time; in the rear there is a storage room with a stair well that will remain also;

There is an unfinished basement which is dry and good for document and supply storage; we do not have a need to occupy the basement level;

Mr. Mehr – you indicated that entry to the building by all, staff and clients will be through the rear;

Mr. Licata – yes, there is significant size parking area, and on the plan it is all laid out, we will all come in the back door;

Mr. Mehr – what will change in the front of the house;

Mr. Licata – we would widen the driveway toward Mr. Travino's property line, I have spoken to Mr. Travino and have spoken to him about installing restorative landscaping after the widening of the driveway between the two driveways, if approved by the Board;

Mr. Cucchiaro – what lot number

Mr. Licata – lot 4 block 39, 15 Monument Street – RSG Holdings LLC is the owner;

Mr. Mehr – other than the driveway area, are there any other changes to the front;

Mr. Licata – if approved, I would ask that we be able to file a sign application similar to what Michael Detsky has three doors down;

Mr. Reich – where would the sign be located;

Mr. Licata – closer to the house, easier to see against the house and less intrusive;

Mr. Cucchiaro – when Mr. Halari presents will he please identify on the plans and dimensions;

Mr. Mehr – we did not apply for the sign in this application but will identify;

Mr. Cucchiaro – well it goes toward visual aspects of positive and negative criteria;

Mr. Licata – we will have it;

Mr. Mehr – any changes on either the North or South side of the building;

Mr. Licata – the North we plan to widen the driveway, landscaping – nothing for the building; a generator will be placed at the back of the house, so there is no visual from the street;

Mr. Mehr – anything else being added to the property;

Mr. Licata – parking in the rear to be fully compliant, also in stall storm water management as well as landscaping around the parking lot to shield from the rear neighbors;



I have spoken to a number of people, including three of the rear neighbors and have gotten input about landscaping; also discussed storm water improvements with Mr. Mirabella, who lives at the corner;

Mr. Mehr – there is a tree in the back of the house by the driveway, will it remain or be moved;

Mr. Licata – I would like to preserve as many of the trees I can and other vegetation; I would keep the tree, in the center;

Mr. Mehr – there is brick around it which is remaining;

Mr. Mehr – existing fencing, any changes proposed;

Mr. Licata – no change to the fence, it is an attractive aluminum rail fence; replace a few bent posts;

Mr. Mehr – anything else you would like to tell the Board;

Mr. Licata – I can understand my seeking to move an office here can cause people concerns; I have tried to reach out to people in the 200 ft area, have made contact with about twelve; I am sure there are still concerns but am hoping that I can be a good neighbor and will be a positive thing for the neighborhood, I would preserve the property, in its appearance for decades to come; I hope you will let me be there; thank you;

Mr. Mehr – nothing further;

Mr. Wentzien – Mr. Chair – when I reviewed the calculations for parking, see my report, page 4, the assumption was there is a two (2) car garage and will be utilized as same;

Mr. Licata – yes, we proposed to use as parking and propose to keep my refuse storage bins inside; we would shred paper, very little food, only lunch from the staff, majority is paper;

Mr. Wildermuth – do you propose any exterior lighting;

Mr. Licata – there is existing exterior lighting; our plan has an overhead parking lamp in the parking area in the back, projected down and shielded; I will let Mr. Halari speak more about the exterior lighting; I would not be against adding lighting, that would be projected down, shielded and not intrusive of the neighbors;

Mr. Mehr – with lighting will there be landscaping lighting with the widen driveway;

Mr. Licata – yes, I have discussed with the neighbor and it will be low none intrusive lighting;

Mr. Geronimo – on that topic, what about the cars coming and going and shielding there lights;

Mr. Licata – it will be mostly staff; clients are one or two a day; with everything being electronic things have changed and clients do a lot of pre-signing and sending by overnight;

Mr. McCabe – how close to the property line will the drive way be;

Mr. Licata – it will be very close, it is very close now; Mr. Halari will be able to give you exact dimensions;

Mr. Reich – any other questions for Mr. Licata;

Mr. Jackson – does this building have any official historical designation?

Mr. Licata – I did discuss with Mr. Dittmar and no we could not find anything; I did notice that in the rafters, by the chimney, in pencil the year 1909 and the name Hank Gibson and another name, Plumbers and I figure that is when they build the vent pipe; but not aware of it being on any office register;

Mr. Wildermuth – you stated all delivers in the rear of the building and the tree will remain; a ten foot driveway, will that be sufficient to accommodate delivery trucks for supplies;

Mr. Licata – we have asked same questions and Mr. Halari and Mr. Rea have advised it will work but they can both better answer and confirm;

Mr. Reich – we will open up for public questions on Mr. Licata's testimony regarding the use of the structure and changes; please come forward, state your name and address for the record;

Joan Muzzio – 17 Monument Street, Freehold, I don't have a question, I have a comment about the traffic coming to and from;

Mr. Cucchiaro – this is for questions

Ms. Muzzio – how wide will the drive be and can it accommodate to and from traffic;

Mr. Licata – not at the same time, just on way;

Ms. Muzzio – so people will be lined up to come in waiting while someone is pulling out;

Mr. Licata – I understand your question but I have traffic engineer that can answer;

Mr. Reich – any other questions – come up at this time;

Lori Annetta, 74 East Main Street, Freehold

Sir, what town do you live in;

Mr. Licata – Manalapan,

Ms. Annetta – do you have businesses residing next to your home;

Mr. Licata – I do not;

Ms. Annetta – so do you think, there a people as you referenced in your recap or presentation that do feel pretty strongly about trying to maintain some of the beautiful residence in the Borough;

Mr. Licata – I certainly understand that and would like to maintain the home;

Ms. Annetta – I’m sure you do; maintain it, but it won’t be a residence; the problem with that is, once it is not a residents it loses its residency;

Mr. Cucchiaro – Ms. Annetta this is for questions;

Ms. Annetta – I have a question, that is why I am asking them;  
So at this point did you investigate any other properties that were not currently a home;

Mr. Licata – yes, a number of them;

Ms. Annetta – you found only this home to be suitable;

Mr. Licata – I found this home to be most suitable and the others to be in very poor condition or not have the esthetic beauty or character, size, shape, parking, oversized lot – this outshines them all;

Ms. Annetta – I think I would agree with you, it does and I was saddened when I heard that a business wanted to go into it;

Mr. Reich – Ms. Annetta you must stick to questions at this time, you can testify later on for comments at the end; now it is only questions;

Ms. Annetta – I will ask no more, I will wait; thank you;

Mr. Reich – anyone else from the public have questions as this time; seeing none;

Mr. Jackson – made a motion to close the public portion of questions for Mr. Licata; Mr. Barricelli seconded the motion;

#### ROLL CALL

Yes	7	Barricelli, Gibson, Jackson, Ceppi, Geronimo, McCabe, Reich & Wildermuth
No	0	
Abstain	0	
Disqualified	1	Councilman Schnurr
Absent	1	Gibson

Mr. Reich – public questions for Mr. Licata are now closed;

Mr. Mehr – next witness – Mr. Halari will provide site plan and engineer testimony;

Mr. Mehr – did you prepare and submit site plan;

Mr. Halari – yes;

Mr. Mehr – will you provide to the Board general testimony what is being done on site with respect to engineering;

Mr. Halari – Exhibit A-13, an ariel photograph of the site, site outlined in yellow – this was obtained by NJ DEP GIS system, 2015 still relevant to the site; to the West is Monument Street, North, recovery house, East – existing single family residence, South, single vacant lot;

The site is 60,500 sq ft – the house is located NW corner of the property; looking at Exhibit A-16, landscape rendering, the drive way is along the Northerly property line, the current driveway is 7.5 to 7.8 feet wide, we would widen to 10 ft; it would be about 1 foot from the property line after the widening; you see the entire Northerly side has a dense shrubs; those shrubs would be disturbed but we will plant new landscaping working with the neighbor and adding bollard lighting to light the driveway itself; the rear of the property has an existing parking lot accommodating about four to five cars with two cars in the garage; we will expand to sixteen parking including one ADA parking spot and two parking in the garage will remain for a total of eighteen parking spots;

There are no changes to the front or side of the house only alterations to the rear of the property which is to access new entry to the property to the reception area; as well as widening for ADA accessible, to include the ADA lift with a deck to accommodate wheelchair movement;

Mr. Mehr – what if you did a ramp;

Mr. Halari – we looked at that, I designed a ramp, it camp all the way almost to the front of the house, with a turn-around and back, 9 feet wide and 30 feet long in order to accommodate ADA accessibility; Mr. Licata decided that is not the right approach; we would disturb landscaping all along that side of the house; Mr. Licata decided it is better for the lift and minimize any disturbance to the property; there are minimum changes to the exterior;

Mr. Mehr – regarding the lift, can that be screened from seeing it from either side of the property;

Mr. Halari – yes, looking at Exhibit A-15, the south side has heavy shrubbery which screens the current deck and acts as a buffer; we can add plants to make more screening;

Mr. Geronimo – regarding the lift, are they loud or quiet;

Mr. Halari – they are fairly quiet, I have a photograph;

Mr. Cucchiaro – that will be A-17 – ADA Lift;

Mr. Halari – small equipment, ADA use which will be limited use;

Mr. Halari – the site plan, existing building is served by all utilities, water, electric and gas, no utilities being proposed; we are improving the storm water drainage; we met with the Borough Engineer and it was identified there are drainage issues on the South Easterly corner of the site; we have provided a small stone water retention area, two feet deep, adding 7,000 impervious to a 60,000 sq ft lot; it is not significant in the sense but the improvement we doing is not more than required because of offsite issue; from the street you won't see, it is green and shallow and designed that way to create the natural vegetation area rather than storm water retention pond type; that will be connected to an existing drainage system along the southerly line;

Mr. Mehr – what is the net effect on the storm drainage;

Mr. Halari – the impact from smaller storm, in a one year frequency we are reducing 13% of the flow; but in a hundred years we are reducing by 28% of the current flow; most of flooding occurs in high frequency storms;  
We are mindful of the fact there are residencies in the rear and we are planting evergreens along the parking area;

Mr. Mehr – how far is the rear parking area from the back property line;

Mr. Halari – fifty-seven feet to the nearest rear property line; there is vegetation back there now and we are supplementing with more landscaping;

Mr. Mehr – Mr. Wentzien raised question if additional landscaping vegetation might be needed;

Mr. Halari – we agree to provide extra landscaping; we can meet with the engineer to see the area of concern and provide extra for those areas; the same will apply for the Northerly property line as well;

Mr. Halari – we have proposed lighting with one 18foot high pole in the rear parking lot, lighting only the parking lot; proposed two lights on the building, LED pointing downward direction; we had on current lighting plan, lights along driveway for both driveways but seems we may be changing and doing bollard lights; the lights on the building, one light on the Northerly light we are removing because it creates spillage to the neighboring property so we will do bollard lights along that common property line; providing low lights to each driveway – maximum 42inch high;

Mr. Cucchiaro – what is the anticipated hours of the lights;

Mr. Halari – the bollard could be motion; rear can be on a timer; there would be a security light on the entrance to the building, for a safety prospective you have to keep near the doors; the pole light and bollard light can be put on a timer or motion sensor;

Mr. Geronimo – to clarify – that is a capability and these are early stage plans; is that the plan to put them on a timer or just a capability;

Mr. Halari – that is what we would do is put them on a timer;

Mr. Wentzien – the pole is at 18feet will remain along parking stalls; the proposed wall mounting of 18 feet will remain; the wall light mounted at 18 feet at front left corner you will remove from plans and provide new proposed bollard lighting at 42 inches high along the driveway area; we will need to receive revised lighting plans and light grid spread to show a) adequate minimum lighting and b) taking care of any spillage;

Mr. Halari – yes we will provide a new plan but there will still be spillage because the bollard light is to light both driveways;

Mr. Wentzien – I understand but we need the plan before us to determine how much spillage and if we are to approve any proposed lighting;

Mr. Cucchiaro – we are talking about lot 4 that will have the spillage;

Mr. Mehr – the neighbor is here if you have any questions;

Mr. Reich – we need to take a break, Mr. Cucchiaro, Mr. Ceppi may have a conflict; we will take a break and return in a few minutes;

Mr. Cucchiaro – during this recess you are not to talk about this application, you can talk amongst yourselves but not about this application;

Mr. Reich – break 8:32pm;

Mr. Reich – thank you very much for allowing the extended five minutes, we have interesting situation come up, Mr. Cucchiaro will you please explain;

Mr. Cucchiaro – Mr. Ceppi works for the state agency EDA and part of what they do is process certain applications for financing and loans and things like that; nothing here as an initial matter peaked his memory; as testimony continued, Mr. Ceppi had a recollection that his department is considering certain applications that have been filed by this applicant; I don't know that, that is a conflict as a matter of law because there is no financial interest or anything else is approved by Mr. Ceppi; however the EDA has its own ethics officer so to be prudent, Mr. Ceppi is going to seek the opinion of the EDA ethics officer to see if there is a conflict; in recognition of that the applicant is going to carry the application to the next meeting and to use the time in a constructive manner, they will seek to meet with Mr. Wentzien to address lighting and landscaping issues and anything else that might be an outstanding questions; when they return to the Board they have solid testimony with all the facts the Board and members of the public will need;

If the ethics officer finds there is no conflict we pick up where we left off; if the ethics officer finds that there is a conflict, in a very indirect manner in this instance the only remedy the Municipal Land Use Law (MLUL) has is that we would begin the process from the beginning;

Mr. Cucchiaro – Mr. Chairman I would like to carry the application and would like to make the announcement;

Mr. Reich – please

Mr. Cucchiaro – the application of Green House at Freehold LLC, located at 3 Monument Street will be carried to the Boards August 28, 2019 at 7:00pm, here in the main meeting room at 51 West Main Street; member of the public, if you received a notice in the mail regarding the previous hearing or this hearing you are not going to receive another notice in the mail, this is your notice that this application will be considered at the August 28, 2019 meeting; also Dominica maintains a copy of the application and everything else on file in here office available for anyone to come in and inspect and copy during normal business hours; if you have any interest in taking a look at anything more closely you can certainly do that between now and the next meeting;

Mr. Reich – Board members please retain your packets, all information pertaining to the application; if any new information that comes out we will get copies prior to the meeting, if it is provided to Dominica in time;

Mr. Reich – is anything else to come before the Board

Ms. Napolitano – no;

Mr. Reich – Councilman Schnurr anything you need to tell us, if you want to rejoin us;

Councilman Schnurr – no;

Mr. Reich – Dominica the next meeting is August 28, 2019 with potentially three applications on the agenda;

Ms. Napolitano – yes, three applications including this one;

Mr. Wildermuth – how is it determined what application goes first, this application has been carried and twice now;

Mr. Reich – depends on what the application are for, if a fence or something minor then they will typically put that first to get it heard and move on to the more involved application;

Mr. Cucchiaro – it is an evolving process up to the night of the meeting, sometimes applications become more complex or even get moved to a later date;

Mr. Wildermuth – I think the Monument Street should be toward the beginning because residents have come out now on multiple nights;

Mr. Cucchiaro – ultimately it is up to the Chairman;

Mr. Reich – we will find out before hand discuss and see what we can do;

Mr. Reich – anyone from the public have any comments; seeing none;  
Mr. Jackson made a motion to close public comments; Mr. Geronimo seconded;

All in favor, aye (all) - opposed (none)

Mr. Reich – nothing further;

Mr. Jackson made a motion to adjourn, seconded by Mr. McCabe. All in favor, Aye (all),  
opposed (none). Meeting adjourned at 9:00 PM.

Respectfully submitted,

Dominica R. Napolitano