

**Borough of Freehold
Planning Board
Agenda No. 21-09
June 9, 2021**

The Freehold Borough Planning Board will hold a Video Conferencing Online Meeting on Wednesday, June 9, 2021 at 7:00 PM in accordance with the New Jersey State Emergency Declaration.

1. Call to order and statement of compliance. Adequate notice of this meeting has been provided by posting a copy of public meeting dates on the municipal bulletin board and by sending a copy to the Asbury Park Press and the News Transcript and filing a copy with the Municipal Clerk.
2. Roll call of members and consultants.

**Mr. Kevin A. Kane, Mayor
Mr. William Barricelli, Class IV Member
Mr. Paul Ceppi, Class IV Member
Mr. Michael McCabe, Class IV Member
Mr. Michael Wildermuth, IV Member
Ms. Shealyn M.S. Crombie, IV Member
Ms. Caridad Argote-Freyre, IV Member
Mr. Garry Jackson, Class II Member
Mrs. Margaret Rogers, Class III Member
Mrs. Brianne Van Vorst, Alternate Member I
Mr. Ronald D. Cucchiaro, Esq., Board Attorney
Mr. William Wentzien, PE, Board Engineer**

3. Approval of Minutes from the Meeting of May 12, 2021.
(See Attachment I)
4. Memorialize Resolution for Hi-Mount Realty Inc.
Application: PB-SP-2021-005
Location: 20-36 Hull Avenue Block 96, Lot 11 Zone A
Request: Preliminary and Final Site Plan Approval
(See Attachment II)
5. Adjourn.

*All backup material in regards to the agenda can be viewed in the Land Use office and on our website http://www.freeholdboroughnj.gov/PB/PB_agendas.html

Dominica R. Napolitano

Dominica R. Napolitano
June 4, 2021

ATTACHMENT I

FREEHOLD BOROUGH PLANNING BOARD
MINUTES OF MAY 12, 2021

MONTHLY MEETING

The monthly meeting of the Freehold Borough Planning Board was held on Wednesday, May 12, 2021 at 7:00 p.m. via remote session.

Chairman Barricelli 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.

Chairman Barricelli opened the meeting which was a continuation from the reorganization meeting - no Salute to the Flag.

ROLL CALL

PRESENT	Mr. William Barricelli
ABSENT	Mr. Paul Ceppi
PRESENT	Mr. Michael McCabe
PRESENT	Mr. Michael Wildermuth
PRESENT	Ms. Shealyn M.S. Crombie
PRESENT	Ms. Caridad Argote-Freyre
PRESENT	Mr. Garry Jackson
PRESENT	Councilwoman Margaret Rogers
PRESENT	Brianne Van Vorst

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

Approval of Minutes from Planning Board Meeting April 14, 2021.

Mr. Wildermuth made a motion to approve the minutes, Councilwoman Rogers seconded.

Yes	7	Barricelli, Wildermuth, Crombie, Argot-Freyre, Jackson and Councilwoman Rogers Van Vorst
No	0	
Abstain	1	McCabe
Absent	1	Ceppi

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

Memorialize Resolution for Applicant Rema Realty LLC
Application Number: PB-UV-2020-006
Location: 28 E Main Street, Block 62, Lots 9.01
Request: Variance Relief with Waiver of Site Plan Approval

Mr. Wildermuth made a motion to memorialize the resolution; Ms. Argote-Freyre seconded;

Yes	7	Barricelli, Wildermuth, Crombie, Argot-Freyre, Jackson, Councilwoman Rogers and Van Vorst
No	0	
Abstain	1	McCabe
Absent	1	Ceppi

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

Memorialize Resolution for Applicant Jonathan Marshall
Application Number: PB-SP-2021-003
Location: 82 Court Street, Block 37, Lots 1.02
Request: Use Variance Relief with Preliminary and Final Site Plan

Ms. Crombie made a motion to memorialize the resolution; Ms. Van Vorst seconded

Yes	7	Barricelli, Wildermuth, Crombie, Argot-Freyre, Jackson, Councilwoman Rogers and Van Vorst
No	0	
Abstain	1	McCabe
Absent	1	Ceppi

Mr. Barricelli read Item No. 6 on the Agenda as follows:

Mr. Barricelli – reminder of procedures to the public;

Applicant: Hi-Mount Realty Inc.
Application Number: PB-SP-2021-005
Location: 20-36 Hull Avenue, Block 96, Lot 11, Zone A
Request: Final Site Plan

Vincent E. Halleran Jr., Esq. – on behalf of the applicant, Hi-Mount Realty Inc., the application is to improve the parking for this property; witnesses tonight will be John Ploskonka, Engineer and Andy Kiely, Property Manager;

Mr. Cucchiaro – Swear in John J. Ploskonka – Professional Engineer and Civil Engineer in Manalapan, NJ; appeared before this board and several others in New Jersey, practicing for 50 years;

The applicant has 9 apartments on Hull Avenue, established for 50 years, two story and operational with a stone parking lot in the rear; access the property from Hull Avenue and go to the rear; the stone is not delineated and not marked causing confusion for residents for parking; want to upgrade this private parking lot, paved and expanded to have 21 parking spaces; 17 paved and 4 stone; no changes to the building and no other changes to the site expect for paving of parking area; I'll go through Bill Wentzien's report but the application is simply paving the lot for easier snow plowing and easier parking, number spaces for residents; also reducing some of the street parking; the 4 stone spaces were designed for those with trucks or large vans for those with the bigger vehicle, they can have a paved parking space with the stone space behind it;

There are no changes to the site with the fencing; all water runs from the site, parking lot back to woods about 100/150 foot deep; designing underground detention/pipe to take water from site to underground so it doesn't affect any neighbors; also strip of land between what will be paved and patios of the structures; we are keeping as stone, but in the engineering report, Bill has suggested we pave, to keep cleaner; we will do this; we will also provide as requested, details for the refuse enclosure which is being moved; we have not finalized and will be subject to the engineers review as will grading, drainage, landscape and soil; whatever Mr. Wentzien ask for, we have agreed to comply; again improving a parking lot that has been there for 50 years, seeking preliminary and final site plan approval with waivers for no cross sections of the road, waiver for curb, we will have, parking lot will drain directly to our storm water system and will provide more detail to the Borough Engineer; we will provide an emergency vehicle template; finally the Borough has their own guidelines for the paving, layers, stone and thickness; we will follow the guidelines if approved; Where there is a question from the engineer, we say yes and will provide;

Mr. Wentzien – few key points need to review; pavement provides for 21 parking spaces; behind 5 spaces it indicates stone area to remain with 4 additional; purpose is to be allocated to those with larger vehicles – like tandem parking;

Mr. Ploskonka – correct, the person would be assign the 2 spaces, one paved and one stone behind it; not to take up additional paved parking;

Mr. Wentzien – location of underground pipe, my recommendation was slide further northwest, towards area of refuse enclosure, not to dig up stone area; looks like enough room at end of pipe and last parking space in stone;

Mr. Ploskonka – we agree;

Mr. Wentzien – landscaping – buffer planting along both side lot lines, maybe dress up driveway area with low shrubs; all good with all my comments;

Mr. Ploskonka – yes, we will work with you;

Mr. Wentzien – curbing; grading generally flows southerly toward wooded area; I there are some grade elevations along pavement; looking for more, all run off from black top has to make way to stone pipe proposing to do the job; also the ordinance, page 5, #2, parking circulation 16.24.038.15, parking supposed to be curbed or its equivalent so that vehicles can't drive on to landscape areas; the curb has a due fold purpose in the ordinance, one to direct runoff and second to direct cars from driving to far; as my report states, the direction for runoff is not concern on balance of curb but only on rear strip, I think it behooves the drainage to run some type of edge protection along the rear line, needs to be directed there to prevent cars and help with run off to move to trench; I strongly suggest the run of curbing be installed;

Mr. Ploskonka – we agree;

Mr. Wentzien – soil boring you completed is not in exact location of trench for recharge pit;

Mr. Ploskonka – we will do another and make sure it is ok and you are satisfied;

Mr. Wentzien – I am good with all else; that is all I needed for clarity; for the Board, I wanted to clarify the storm drainage; the amount of disturbance to impervious is below the threshold, needing to meet the DEP Best Management Storm water practices; they are out of the range; I review for the Borough, local level for 25 year storm frequency;

Mr. Barricelli – members of the Board – questions for Mr. Ploskonka;

Mr. Barricelli – I noticed 3 squares of apron are cracked – can we do anything;

Mr. Ploskonka – will be repaired;

Mr. Cucchiaro – number of parking spaces are compliant with the Borough and RSIS requirements, are the dimensions also compliant;

Mr. Ploskonka – 9 x 18 spaces, nothing was in engineering report from Abbington stating otherwise;

Mr. Wentzien – yes compliant, 9 x 18, with 24-foot isle; also the driveway apron will be new, placement is slightly different than now, entirely new;

Mr. Barricelli – members of the public questions for Mr. Ploskonka;

Mr. Barricelli – seeing/hearing none –

Mr. Jackson made a motion to close public questions; Mr. Wildermuth seconded;

Yes	8	Barricelli, McCabe, Wildermuth, Crombie, Argot-Freyre, Jackson, Councilwoman Rogers and Van Vorst
No	0	
Abstain	0	
Absent	1	Cepi

Vincent E. Halleran Jr. Esq. – that is all we have; Andy Kiely is here if needed, he is the property manager; does anyone want to question him; if not that is our application;

Mr. Cucchiaro – Mr. Halleran to be clear, the application is for Preliminary and Final Site Plan does not require any variance, design waiver or RSIS relief, all compliant; the applicant has agreed to comply with all recommendations contained in the Abbington Engineering report;

Mr. Halleran – correct;

Mr. Barricelli – any members of the Board, questions for Mr. Kiely; seeing none, we will open to the public for comments;

Mr. Barricelli – any members of the public who want to comment on this application;

Mr. Barricelli – seeing/hearing none;

Mr. Jackson made a motion to close public comments; Ms. Crombie seconded;

Yes	8	Barricelli, McCabe, Wildermuth, Crombie, Argot-Freyre, Jackson, Councilwoman Rogers and Van Vorst
No	0	
Abstain	0	
Absent	1	Cepi

Mr. Barricelli – we have a request for Preliminary and Final Site Plan approval on 20-36 Hull Avenue, Block 96, Lot 11 consisting of paved parking areas and applicant has agreed to do all requests of Borough Engineer, start discussion of approving or not;

Mr. Wildermuth – I am confident of the application complying with existing ordinances and applicant seems to be in agreement with all of the items listed in the Engineering Report prepared by Bill Wentzien; I am confident it should be approved;

Mr. McCabe – I agree with Michael;

Councilwoman Rogers – I am in agreement also; questions I had, were answered; they are in agreement with all engineering concerns;

Ms. Argote-Freyre – we’ve become sensitized to issue of impervious coverage and adding; again it seems those issues are covered and they are agreeing with Borough Engineer; all seems to be in compliance and an appropriate application;

Mr. Barricelli – I concur with all comments; I went to site two different times and amazed there have not been any accidents or problems with parking; I think paved parking and stripping will enhance the entire operation; I would be in favor of voting in favor; Does any want to make a motion;

Mr. McCabe made a motion to approve the application with Preliminary and Final Site Plan Approval;
Councilwoman Rogers seconded;

Yes	8	Barricelli, McCabe, Wildermuth, Crombie, Argot-Freyre, Jackson, Councilwoman Rogers and Van Vorst
No	0	
Abstain	0	
Absent	1	Ceppi

Mr. Barricelli – anyone have anything new to add or comment;

Mr. Barricelli – Councilwoman Rogers, anything from Council;

Councilwoman Rogers – nothing from Council but we have a new Juice Bar opening by Panini Grill, looks good, always good to see a new businesses opening;

Mr. Barricelli – anything with new town hall;

Councilwoman Rogers – contracts signed and started working on the building; should be in later this year;

Mr. Barricelli – that’s good – congratulations;

Mr. Barricelli – Ms. Van Vorst

Ms. Van Vorst – mostly signage but the owner of the bus station came to HPC for new roof & gutters; he is having issues with transit buses hitting the building; we gave him options, three different price points and hope he choose one we suggested; we are trying to guide him with NJ Transit and help with bollards in front; with that; we are also trying to get the bus station listed on the State registry as historical, it does qualify; as it is one of the oldest buildings still in use;

Ms. Napolitano – do not have application scheduled for May 26 but we may get a curtesy review from one of the schools looking to get a shed; we have an application but won’t be heard until June possibly July;

Mr. Barricelli – will we be meeting in person soon;

Mr. Cucchiaro - I spoke with Borough Administrator, we are different from Borough Council, we have more people and have a verbatim recording requirement; he is working on design were everyone can be 6 feet apart, all at microphone, area for applicants to put exhibits up; keep eyes open for Governor’s new regulations coming out on May 17;

Mr. Barricelli – thank you; anyone else; hearing nothing;

Ms. Argote-Freyre – looking forward to Memorial Day Parade a little bit of normal;

Mr. Jackson made a motion to adjourn, Ms. Argote-Freyre seconded;

All in favor, aye, - All members

Meeting adjourned at 7:34 PM.

Respectfully submitted,

Dominica R. Napolitano

ATTACHMENT II

Prepared by:

RONALD D. CUCCHIARO, ESQ.

THE PLANNING BOARD OF THE BOROUGH OF FREEHOLD
(JOINT LAND USE BOARD)
RE: HI-MOUNT REALTY, INC.
BLOCK 96, LOT 11
APPLICATION NO. PB-SP-2021-005
PRELIMINARY AND FINAL SITE PLAN APPROVAL

R E S O L U T I O N

Mr. offered the following Resolution and moved its adoption
which was seconded by .

WHEREAS, Hi-Mount Realty, Inc., hereinafter referred to as the
“Applicant”, is located on premises known as Lots 11 in Block 96 as shown on
the Tax Map of the Borough of Freehold and located at 20-36 Hull Avenue,
which is owned by Hi-Mount Realty, Inc.; and

WHEREAS, Applicant has applied to the Freehold Borough Planning
Board for preliminary and final site plan approval affecting these premises; and

WHEREAS, Applicant has given notice pertaining to the public hearing to
be held on said application as required by the Revised Statutes of the State of
New Jersey and the Freehold Borough Land Use Ordinance; and

WHEREAS, pursuant to the notice a virtual public hearing was
conducted by the Freehold Borough Planning Board on May 12, 2021; and

WHEREAS, at said hearing, the Applicant presented the sworn testimony
of John J. Ploskonka, P.E., P.P.; and

WHEREAS, the Planning Board also considered the following Exhibits at
said meeting which were marked into evidence and enumerated as follows:

- A-1 Land Use Application Checklist, dated February 9, 2021.
- A-2 Planning Board Application Form, dated February 24, 2021.
- A-3 Site Plan Application, dated February 22, 2021.

- A-4 Site Plan Checklist, dated February 22, 2021.
- A-5 Tax Certification, dated February 25, 2021.
- A-6 Exhibit Listing, no date.
- A-7 Witness List, no date.
- A-8 Plans entitled "Preliminary & Final Site Plan. Block 96, Lot 11, Borough of Freehold, Monmouth County, NJ" prepared by Concept Engineering Consultants, P.A., consisting of seven (7) sheets, dated December 4, 2020. Sheets 1-4, 6-7 revised to January 18, 2021.
- A-9 Report entitled "Stormwater Report Management Report, for Hi-Mount Realty, c/o Kiely Properties, Block 96, Lot 11, Borough of Freehold, Monmouth County, New Jersey", prepared by Concept Engineering Consultants, P.A., dated January 21, 2021.
- A-10 Twelve (12) photos of Existing Site, No date.
- B-1 Abbington Engineering Report, dated April 19, 2021.
- B-2 Abbington Engineering Report, dated May 5, 2021.

WHEREAS, The Freehold Borough Planning Board carefully considered all of the evidence, testimony and exhibits presented including questions and testimony of interested parties and based thereon has made the following finding of fact and conclusions of law:

1. The subject Property contains 44,136 s.f. with frontage along Hull Avenue within the Borough's A (Apartment Residential) Zone. The subject Property is currently improved with a two (2) story apartment building with nine (9) apartment units as well as a walk out basement facing Hull Avenue. Separate concrete fenced in pad areas exist behind each unit in the rear of the building. Access to the subject Property is via a stone driveway located to the west side of the parcel. The stone driveway leads to a stone parking area in the rear which is not delineated by any striping. A concrete pad in the rear of the subject Property also accommodates a refuse area. The remainder of the subject Property is wooded.

2. The Applicant proposes to retain the existing apartment building and rear patio areas. The existing stone driveway will be replaced by a paved access in approximately the same location. The rear stone parking area is also proposed to be replaced with a paved asphalt parking area. The Applicant proposes twenty-one (21) parking spaces four (4) parking spaces located immediately behind the proposed paved parking area are also to remain. The existing refuse area is further proposed to be removed and replaced.

3. Counsel for the Applicant, Vincent Halleran, Esq. explained that the subject Property was currently improved with a two (2) story apartment building and that the Applicant was seeking preliminary and final site plan approval to increase the number of parking spaces and to improve the development with a newly paved parking area and access drive.

4. The Applicant's Engineer and Planner, John J. Ploskonka, PE, PP testified that the subject Property is currently improved with a two (2) story apartment building containing nine (9) apartment units. He stated that the apartment building is a permitted use within the A Zone. Mr. Ploskonka then identified an existing stone parking area in the rear of the subject Property which is unstriped.

5. Mr. Ploskonka further testified that the Applicant was seeking preliminary and final site plan approval to increase the number of parking spaces to twenty-one (21) which would include retaining four (4) existing parking spaces in the rear beyond the newly paved area. He further stated that the Applicant would replace the existing stone driveway with a new paved access in approximately the same location. Mr. Ploskonka then confirmed that the Borough Ordinance required fourteen (14) parking spaces and that the Residential Site Improvement Standards ("RSIS") required eighteen (18) parking spaces. He therefore concluded that the proposed parking was compliant and that relief was not required. Mr. Ploskonka then confirmed that the proposed 9 ft. x 18 ft. stall dimensions complied with RSIS requirements.

6. In response to questions from the Board, Mr. Ploskonka also confirmed that the four (4) parking spaces proposed to remain in the stone

parking area would be tandem spots. He further explained that the existing trash enclosure area was being relocated due to the existence of an underground pipe. Mr. Ploskonka then testified that curbing would be installed in order to protect the rear property line. He also stipulated that a new driveway apron would be constructed and that soil borings would be submitted to the Board Engineer for review and approval.

7. There were no members of the public expressing an interest in this application.

8. Based on the foregoing findings of fact, the Board now makes the following conclusions of law.

9. The Board finds that the existing building is a permitted use within the A Zone. The proposed improvements also comply with all zoning, site plan, design criteria and RSIS requirements. Relief pursuant to N.J.S.A. 40:55D-70 and N.J.S.A. 40:55D-51 is therefore not required. The Board finds that it is required by the Municipal Land Use Law to grant preliminary site plan approval pursuant to N.J.S.A. 40:55D-46 and final site plan approval pursuant to N.J.S.A. 40:55D-50 for this as of right application. The Board also finds that the application represents an improvement to the subject Property.

NOW THEREFORE, BE IT RESOLVED by the Freehold Borough Planning Board based upon the foregoing findings of fact and conclusions of law, the application for Preliminary and Final Site Plan Approval pursuant to N.J.S.A. 40:55D-46 and 50, to Hi-Mount Realty, Inc., bearing Application Number PB-SP-2021-005 is hereby approved subject to the following conditions:

SPECIFIC CONDITIONS

1. The proposed new paved parking area shall be striped.
2. The Applicant shall comply with all Landscaping Ordinance requirements.
3. Curbing shall be installed in the rear of the subject Property subject to the review and approval of the Board Engineer.

4. The Applicant shall submit soil boring tests to the Board Engineer for review and approval.
5. The Applicant shall construct a new driveway apron subject to the review and approval of the Board Engineer.
6. All new parking stall dimensions shall be 9 ft. x 18 ft.
7. The Applicant shall comply with all recommendations contained in the reports of the Board's professionals.

GENERAL CONDITIONS TO APPROVALS

1. **Conditions and Agreements in Record.** Applicant shall comply with all other requirements, agreements and conditions contained in the record of the proceedings in this matter including those set forth in the reports of the Freehold Borough agencies, boards, commissions and staff which have not been satisfied or specifically waived by the Board.
2. **Escrow Accounts.** It is a condition of the approval granted by the Planning Board herein that the applicant shall pay any additional escrow fees required in order to pay the expenses for professional services related to the Application.
3. **Developer's Agreements.** In conjunction with any application for Final Approval, no site plan or subdivision plat shall be signed by the Chairperson, Secretary or Engineer unless and until the applicant shall enter a developer's agreement with the Borough Council of the Borough of Freehold associated with this development which agreement shall include provision for any water main or sewer extension required for the project and shall further post such performance guaranties and deposits as shall be required in order to assure completion and maintenance of improvements required by the Land Use Ordinance of the Borough of Freehold and this resolution. The Applicant shall further have filed with the Clerk of Monmouth County all deeds of easement or other conveyances associated with the development to establish rights of way, access, utility location, sight triangles, conservation areas, landscape buffers and the like and shall provide such assurances of title as may be required by the Borough Attorney.
4. **Availability of Public Water and Public Sewer.** In the event that the Borough of Freehold is subject to any limitation on its water diversion rights, or if there shall be any moratorium or other restriction of whatever nature pertaining to public water supply or public sewer, then the within approval is expressly conditioned upon the ability of the Borough Committee of the Borough of Freehold to provide these utilities to the proposed development.

5. Other Governmental Approvals.

5.1 Monmouth County Planning Board. If the within application is subject to review and approval from the Monmouth County Planning Board, and said approval has not been obtained, then the within approval shall be deemed to be conditioned upon the applicant securing approval from the Monmouth County Planning Board. If the applicant has obtained conditional approval from the Monmouth County Planning Board then such County conditions shall be satisfied as further conditions of this approval.

5.2 Freehold Soil Conservation District. If the within application is subject to the New Jersey Soil Erosion and Sediment Control Act, and the applicant has not obtained certification of a soil erosion and sediment control plan from the Freehold Soil Conservation District, then the within approval shall be deemed to be conditioned upon the applicant securing certification of its soil erosion and sediment control plan.

5.3 Department of Environmental Protection. If the subject premises are affected by any freshwater wetlands or freshwater wetland transition areas the applicant shall obtain from the State of New Jersey Department of Environmental Protection all required letters of interpretation, permits or other authority necessary to permit the development to proceed. Further, if the applicant requires any stream encroachment permit from the New Jersey Department of Environmental Protection, the securing of such permit shall be deemed to be a condition of this approval. If the application involves public water service, the applicant shall obtain permits as required from the N.J.D.E.P. Bureau of Safe Drinking Water relative to extension of the Borough water system. If the application involves public sewer service, the applicant shall obtain permits as required from the N.J.D.E.P. Division of Water Quality to extension of sanitary sewers of either the Borough, Manasquan River Regional Sewage Authority and Ocean County Utilities Authority or the Borough and Western Monmouth Utilities Authority as applicable.

5.4 State Highway Permits. If the proposed development is on a State highway, the applicant shall obtain such highway access permits or other permits as shall be required by the State of New Jersey Department of Transportation.

6. Modifications of Plans. In the event that any other agency having jurisdiction over the application or any portion thereof requires modifications of the plans approved by the Freehold Borough Planning Board, such modifications may require further action by the Planning Board and in no event shall the Freehold Borough Planning Board be deemed to have given authority for development of the project in any manner other than as shown on the approved plans herein. Any modifications to the plan submitted to other concerned governmental agencies shall simultaneously be submitted to the Planning Board.

7. **Storm Water Detention/Retention/Re-Charge Basins.** If the applicant has proposed to dedicate to the Borough of Freehold any lot or lots within the development for storm water management facilities, then at the time of acceptance by the Freehold Borough Council, the applicant shall post with the Borough of Freehold a maintenance guaranty for said facilities for a ten-year period as provided by the Freehold Borough Land Use Ordinance and as calculated by the Freehold Borough Engineer.
8. **Dedication of Lands.** The within approval is subject to the applicant securing the acceptance by the Borough Council of the Borough of Freehold of any lands proposed by the developer to be dedicated to the Borough of Freehold and associated with this development.
9. **Taxes and Assessments.** All taxes and assessments applicable to the subject premises shall be paid and current.
10. **Restrictive Covenants.** Any restrictive covenant or other condition of record proposed to be included in deeds to purchasers shall be set forth on the final plat and a copy thereof shall be submitted to the Board for approval.
11. **Plan Revisions.** It is a condition of this approval that the Applicant submit to the Planning Board within 90 days of the date of the adoption of this resolution the revised plats, maps, reports or other data containing the additions or corrections specified in the record of the proceedings including but not limited to those additions or corrections set forth in the reports of Freehold Borough agencies, boards, commissions and staff. No construction permits shall issue nor shall any further action whatsoever be taken on account of the application until this condition is met. Further, in the event that the correctly revised data is not submitted within the 90-day period aforesaid, the Planning Board shall presume that the applicant does not intend to submit the revisions and therefore the within approval shall be rendered null, void and of no further effect.
12. **Mount Laurel Contribution.** If applicable to this development, the Applicant shall pay its contribution to the Borough of Freehold Mount Laurel Housing Fund or construct such affordable housing as shall be required by the Borough of Freehold.
13. **Breach of Conditions.** Failure to satisfy any conditions set forth herein or a subsequent breach of any such condition or a failure by the applicant to discharge any obligation hereunder will result in the reconsideration and possible revocation or rescinding of the within approval. A certification by the Freehold Borough Engineer that the applicant has breached any such conditions shall immediately terminate the right of the applicant to obtain construction permits, certificates of occupancy or any other government authorizations necessary in order to continue or complete development of the project pending a hearing before the Freehold Borough Planning Board regarding the breach.
14. **Lapse of Protection.** Pursuant to N.J.S.A. 40:55D-52, the statutory protections afforded by the within action shall expire two years from today's date.

ROLL CALL

YES:

NO:

ABSENT:

ABSTAINED:

DISQUALIFIED:

DATED:

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution which was approved by the Freehold Borough Planning Board at its meeting held on June 9, 2021.

DOMINICA NAPOLITANO
Planning Board Secretary

State of New Jersey:

County of Monmouth: ss:

Be it remembered on this _____ day of _____, 2021, before me, a Notary Public of the State of New Jersey personally appeared DOMINICA NAPOLITANO, who being duly sworn by me, according to law on her oath stated:

1. She is the Secretary of the Planning Board of the Borough of Freehold;
2. The within Resolution represents the action taken by the Freehold Borough Planning Board at its meeting of June 9, 2021.

Record and return to:
STEPHEN J. GALLO
FREEHOLD BOROUGH
ADMINISTRATOR
51 West Main Street
Freehold, New Jersey 07728