

FREEHOLD BOROUGH PLANNING BOARD
MINUTES OF MARCH 9, 2022

MONTHLY MEETING

The monthly meeting of the Freehold Borough Planning Board was held on Wednesday, March 9, 2022 at 7:00 p.m. in the Council Room of the Municipal Building.

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.

ROLL CALL

PRESENT	Mr. William Barricelli
PRESENT	Mr. Paul Ceppi
PRESENT	Mr. Michael McCabe
PRESENT	Mr. Michael Wildermuth
PRESENT	Ms. Shealyn M.S. Crombie
PRESENT	Ms. Caridad Argote-Freyre
PRESENT	Ms. Brianne Van Vorst
PRESENT	Councilwoman Margaret Rogers
PRESENT	Mr. Garry Jackson
PRESENT	Mr. James Keelan
PRESENT	Mayor Kevin A. Kane

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

Amended Resolution Appointing Planning Board Attorney as amended by Borough Attorney.

Mr. Wildermuth – made a motion to approve as amended; Mr. Ceppi seconded the motion;

Yes	11	Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Argote-Freyre, Van Vorst, Councilwoman Rogers, Jackson, Keelan and Mayor Kane
No	0	
Abstain	0	
Absent	0	

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

Amended Resolution Appointing Planning Board Engineer as amended by Borough Attorney.

Mr. McCabe – made a motion to approve as amended; Councilwoman Rogers seconded the motion;

Yes	11	Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Argote-Freyre, Van Vorst, Councilwoman Rogers, Jackson, Keelan and Mayor Kane
No	0	
Abstain	0	
Absent	0	

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

Approval of Minutes from Planning Board Meeting February 9, 2022.

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

Yes	11	Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Argote-Freyre, Van Vorst, Councilwoman Rogers, Jackson, Keelan and Mayor Kane
No	0	
Abstain	0	
Absent	0	

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

Approval of Minutes from Planning Board Meeting February 23, 2022.

Mr. Wildermuth made a motion to approve the minutes, Ms. Van Vorst seconded.

Yes	7	Barricelli, Ceppi, Wildermuth, Argote-Freyre, Van Vorst, Councilwoman Rogers and Mayor Kane
No	0	
Abstain	4	MCCabe, Crombie, Jackson and Keelan
Absent	0	

Mr. Barricelli read Item No. 7 on the Agenda as follows:

Application Number: PB-SD-2021-011, Applicant: Colts Pride LLC, Location: 18 Lloyd Street Block 74 Lot 1.01 & 15 Zone: R-5, Request: Minor Subdivision with Preliminary and Final Site Plan Approval – Carried from January 26, 2022

Mr. Barricelli – request to carry to March 23, 2022

Mr. Cucchiaro – the applicant has requested to carry to the next meeting; application PB-SD-2021-011, applicant, Colts Pride LLC, 18 Lloyd Street, Block 74, Lot 101 & 15, Zone – R-5, request for minor subdivision with preliminary and final site plan approval, heard on January 26, 2022 will be carried to the next Planning Board live meeting on Wednesday, March 23, 2022 here at 30 Mechanic Street, 7:00pm and will be no further notice;

Mr. Barricelli read Item No. 8 on the Agenda as follows:

Application Number: PB-BV-2021-013, Applicant: Ciaglia Custom Builders
Location: Ford Avenue, Block: 69 Lot: 14 Zone: R-5, Request: Minor Subdivision Plan

Salvatore Alfieri, Esq. – attorney for the applicant, minor subdivision, each lot is 6,000 sq ft which is what is required in the zone; no variance relief sought; we have one witness, Marc Leber, engineer and prepared the minor subdivision plan;

Marc Leber sworn in by Ron Cucchiaro, Esq. –

Marc Leber – licensed in NJ, 2004, BA from Drexel Univ. major in Civil Engineering, MBA at Rutgers Grad School, licensed in 2005 as Professional Planner; 2006 licensed as Certified Municipal Engineer; work at East Point Engineering, Marlboro, Rt. 79 and have appeared board this board prior;

Mr. Barricelli – credentials accepted;

Mr. Leber – one exhibit and possible second, architectural drawings; Sheet 3 of 5 from submitted plans, color plans

Mr. Cucchiaro – A-1, Color Rendering – one sheet;

Mr. Alfieri – please orient the board and of what is proposed;

Mr. Leber – Ford Avenue, plans showing East to West, Fourth Street on right and Third Street on left; block 69 lot 14, vacant property, somewhat wooded; lot area is 12,000 sq. ft. 100 ft. of frontage on Ford Avenue, 120 ft. of depth; zoning is R-5, requiring 6,000 sq. ft. lots; also requires minimum lot of 50 feet, front yard setback of 25 feet, side yard setback 5 feet, rear yard setback of 25 feet and maximum lot coverage 40%; single family permitted in the zone with a height limitation of 30 feet or 2.5 stories and minimum first floor of 1,000 sq. ft.

Proposed is subdivide down the center, with 50 feet in front on Ford Ave, and 120 foot depth; single family on each lot; connect to public water and sewer; sewer in unusual in this area, attempted to get as much history and reached out to public works dept.; there is a sewer lateral that dead ends in middle of street with cap; depth to bottom to pipe is 2 feet; the rib is 102.9 elevation and the pipe is 101 just about 2 feet; with this issue, we can't extend public sewer along Ford Ave, past front of lots, because we wouldn't be able to cover the pipe;

We propose that each lot to have own individual grinder pump, solution to scenario; there are off the shelf products you purchase; E1 is a manufacturer, a private pump, sits on front lawn with green cover and connect to house hold plumbing; when water level rises it will pump out to sewer main;

Mr. Maltese – did you investigate out to the street, there is a man hole at Fourth Street;

Mr. Leber – I don't know of man hole; do you know depth;

Mr. Maltese – I don't but should look into; also the survey does not have sanitary line information shown on it;

Mr. Leber – I will speak to DPW; after survey was performed we were still in communication with public works and went back out and then added to this plan;

Mr. Leber – each lot will be conforming each house will be four bedrooms; I have architectural plans; We can mark as Exhibit A-2 – Architectural Elevation showing four sides of house; small covered front porch, two car front entry garage, two story dwelling, vinyl siding, four bedrooms, 3 parking spaces (garage and driveway) fits with character of the area; houses similar to each other, look alike ordinance; we usually change window lines, peaks; just showing so you have visualization;

Mr. Alfieri – RSIS approved;

Mr. Leber – yes; also code requirement for street trees; look back at A-1, green circles are proposed street trees;

Mr. Alfieri – prior to perfecting and issuance of permits a plot plan must be provided to zoning officer, building department to make sure all bulk standards are met, correct;

Mr. Leber – correct;

Mr. Alfieri – technical comments from Engineering Report by Mr. Maltese, can you comment; other than sewer issue any conditions or comments that we can't address;

Mr. Leber – I do want to ask, there was a note that Ford Avenue is part of an upcoming road improvement project, do you know when happening;

Mr. Maltese – surveyed road, maybe summer job;

Mr. Leber – thank you – comments regarding tree clearing line; usually with plot plan we'll specify the clearing of each lot, if there are trees that can be retained we will keep; requirement to do soil borings, these houses have basements which is preferred then maintain separation of water table; dry well locations and we agree; need approval from Monmouth County Planning Board; Freehold Soil District; repair sidewalk; subdivision plan comments, we will address and no issues with them;

Mr. Alfieri – we have received an exemption letter from Monmouth County Planning Board;

Mr. Leber – that is all – page 6 is standard, requirements pertaining to bonds, fees, developers' agreement if required and will comply with any conditions to that; - that is all;

Mr. Barricelli – any board members have questions for Mr. Leber

Councilwoman Rogers – clarify grinder

Mr. Leber – waste water leaves the house with gravity flow, through the pipe at a small slope, running out of the building; if the sewer is higher than house, imagine going down a driveway that slopes down and house is below roadway, in those situations you can't let your pipe flow out to sewer because your pipe can't reach the sewer, it is too deep into the earth; although these lots are not downhill from roadway, there is an issue, if we try to extend sewer to allow for gravity flow the pipe will be out of the street in the air by the time it gets to the lots; with the pump it is an individual pump station for each house; connected to the house electrical unit and floats inside that protect when the water level rises and pump turns on; similar to a sump pump;

Councilwoman Rogers – where does the water go;

Mr. Leber – the pump would eject the water through a 1.5-inch pipe that would run and connect to the sewer in the street;

Councilwoman Rogers – are the existing pipes or new pipes;

Mr. Leber – existing line in the street;

Councilwoman Rogers – will you be checking the pipes to see if lead pipes because we need to replace;

Mr. Leber – the lead would be on water side; this is what is going through your kitchen sink;

Mr. Barricelli – back to Anthony’s question, what is the purpose of your question, regarding man hole on Fourth;

Mr. Maltese – if there is a man hole up the stream then we would check invert on; intersection of Fourth and Ford, it is approximately 150 feet away, I recommend we connect and place a new pipe go to the system on Fourth Street;

Mr. Barricelli – you prefer what you suggest than what he suggests;

Mr. Maltese – needs further investigation;

Mr. Alfieri – we would need to investigate to see if feasible;

Mr. Cucchiaro – for the purpose of the resolution, the applicant is agreement to investigate for feasibility and what the borough engineer reviews and agrees;

Mr. Alfieri – yes;

Ms. Van Vorst – on the back of the rear elevation on both houses, to the left of the double doors, there is a little roof;

Mr. Leber – that is a fire place, gas; it bumps out about 2 feet;

Mr. Barricelli – layout, grading plan, right side, 14.03, sidewalk that is new correct;

Mr. Leber – yes, across entire frontage, all new sidewalks, not repair full replacement; sidewalk is in such disrepair, then any repair would be new;

Mr. Barricelli – any possible resolution of encroachment on the two sides of the property;

Mr. Alfieri – a neighbor is here and he has a different issue, the property to our right we show a small encroachment of the shed and no issue that the shed remains; wood fence, does not impact our development of houses and no issue the encroachment remain;

Mr. Barricelli – issue for potential buyer;

Mr. Cucchiaro – if the shed and fence remain we need to formalize by easement agreements or something;

Mr. Alfieri – if the neighbor does not cooperate how do we formalize;

Mr. Cucchiaro – agreement or element;

Mr. Barricelli – any other board members;

Mr. Barricelli – any members of the public have questions for the public;

Bannard Hye – 51 Ford Avenue – moved the shed from driveway to the rear, now in back yard, moved around Thanksgiving time;

Mr. Leber – the survey was completed in October, so since October you have moved the shed that was at the end of the driveway;

Mr. Hye – yes, it is now in the back yard;

Mr. Cucchiaro – this is questions only to the applicants’ engineer; Mr. Leber can you identify on the survey as to what shed you are speaking about on the encroachment to confirm if this is the shed Mr. Hye is speaking of;

Mr. Leber – back to A-1, look at the common lot line, the encroachment from proposed lot 14.03 and lot 13.01 there is a concrete drive belongs to 51 Ford Avenue and at the end of the driveway there is a shed;

Mr. Hye – that is the one, I moved;

Mr. Barricelli – any other public members have a question;

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

Yes	11	Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Argote-Freyre, Van Vorst, Councilwoman Rogers, Jackson, Keelan and Mayor Kane
No	0	
Abstain	0	
Absent	0	

Mr. Wildermuth – looking at the shed, my eye went, if part of the drive encroaches too;

Mr. Leber – it does, the letter noted, shed, fence and wood fence; we are not proposing to move the driveway; I understand the board attorneys about if it is going to stay how does a buyer purchase the lot; that is something we legal work out;

Mr. Cucchiaro – at some point this could become an issue, for someone to look back at our resolution to understand what we did, we need to resolve; if everything is going to stay as is, there should be some sort of property right, a document recorded; easement, license or something else, some property right agreement, recorded and referenced in our resolution;

Mr. Alfieri – we will work with the gentlemen that just came up and see if he will sign an agreement that we give him the right to keep the driveway there but if he resists it, then I would suggest he file a unilateral document that says, that the neighbor is to maintain the driveway in current location; we don’t want to disrupt anything there, the two houses are enough;

Mr. Ceppi – similar arrangement with the fence in the rear;

Mr. Alfieri – we’ll reach out to the property owners, move or give them a document to remain;

Mr. Jackson – has there ever been a structure on this lot or always vacant;

Mr. Alfieri – we do not have any knowledge of previous structures;

Mr. Barricelli – anyone else with questions;

Mr. Barricelli - Mr. Alfieri, any other witnesses;

Mr. Alfieri – no that is all we have;

Mr. Barricelli – open for public comments;

Bannard Hye – 51 Ford Avenue – sworn in;

Mr. Hye – I have lived in my house for thirty years, I bought my house as was and fixed; the lot being built on, I took care of for thirty years; the person that owned, abandoned it, never did I get a thank you; mowed the grass, raked the leaves, cut trees that fell through the years, storms; never did the woman thank me; I didn't know it was up for sale, now I hear it is being built on, I didn't get a chance to buy; I ask the parents if you ever want to sell please let me know; my house paid for, I could have bought the lot and taken what property I wanted put a garage and now not even in my grasp; stinks; happy someone is doing something, I am tired of working it, nothing was done by the owner; there are 6 to 8 trees still down from storms; I wanted a piece of the property, my house has a small gate in the back yard, my garbage cans are behind the house, I go through the side gate, my lawn mower through the side to mow the front; that is how it has been done for 30 years; now I have a riding mower, can't use because I'll be trespassing on someone's property; it is a bad thing that took place; I am sorry I am acting this way but the way I feel;

Mr. Barricelli – thank you for being a good neighbor; you have a chance to meet your new neighbor and sure he will be better than the last neighbor;

Mr. Hye – hope the new homes are not over powering; I have three-bedroom cape cod; I don't want taxes going up, no more than what they are, hard living in this state; I retire in two years, hope I can retire here; thank you for your time;

Mr. Maltese – question for the witness, do you currently have a force main for sanitary sewer;

Mr. Hye – I have a septic, most houses have septic; the dead end in front of my house, brand new house across from this lot, they pump their toilets into the street; the corner one goes into; there are so many lines; I am a mechanic, if you don't have constant water going through a pipe, it gets backed up, if you lose power, not good; we have lost power for 14 days on this street; if you don't have back up, there will be problems with the toilets; I have septic, best dollar for the buck, I only pay water, not sewer; every three years, get pumped out; I don't have problems with my cellar, full size, just hope I don't wind up with problems; 4 bedroom is big house, just don't want to get a bad thing;

Mr. Barricelli – does this testimony have any impact on what you were thinking before;

Mr. Maltese – It may or may not, we need to investigate;

Phillip Fedele – 7 Fourth Street – sworn in;

We do use sewer ejection, if that answers your question; second thing anyone form the police tonight; If there was a proactive for the police to give out tickets for vehicles that are violating registration is that a council question;

Mr. Cucchiaro – this board looks at land use applications; questions like that are for Borough Council or you can contact the business administrator;

Dominica Napolitano – March 21, 2022 is next council meeting;

Mr. Hye – one more thing, property alongside empty lot, history; my neighbor, about 90 years old, Teresa Swalla, grew up in house, still alive, her brother built my house, and across from mine; he built also the one across from these vacant lots; the house directly across from mine, was small, put addition and made bigger which was his office when building houses; finished three houses, working on my house had a nervous breakdown, never finished my house, Millhurst Mills finished my house; that is why that lot is vacant; supposed to have two more houses there;

Mr. Barricelli – motion to close public comment;

Mr. Wildermuth made a motion to close public comment; Mr. McCabe seconded;

Yes	11	Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Argote-Freyre, Van Vorst, Councilwoman Rogers, Jackson, Keelan and Mayor Kane
No	0	
Abstain	0	
Absent	0	

Mr. Jackson – Mr. Hye brought up questions of drainage, not wanting anything on his property from these two structures; if they use grinder system and there is a power outage, where does waste water go;

Mr. Maltese – back flow preventer, and hopefully won't back up in house but may;

Mr. Jackson – any chance it goes to neighbor's property;

Mr. Maltese – it would have to fill the house;

Mr. Jackson – rainwater;

Mr. Maltese – review during plot plan phase and will require as built also;

Mr. Alfieri – we are proposing dry wells as part of the plot plan;

Mr. Barricelli – deliberations;

Councilwoman Rogers – I think we need further investigation for waste water; I'm inclined to ask to carry to finish plans

Mr. Maltese – we can work out, with pump or gravity pump system and use our experience and work with DPW to connect to public system; we will do more investigation;

Mr. Alfieri – we are asking this board to approve this lot line, we have to pull building permits and satisfy your engineer and with all issues, construction and sewer;

Mr. Barricelli – with all that would you vote to approve;

Councilwoman Rogers – sure;

Mr. Wildermuth – I’m inclined to support; lots conforming, proposed structures look nice, good addition to the Borough; we had testimony that this lot of land was supposed to have two houses built in the 1950s; I definitely will support;

Mr. McCabe – I agree, will support all the way through; talking about sewage and private pump I think is a none issue, obviously other houses around have something similar; only thing I would add is possibly think about putting a stand by generator to alleviate that issue of loss of power; lot lines conform; I will support;

Ms. Van Vorst – happy to support, no issues;

Ms. Crombie – agree, happy they will look different and the trees;

Ms. Argote-Freyre – great idea to develop, seems that was the plan; unfortunate that Mr. Hye was not offered opportunity to purchase but that is not up to this board;

Mr. Ceppi – I support;

Mr. Barricelli – outstanding application, Sal and Marc; we welcome development / redevelopment in our town; looking for investors and builders that are interested in helping us redevelopment this town; hope to see you back again;

Mayor Kane – can we make sure we coordinate any utility work prior to Ford Avenue being repaved; there will be a moratorium on Ford after it is paved;

Mr. Barricelli – a motion for this application;

Mr. McCabe – made a motion to approve; Ms. Crombie seconded;

Yes	9	Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Argote-Freyre, Van Vorst, Councilwoman Rogers and Mayor Kane
No	0	
Abstain	2	Jackson & Keelan
Absent	2	

Mr. Alfieri – thank you

Mr. Barricelli – Councilwoman Rogers anything to offer;

Councilwoman Rogers – yesterday we announced at the fire house a Bruce Springsteen archives of American music museum, build a new safety building, fire police ems – we are very excited about our partnership with Monmouth University

Mayor Kane – this project will change the structure of the town for the next 50 years; spoke early, brings everything to a new level; we are not putting in the fire house because that is what we want to do, we spoke early on, the fire house is too small for what we need; the last two purchase of equipment, truck was \$1.3 million and rescue pumper was \$900,000.00 and neither one fit in the fire house; it has been expanded to its maximum multiple times; we can't make bigger, equipment is not getting smaller; the fire department is celebrating its 150 anniversary July 11, 2022; prior to 1919, the fire house was on Throckmorton Street and out grew; Kevin Coyne, said when the villagers split from the farmers the Borough became the Borough and carved out of the township that building was constructed as the municipal building; offices on top floor and fire engines on bottom; it grew; we are going to build state of the art public safety complex with police and fire, shared service for training; space to put fire department artifacts in this building; also as my home town Bruce Springsteen, center there will be an entire section of the history of the fire department as part of the history of the town; tremendous project; idea was there and as the redevelopment is coming along it is all coming together; the bus station also, NJ Transit is constantly talking about a better facility, they have plans to electrify their entire fleet by end 2035; we are in running to create a model facility for new electrification; 18 acre County Park, trails to transit, everything is aligning; great adaptive reuse; excited to talk about now;

Ms. Van Vorst – the NPP Committee, Dominica and I, HPC are doing a sculpture Art Walk this summer and you will see the RFP on the Borough Website under the NPP tab and sharing all over; please share; there will be 12 sculptures of horses on pedestals on Main Street that artists compete to design and on display in the summer; working hard to get the word out, if you see it share it;

Mr. Barricelli – motion to adjourn

Mr. Ceppi made a motion to adjourn, Councilwoman Rogers seconded;

All in favor, aye (all) – nay (none)

Meeting adjourned at 7:53 PM.

Respectfully submitted,

Dominica R. Napolitano