

## FREEHOLD BOROUGH PLANNING BOARD

### MINUTES OF AUGUST 10, 2022

#### MONTHLY MEETING

The monthly meeting of the Freehold Borough Planning Board was held on Wednesday, August 10, 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
ABSENT	Mr. Michael McCabe
PRESENT	Mr. Michael Wildermuth
ABSENT	Ms. Shealyn M.S. Crombie
PRESENT	Ms. Caridad Argote-Freyre
ABSENT	Ms. Brianne Van Vorst
PRESENT	Councilwoman Margaret Rogers
ABSENT	Mr. Garry Jackson
PRESENT	Mr. James Keelan
PRESENT	Mayor Kevin A. Kane

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

##### Approval of Minutes from Planning Board Meeting July 13, 2022.

Michael Wildermuth made a motion to approve the minutes, Mr. Ceppi.

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

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

Memorialize Resolution for Review of Redevelopment Plan for Property designated as 2-6 Broad Street and 26-28 Court Street, Block 36 Lots 5 (5.01), 6 (6.01) 7 (7.01) and 9 (9.01) Zone B-1.

Councilwoman Rogers made a motion to approve the resolution, Mr. Ceppi seconded.

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

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

Application Number: PB-SD-2022-006, Application: Zukas Properties, LLC, Location: 83 Broad Street – Block 29 Lot 14 Zone R-7/R-5 - Request: Preliminary and Final Major Subdivision

John Rentschler, Esq. – on behalf of applicant Zukas Properties, LLC; confirming you received affidavit of publication and notice;

Mr. Brigliadoro, Esq. (Weiner Law) – yes – the Board has jurisdiction;

Mr. Rentschler – clarification, throughout our documents we list as three (3) stories, the county tax board site states 2.5 stories; our witness tonight is Peter Strong, Crest Engineering;

Mr. Brigliadoro – Peter Strong sworn in; credentials – BS Civil Engineering 1971, University of Technology; Land Development for 50 years, Crest Engineering in 1981 continues through today; licensed professional engineering 1975 and planner 1978 and licensed in the state of Florida;

Mr. Strong – background of existing – Block 29 Lot 14 situated on Broad Street and Manalapan Avenue, 1.5 acre in size with a 3 story building fronting on Broad Street, 3 car garage and sheds and several lengths of driveway; proposing 3 lot subdivision;

Color Rendering – Enlarged –

Dominica Napolitano – this exhibit was previously submitted in black and white; this exhibit should be marked as A-4 Coloring Rendering

Mr. Strong – green shaded area is the site, grey shaded part of existing driveway, refer to 83 Broad Street – 3 story, height 38 feet, existing garage with shed, and second shed in the back, west side; Proposed to subdivide the property 1 existing lot, 1 with garage and shed and 1 westerly portion drive out to Manalapan Avenue; each conform with zoning requirements of R-5 and R-7 zones; the existing driveway goes through the site and will cut off to reduce the connectivity to the new lots and dwellings; ; new drive to Manalapan Avenue with existing drive that leads to garage and shed;

Mr. Rentschler – proposed lots are they larger than the lots in the area;

Mr. Strong – yes; lot 14.01 R-5 zone, proposed 23,774 sq. ft. and 6,000 sq. ft. is required; 14.02 (middle lot) proposed 13,511 sq. ft. R-7 zone required to have 8,400 sq. ft. and existing dwelling lot, R-5 zone, frontage on both Broad and Manalapan is proposed 25,405 sq. ft., 9,600 sq. ft. is required, as you see each is oversized;

Mr. Rentschler – to proposed lots meet bulk standards

Mr. Strong – yes, meet all bulk standards; existing home structure is 38 feet in height where 30 is allowed; this an existing condition, we are not creating anything with this subdivision;

Mr. Rentschler – other than existing house, are there any variances required;

Mr. Strong – not to my knowledge;

Mr. Rentschler – the red houses on the plan are just for conceptual, correct;

Mr. Strong – yes place holders to show potential dwellings;

Mr. Rentschler – that is all we have for the 3 lot subdivision;

Mr. Keelan – what are you doing with the skinny grey area;

Mr. Rentschler – it is an existing driveway which is currently being used by each neighbor as a driveway; it will remain, we do not intend to obstruct the use;

Mr. Strong – it is part of lot 14.01

Mr. Barricelli – do they have an easement;

Mr. Rentschler – no they do not; if the board approves and wants we can offer; can't say they will accept but we can offer;

Ms. Argote-Freyre – you propose we authorize a new irregular lot, subdivide into 3 lots, current lot is irregular and one of the new lots will also be irregular;

Mr. Rentschler – irregular in shape which complies with bulk standards in the zone;

Mr. Barricelli – you read the Monmouth County report;

Mr. Strong – yes and we will comply with all requirements;

Councilwoman Rogers – any comments or statements from our engineer; example, plans don't provide number of bed rooms so we don't know the number of parking needed;

Mr. Maltese – we mention this but at the time of plot plan phase, we would go through the particulars but we want to make note of;

Mr. Rentschler – we are working in two steps; get the property subdivided, if approved then site plan approval;

Mr. Barricelli – the public will have a chance to question each of the people that will provide testimony; you can ask a question, not a comment; later you can provide comments; we are only considering questions is for the subdivision, nothing more;

Public Questions;

Tom Tweitmann – 36 Manalapan Avenue – fire truck access, how will they be able to get back there;

Mr. Strong – same as any other, by driveway, it will be code compliant;

Mr. Maltese – it will be required to be reviewed by the fire official if approved during plot plan phase;

Mr. Tweitmann – is this the first meeting;

Mr. Barricelli – yes

Mr. Tweitmann – where will they bring in water and sewer;

Mr. Strong – Manalapan Avenue up drive to house;

Mr. Barricelli – it will have to comply with Monmouth County, not local it is County;

Mr. Ceppi – frontage of property on Manalapan

Mr. Maltese – 50 feet;

Mr. Ceppi – most narrow point, how wide is property driveway;

Mr. Maltese – 12 ft. to make turn;

Mr. Strong – Manalapan Avenue has two frontage, main front is 361.7 feet and another 12 feet at other driveway;

Robert Broad – 96 Broad Street – in the picture, can you show where the house surrounds on both side;

Mr. Strong – points out on exhibit;

Mr. Broad – so there will be a house in the center, is that typical of Freehold Borough; every other house is along a street; the third house is dropped in the back yard between 4 to 6 houses;

Mr. Strong – it is a unique shaped property and conforms with the code;

Caroline Patrick – 85 Broad Street – driveway onto Manalapan Avenue, two more exists onto any already busy street, don't studies have to be done for the safety;

Mr. Maltese – Manalapan Avenue is Monmouth County jurisdiction and has nothing to do with lot lines; they review and approve;

Ms. Patrick – my carriage house is along the rear, how far is my carriage house from the next house; the distance between the house or next driveway;

Mr. Rentschler – we are not creating two new driveways we are only creating one new driveway;

Mr. Maltese – there are set back requirements that must be met and with this concept they have met them all;

Ms. Patrick – I understand there is contamination on the property will that be addressed;

Mr. Barricelli – we are only taking questions for subdivision;

Maryanne Earle – 89 Broad Street – the grey area in the rear, what are you going to do with that;

Mr. Rentschler – not doing anything with, the neighbors use as their driveway;

Maryanne Earle – side yard setback is 5 ft. correct;

Mr. Maltese – side yard setback is 5 ft., they comply; existing properties along Broad Street do not comply but are in rear and on separate lots;

Jean Holtz – should this subdivision be approved, there will be three (3) lots, the current applicant could build on the other two or could they sell the lots separately;

Mr. Rentschler – correct, the applicant could sell all three lots;

Samantha Daesener – 7 Yard Avenue - Are the clients here

Mr. Rentschler – yes but not providing testimony;

Ms. Daesener – what is your clients name;

Mr. Strong – Zukas Properties

Ms. Daesener – is he familiar with Freehold Borough, is he from here;

Mr. Strong – I am not sure if he is familiar;

Ms. Daesener – if not approved what are his plans;

Mr. Strong – I do not know;

Mr. Barricelli – any other questions from the public;

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

Yes	7	Barricelli, Ceppi, Wildermuth, Argote-Freyre, Councilwoman Rogers, Keelan and Mayor Kane
-----	---	--

No	0	
----	---	--

Abstain	0	
---------	---	--

Absent	4	McCabe, Crombie, Van Vorst and Jackson
--------	---	--

Mr. Barricelli – we will now open to public comments for a three lot subdivision;

Public Comments;

Vincent Armenti – 94 Broad Street – I did a little research to find title 18 zoning of Freehold Borough, 2nd paragraph is Purpose and I wanted to remind the Board what the purpose is, highlighted points; is to ensure the public health safety morals and welfare of the municipality..... It shall be administered in accordance with this comprehensive plan toward the end of providing adequate light and air and preventing the overcrowding of land or buildings. It shall further be administered with a view of conserving the value of property and encouraging the most appropriate use of land throughout the municipality.

I want to make sure the Board has this fresh in the minds when they consider plans like these, consider the community, surrounding community, all these houses that are all around and have another house smack dab in the middle; we are all familiar with what is going on in this town, anyone that lives here knows about the influx of undocumented migrants or being housed in as many facilities they can possibly get into; I think it is this boards responsibility to enforce these laws, overcrowding and someone has to start doing their job for the better; this is not going to work in the favor of that purpose; that is my comment;

Mr. Barricelli – the planning board does not have any executive power to enforce, we do not have any legislative power to make up laws; we are a quasi-judicial committee, look at existing provisions of the master plan and consider what is being presented to us and if compatible with the Master Plan then we go along with, if not compatible it requires a variance and will be considered on a case by case basis;

Mr. Armenti – I understand that is what we have engineers for, it works with the R-5/R-7 zoning but don't forget about conserving the value of the property;

Anthony Cammallere – 99 Broad Street – if this gets approved, is it possible to have to go before the redevelopment committee;

Mr. Barricelli – what would be the reason to do that;

Mr. Cammallere – for criteria of what the house looks like, making it to look like housing on Broad Street, historical street and area;

Mr. Barricelli – we don't decide that – only what is before us now;

Christine Gregory – 42 West George Street – I did not receive the letter and my property abuts to this property; I heard from a neighbor about the meeting and received a copy of the planning board office; I am not from this part of the country and moved here because it is a nice town; it is over developed as it is now, the summer of 2007 my property was designated as a national wildlife federation habitat, one of the greatest accomplishments of my life; the previous owner of said property kept her area in nature as do mine; I do not want any more structures I feel the quality of life and property values will go down because of this; there are too many unanswered questions; the fence on my property is dilapidated, probably put up when structure was built, falling apart and I don't care; trees fell and previous owner didn't do anything; they have the right to develop their property but I want to keep the town the way it is now; totally against the project.

Samantha Daesener – 7 Yard Avenue – do you know who the builder is for the subdivision;

John Rentschler – we are here for the subdivision, not building;

Ms. Daesener – where are you from asking both Mr. Rentschler and Mr. Strong;

Mr. Rentschler – Freehold Borough

Mr. Strong – Millstone

Mr. Barricelli – any more comments from the public;

Councilwoman Rogers made a motion to close public comments; Mr. Keelan seconded;

Yes	7	Barricelli, Ceppi, Wildermuth, Argote-Freyre, Councilwoman Rogers, Keelan and Mayor Kane
-----	---	--

No	0	
----	---	--

Abstain	0	
---------	---	--

Absent	4	McCabe, Crombie, Van Vorst and Jackson
--------	---	--

Mr. Barricelli – Board deliberations;

Councilwoman Rogers - they present a subdivision request, it meets requirements; I have no issue with the subdivision; when we get to the next phase we will see what is presented;

Mr. Wildermuth – concur with Councilwoman Rogers, the purpose of the hearing is subdivision, a plan to subdivide, it conforms with the Master Plan, the R-7 and R-5 zones; questions about structures are premature and comes down the road; I am inclined to support;

Mr. Ceppi – generally not overly opposed, like to understand more the grey shaded areas before I make a final determination; seems to be skeptical whether existing user is supposed to be able to use or not, they are and what agreements might be made before I can make a definitive answer;

Mr. Rentschler – they are using it now, there is no easement or right to use it, they are using it; as the applicant we can offer a driveway access easement to continue to use the driveway; the applicant wants to be a good neighbor and does not want to cut off access; that is the best we can do, I can't force the neighbor to accept, but can offer it;

Mr. Keelan – that seems fair;

Ms. Argote-Freyre – any thought to subdividing that lot or offering it to the other neighboring owner;

Mr. Rentschler – we have not gotten that far in the process, I have not talked to my client about;

Mr. Maltese – if you do that, it may become a non-conforming lot;

Mayor Kane – subdivision with conforming lots, I'm inclined to support also;

Mr. Barricelli – 3 lots, I would like to see 3 clean lots, somehow in the resolution with the one lot sharing the driveway, there is an easement I would be okay with supporting;

Councilwoman Rogers made a motion to approve the three lot subdivision; Mr. Keelan seconded;

Yes	5	Barricelli, Wildermuth, Councilwoman Rogers, Keelan and Mayor Kane
No	2	Ceppi and Argote-Freyre
Abstain	0	
Absent	4	McCabe, Crombie, Van Vorst and Jackson

Mr. Barricelli – thank you; any other items of interest tonight before we adjourn; hearing none, motion to adjourn;

Mr. Keelan made a motion to adjourn, Mr. Wildermuth seconded;

All in favor, aye (all) – nay (none)

Meeting adjourned at 7:51 PM.

Respectfully submitted,

Dominica R. Napolitano