

FREEHOLD BOROUGH PLANNING BOARD

MINUTES OF OCTOBER 25, 2023

MONTHLY MEETING Borough Planning Board was held on Wednesday, October 25, 2023 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
ABSENT	Mr. Paul Ceppi
ABSENT	Mr. Michael McCabe
ABSENT	Mr. Michael Wildermuth
ABSENT	Ms. Shealyn M.S. Crombie
PRESENT	Ms. Caridad Argote-Freyre
ABSENT	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:

Approval of Minutes from Planning Board Meeting September 27, 2023.

Mr. Keelan made a motion to approve the minutes; Councilwoman Rogers seconded

Yes	5	Barricelli, Argote-Freyre, Councilwoman Rogers, Keelan and Mayor Kane
No	0	
Abstain	1	Jackson
Absent	5	Ceppi, McCabe, Wildermuth, Crombie and Van Vorst

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

Application PB-BV-2023-003, Malone I Real Estate LLC, Location 66 Barkalow Avenue, Block 116 Lot 35, seeking a Bulk Variance request;

John Rentschler, Esq. – Sonnenblick Mehr Licata, representing the applicant tonight requesting a bulk variance for lot coverage and building coverage; the applicant is looking to replace his front porch; the front porch is smaller and looking to extend to the width of the house; giving the house character and curb appeal; two witness tonight, Alan Zimble, architect and Allison Coffin, planner and the applicant is here if there are any questions;

Alan Zimble – sworn in; practice over 30 years; education BA from Pratt Institute and MA from Columbia Univ.

Ronald Cucchiaro, Esq. – mark exhibit as A-1, dated 11.30.2021, condition existing home with existing 45 sq. ft. front porch;

Mr. Zimble – there is a small porch, approximate 45 sq. ft and the owner would like to extend to the full length of the house to approximately 135 sq. ft.; lot coverage is 40.6 and proposed will be 42.5; porch will be roof covering, with gable over and siding along and all new façade will match existing on the home now; also add railings, posts, gutters and down spouts; as I state it will be 145 sq. ft.;

Mr. Barricelli – A-1, shows back of house with, new one story are you doing;

Mr. Rentschler – applicant decided not to do the rear portion, only the front porch;

Anthony Maltese – material and colors of the railing;

Mr. Zimble – not sure what the owner has decided for the railing, maybe simple vinyl in white and will follow all code requirements;

Mr. Barricelli – wood steps? And is a railing required by code;

Mr. Zimble – yes, wood and not required – less than 30 inches not required; only adding for appeal;

Ms. Argote – Freyre – adding the gutters and down spouts will it affect the neighbors on either side;

Mr. Zimble – no;

Mr. Rentschler – current gutter flows down the side and out to the street, from the driveway; should be no issues;

Anthony Maltese – currently on the existing porch discharges into the grass area;

Councilwoman Rogers – steps now are concrete, why change to wood;

Mr. Zimble – home owner preference;

Councilwoman Rogers – making the porch wider, you are blocking the windows;

Mr. Zimble – the roof will be above the window line;

Councilwoman Rogers – so there won't be any safety issues;

Mr. Zimble - no

Mr. Barricelli – any further from the board; anyone from the public have questions for the architect;

Mr. Barricelli – hearing none; Mr. Jackson, motion to close public questions; Ms. Argote-Freyre seconded;

Yes	6	Barricelli, Argote-Freyre, Councilwoman Rogers, Jackson, Keelan and Mayor Kane
No	0	
Abstain	0	
Absent	5	Ceppi, McCabe, Wildermuth, Crombie and Van Vorst

Mr. Rentschler – next Allison Coffin, Planner; sworn in; credentials; Licensed Professional Planner and State of NJ License; BA Boston College, certified by American Institute Certified Planners;

Ms. Coffin – applicant requesting variances for extending the porch into the existing front yard set-back and for impervious coverage slightly increased from 40.6% to 42.5%; 40% is permitted; the requested variance is C variances; C1 standard – hardship variance, when appropriate meets conditions and ordinance creates a hardship; the second standard in the MLUL is C2 standard – justified in purposes of the MLUL, advanced by the variances and the benefits out way the detriments; my opinion the variances requested tonight modify the building can be granted under both standards;

C1 hardship – the site is an existing developed lot, with 5,000 sq. ft. in a zone where 6,000 sq. ft is required; an undersized lot; front yard set back is existing condition, already small existing covered porch in front yard; applicant is seeking to expand the front porch along the length of front of house at the exact same set back of existing porch; which expand front porch along the front; increases the amount of structure in the front yard area; the porch extension is inline with existing front yard setback; The house itself is at the setback line;

Propose coverage variance is cause by undersize lot; if conforming 6,000 sq. ft. lot the building proposed would conform; C2 variance – the application advances the purposes of the MLUL primarily in this case for more desirable visual environment; the porch addition greatly enhancing the character of the home; as you see in photograph the current condition of extended roof over bay window and flat roof over small porch in front; it is not cohesive in appearance; with extension along front and change in roof line provides more cohesive appearance;

Benefits out way the detriments; primary benefit to these variances is to enhance the visual character of the home and providing more desirable appearance to the neighborhood; in my opinion there is no detriment resulting from this extended porch; no negative impact to the character of the area; front yard set back matches existing condition; further more the front porch is covered and open, no vertical wall in front creating any visual impediment in front yard setback; building coverage has increased, this is outdoor area; the benefits out way the detriments;

Request for variance, whether or not substantially impairs your master plan and zoning ordinance; the proposed use is permitted and considered appropriate and total building coverage is less than what is built on a conforming lot and no increase inhabitable floor area; no increase in the population density; therefore my opinion this will not impair your master plan or developed ordinance; further reasons it is my opinion that there are positive reasons that exist to grant this variance if the board may wish to grant and be granted without any detriment to the health safety or general welfare to the public and will result in an improvement to the visual character of the site;

Mr. Barricelli – board any questions; any questions from the public; seeing none;

Mr. Keelan motion to close public questions; Mr. Jackson seconded;

Yes	6	Barricelli, Argote-Freyre, Councilwoman Rogers, Jackson, Keelan and Mayor Kane
No	0	
Abstain	0	
Absent	5	Ceppi, McCabe, Wildermuth, Crombie and Van Vorst

Mr. Rentschler – Mr. William Mallone Jr. owner of the property; sworn in;

Mr. Barricelli – how long have you owned and did you buy new or owned prior; rental property;

Mr. Mallon – 20 years; not new; tract housing on Barkalow and backs to school; rental property to my son and grandson reside there;

Mr. Barricelli – why did you change your mind about the rear addition;

Mr. Mallon – family decision to not continue with; only front because we had an issue with some water and bugs;

Mr. Barricelli – no other questions, board; public questions; seeing none;

Councilwoman Rogers motion to close public questions; Ms. Argote-Freyre seconded;

Yes	6	Barricelli, Argote-Freyre, Councilwoman Rogers, Jackson, Keelan and Mayor Kane
No	0	
Abstain	0	
Absent	5	Ceppi, McCabe, Wildermuth, Crombie and Van Vorst

Mr. Barricelli – board deliberations;

Mr. Keelan – I used to live on Barkalow, that is a nice addition to the street; many of the houses are flat and could use a visual improvement; think my house was 1948; will be a nice addition;

Any other comments from the board; seeing none, anyone to make a motion;

Mr. Keelan made a motion to approve; Councilwoman Rogers seconded;

Yes	6	Barricelli, Argote-Freyre, Councilwoman Rogers, Jackson, Keelan and Mayor Kane
No	0	
Abstain	0	
Absent	5	Ceppi, McCabe, Wildermuth, Crombie and Van Vorst

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

Proposed 25 West Main Street (Block 36 Lot 27) Redevelopment Investigation prepared by Pennoni to Determine if Block 36, Lot 27 Constitutes as Area In Need of Redevelopment Pursuant to the Local Redevelopment and Housing Law with Powers of Eminent Domain

Mr. Cucchiaro, Esq. – Mr. Chairman I would like to review guidelines and procedure before we begin the next item;

The Board has considered similar matters before, under local redevelopment and housing law before the governing body can declare an area in need of redevelopment it is required to be deferred to this board to for preliminary investigation; we have a report you will hear about and is the preliminary investigation; the law has different criteria a piece of property has to satisfy in order to be declared an area in need of redevelopment; a piece of property only need to satisfy one, you will hear what will qualify this property; I want to be clear that it is not an opportunity if you like the concept of redevelopment or do not; it is simply an evaluation to whether this property satisfies one or more of the eligibility of the criteria; also this is not the stage of process where the use of the property is being considered; just current state of property and condition satisfies criteria; later on if the area is declare in need of redevelopment, there will be a redevelopment plan, also referred to this board and we are not there yet; this is not about potential uses, just current condition of the property and whether it satisfies on or more of the criteria;

Geoffrey Gray Cornelius, PP/AICP, Pennon – licensed professional planner and certified planner with state certified planners, masters from University of Illinois, serve as board planner for three different boards and have appeared before several boards throughout the state;

Preliminary Investigation to determine whether Block 36 lot 27 otherwise known as 25 West Main Street, meets the criteria to be designated as area in need of redevelopment; single parcel is currently a parking lot located on northwest side of main street, between Throckmorton Street and Court Street; the entirety is designated as surface parking lot with a narrow strip of hedges running along the adjacent pedestrian walkway and extends to adjacent building to the northeast located at edge of parking area; along southwestern portion site and screen at southwestern area by landscaping; larger parking lot located at the rear of the site and small 11 foot wide pedestrian access alley owned by the Borough runs along to Main Street and the parking lot to rear; the parking lot is separated from the site parking lot by the hedges, no fence along property line, chain link fence that separates from the adjoining public parking lot; the fence is in poor condition and pavement in poor condition with cracks with weeds and grass growing; curb stops are also misaligned;

To qualify as need of redevelopment, as extension of study area needs at least one of the statutory criteria, 40A:12A-5 of Local Redevelopment Housing Law (LRHL) and our report determines the property meets ‘D’ and ‘H’; criteria d areas in need of improvement by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community; considering the size and layout the property is not suitable for a parking lot; the site area devoted to parking not including setbacks, buffers should be at least 42 feet wide, no turn around drive isle; poor condition, no drainage; and is inconsistent with the Borough center core rehabilitation plan, specifically the parking lot violates the 2019 FCCRPA calling for continuous street wall; when parking is visible form or adjacent to a public street, it breaks the street wall undermines walkability by prioritizing car access, and

decrease vibrances by occupying valuable space that could be used for retail, restaurants or other active ground floor uses; so for these reasons the plan finds the site meets criteria ‘D’;

‘H’ Criteria – a property or area may be designed in need of redevelopment pursuant to ‘H’ criteria if it meets the following conditions: designation of delineated area in consistent with smart growth planning principles adopted pursuant to law or regulation; generally smart grow is appropriate to land use planning that minimizes sprawl and preserves natural areas by guiding development toward locations with existing or planned infrastructure and appropriate community services and transportation; characterized by mixed uses, building design, housing opportunities and walkable neighborhoods; Freehold Borough is a State designated town center and located in the Metropolitan Planning Area and in the Safe Development Redevelopment Plan; Freehold’s mature settlement patter, distinct neighborhoods and downtown, existing infrastructure, limited vacant land and potential for redevelopment with smart growth framework set forth in the state plan;

The redevelopment of the study area is consistent with both the vision and the purpose and intent of the Center Core Rehabilitation Plan and promotes the advancement of smart growth principles in the state plan; the current conditions in the study area, existing use as a surface parking lot is inconsistent with several of the state purposes and intents of the Center Core Rehabilitation Plan; the designation of the study area as an area in need of redevelopment is consistent with smart growth and principles adopted pursuant to law or regulation; and the study area meets the ‘H’ criteria of the stature;

Based on analysis in our report, the study area meets the ‘D’ and ‘H’ criteria as set forth in Section 5 of the LRHL and can be designated as an area in need of redevelopment; any questions;

Mr. Barricelli – board questions for the planner;

Ms. Argote-Freyre – confirming you stated the walkway is owned by the Borough; is that correct;

Mr. Gray Cornelius – yes, the walkway is outside the study area, separate parcel; adjacent to the parking lot;

Mr. Barricelli – any others; any public have questions for the planner; seeing none;

Mr. Jackson motion to close public questions; Mr. Keelan seconded;

Yes	6	Barricelli, Argote-Freyre, Councilwoman Rogers, Jackson, Keelan and Mayor Kane
No	0	
Abstain	0	
Absent	5	Ceppi, McCabe, Wildermuth, Crombie and Van Vorst

Mr. Barricelli – we have a narrow focus as stated by Ron Cucchiaro, Esq.; we are here to determine if this parcel qualifies as an area in need of redevelopment; the planner presented ‘D’ and ‘H’ criteria, does anyone have any questions;

Mr. Cucchiaro – it will be a motion to recommend to the governing body that the study area satisfies the eligible criteria of the Local Redevelopment and Housing Law;

Ms. Argote-Freyre – made a motion as state by Ron Cucchiaro, Esq.; Mr. Keelan seconded;

Mr. Barricelli – Councilwoman Rogers anything from the Council;

Councilwoman Rogers – nothing at this time;

Mr. Barricelli – Mayor Kane anything to share;

Mayor Kane – nothing at this time, all is good;

Mr. Barricelli – Dominica, meeting next month;

Dominica Napolitano – tentative, we do not have an application to be heard;

Mr. Barricelli – motion to adjourn the meeting;

Mr. Keelan made the motion to adjourn, Councilwoman Rogers seconded; All in favor – aye (all), nay (none);

Meeting adjourned at 7:41PM.

Respectfully submitted,

Dominica R. Napolitano