

**FREEHOLD BOROUGH PLANNING BOARD**  
**MINUTES OF DECEMBER 13, 2023**

MONTHLY MEETING Borough Planning Board was held on Wednesday, December 13, 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
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
ABSENT	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 October 25, 2023.**

Mr. Jackson made a motion to approve the minutes; Ms. Argote-Freyre seconded

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

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

Memorialize Resolution for Malone I Real Estate LLC, Application PB-BV-2023-003, Location 66 Barkalow Avenue, Block 116, Lot 35, Zone R-5 seeking Bulk Variance Relief Approval;

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

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

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

Memorialize Resolution for 25 West Main Street, Block 36, Lot 27, Constitute An Area In Need Redevelopment (Condemnation) Pursuant to Local Redevelopment and Housing Law with Powers of Eminent Domain.

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

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

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

Application PB-BV-2023-011, Joseph Mazzacuva, Location 61 Institute Street, Block 85 Lot 7, seeking a Bulk Variance request, new construction variance relief for a non-conforming lot;

Vincent E. Halleran Jr. representing the applicant; my witness will be John Ploskonka who has appeared before;

John Ploskonka – sworn in; Professional Engineer, Professional Planner; business for 55 years, Concept Engineering, appeared here, surrounding towns couple hundred times;

Mr. Ploskonka – submit exhibit Aerial Map;

Mr. Cucchiaro – mark as exhibit A-8

Councilwoman Rogers – before we start the date on the checklist reads 2024, should read 2023;

Ms. Napolitano – thank you, I'll correct on our end;

Mr. Ploskonka – this is Institute near the end, down by Claytons Place you can see the proposed house in the aerial and the surrounding houses; the property is in the R-5 residential zone requiring 6,000 square fee for a lot and the lot is 40x150, it needs the variance for the width; it is 40 feet and requirement is 50 ft. the proposed house on the plan one side yard has 4.2 feet rather than 5 feet; it is vacant lot, has required area, not width; client proposes at 2,400 sq. ft. single family two story dwelling; garage and parking conforms to RSIS with two cars in driveway and one in garage;

We received the letter from Abbington and will change to meet the guidelines and will meet any other approvals required; Planning point of view meets the MLUL purposes to promote the establishment of appropriate population density; area lot conforms to the ordinance and has sufficient space; the zone permits the use and is single family lots and is insufficient in width;

Architectural by plans by the architect shows a two story; if you recall the area was improved recently with new homes and this will be a nice addition to the neighborhood;

Mr. Cucchiaro – please focus in on two variances; you stated the lot width, talk about the side yard setback;

Mr. Ploskonka – to create the lot, the width should be 10 %, of 5 ft., this lot 8%, requires 5 ft and has 4.2% set back;

Mr. Cucchiaro – this is preexisting lot, the difference between 5 ft. and 4.2 ft, is this even visually precipitable;

Mr. Ploskonka – no, it is not; it is de minimis; consistent with the area;

Mr. Maltese – side yard setback would go away with these plans, the architectural plans only show the house being 25 ft wide, not 30 feet; the first floor and second floor plans show 25ft. 10-inch-wide; your plans 30.8, the deck show 25.8 which is closer to 25.10;

Mr. Ploskonka – I believe the client spoke with the architect and do not meet the criteria; we will amend the plans to show what we have on the site plan;

Mr. Maltese – which is correct, does the applicant realize this is a smaller house by five (5) feet;

Mr. Cucchiaro – you said the architectural plans are inaccurate;

Mr. Ploskonka – correct;

Mr. Maltese – the front porch not shown as covered on the architectural and seems to be wider than shown on the plot plan; doesn't seem to have width for this front porch because of the driveway; you may want to look at;

Mr. Ploskonka – we are going to stay with the plan submitted, probably won't need the variance for the side yard;

Mr. Maltese – to be clear, if reducing the size of the house shown on the site plan, you will not require a side yard variance;

Mr. Ploskonka – correct, only need the variance for the lot width;

Mr. Cucchiaro – if you are satisfied with the testimony tonight, you can approve and one condition of approval would be to revise architectural plans subject to being consistent to the testimony tonight; that would be something Anthony would review during resolution compliance;

Mr. Maltese – to make sure the applicant knows, you have a lot width of forty (40) feet, five (5) feet on both sides will reduce the building width to thirty (30) feet; you have up to thirty (30) feet width of a home, if you want to revise both, I would stay within the building envelope as a condition if you choses to go five (5) more feet you can;

I think the condition should be that it stays within the building envelope, not to hold him to the twenty-five (25) feet;

Mr. Ploskonka – the building envelope, we agree;

Mr. Barricelli – that is all;

Mr. Ceppi – it is only the frontage variance we are reviewing correct;

Mr. Ploskonka – correct;

Mr. Maltese – clarification on force main will be run; currently you show going across the street; the three-lot subdivision just put in a brand-new sidewalk and curbing;

Mr. Ploskonka – we have approval from water and sewer to put in on our side, run to the main hole, so we don't need septic in the backyard and that will be subject to borough engineer discretion and sidewalk area to the road;

Mr. Maltese – keep on your side, come across to main; I did not outline in my report, but another condition of approval should be to have extend the curb line across the frontage of the property; we required the same across the street;

Mr. Jackson – Anthony do you review for rain runoff; we don't water running into a neighbor's basement;

Mr. Maltese – yes and agree; I will take a better look at when the finalize the plot plans;

Councilwoman Rogers – water / sewer, because vacant there are no lines there now correct that would need to be checked for lead content;

Mr. Ploskonka – it was not noted in the report;

Councilwoman Rogers – if any existing water lines they have to be checked for lead;

Mr. Maltese – if existing lead lines they have to be replaced; they would not be tapping into if there was one;

Councilwoman Rogers – walls of neighboring properties encroaching on the property, will that affect the sizing; lot 6 and 8 I believe;

Mr. Maltese – it is very slight, about five inches, will not have significant impact;

Councilwoman Rogers – if we approve with the new design, we will still be in compliance;

Mr. Cucchiaro – there is a structure, no matter how small, it will require a setback variance; it's a wall; zero foot set back, permit existing encroachment;

Mr. Maltese – shows best on survey, on lot 6 about eight (8) inches off the line;

Mr. Cucchiaro – I suggest you get a setback variance; zero-foot setback for the existing encroachment; easiest way to request that; you put into your notice 'any and all required'

Mr. Ploskonka – we respectfully request that variance;

Mr. Barricelli – any further questions for the engineer;

Ms. Argote-Freyre – will you need to cut down any trees in order to build? If you are, will you plant new trees to replace what is removed;

Mr. Ploskonka – probably at the driveway entry; we will see if we can save, if we can't save we will put additional trees;

Ms. Van Vorst – with the architectural, in general the materials look pretty good; #2 Vinyl lap siding, can that be a Clapboard rather than Dutch lap; they are two different siding profiles and the Clapboard is more consistent with what is in that neighborhood; and would we consider a fiber cement siding instead of vinyl;

Mr. Halleran – the applicant, No;

Ms. Van Vorst – for the board's education, fiber cement is like what we would call hardy board, it is better product, looks better, ages better and we are moving away from vinyl, it is prohibited in our downtown district;

Mr. Cucchiaro – in this district, I don't think we have architectural standards do we;

Mr. Maltese – no we do not;

Mr. Cucchiaro – this is something the applicant can voluntarily do, not something we can impose;

Ms. Van Vorst – just throwing it out there;

Mr. Barricelli – any other questions from the Board;

Mr. Barricelli – any questions from the audience for the engineer; seeing none;

Mr. Jackson, motion to close public portion – Mr. Wildermuth, seconded;

Yes            10 Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Argote-Freyre, Van Vorst,  
                         Councilwoman Rogers, Jackson and Mayor Kane

No            0

Abstain      0

Absent      1 Keelan

Mr. Barricelli – Mr. Halleran;

Mr. Halleran – mothering further;

Mr. Barricelli – board comments, questions, deliberations from the board;

Councilwoman Rogers – I have some concerns about how close the properties are, they look very close without a lot of space; the way it is laid out will work as long as the variances are met and follow code and the conditions set tonight are followed then I am okay with the project;

Mr. Wildermuth – I plan to support the application, the only concern I had was the side set back variance requested, didn't know why they were not building a smaller house; now we have the plans, and the fact that the house will be smaller and conforming I have no problem with the application and will vote yes;

Mr. Barricelli – this will be a good addition to the neighborhood, several houses across the street recently built; the fact that the lot is conforming with square footage, a plus; they did not create the lot, so I intend to vote yes; does anyone want to make a motion;

Mr. Wildermuth – I move to approve the application with requirements stated tonight; Ms. Argote-Freyre seconded;

Yes	10	Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Argote-Freyre, Van Vorst, Councilwoman Rogers, Jackson and Mayor Kane
No	0	
Abstain	0	
Absent	1	Keelan

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

Ordinance #2023/28 Creating a Downtown Business Improvement Zone (D-Biz) within Borough of Freehold;

Mr. Cucchiaro – Mr. Chair, we have done this many times before, when the land use ordinances are being proposed, the governing body is required to refer to this board to this board for determination for substantial consistency with the Master Plan as well as if there are any comments; this is not anything to approve or reject, it is to see if substantial consistency with the Master Plan; this particular ordinance does not seem to have any development regulations associated with it; looks like it supplements the Freehold Center Partnership by improving the Downtown Business Improvement Zone and by doing that it looks like the governing body believes it will help supplement and facilitate funds applied for from the Department of Community Affairs; so what it is really set up to do is to allow that area to have a Special Improvement District to have as much power as possible to get outside funding and to help the business owners promote vibrant downtown economically and robust business community;

Mayor Kane – exactly – it creates funding, additional funding opportunities for downtown;

Mr. Barricelli – I assume that the Borough will in no way shape or form, have any obligations with any applications made or funds for this – the Borough will have no responsibilities;

Mr. Cucchiaro – I do not know from that stand point what the responsibilities are, it allows these entities greater power to receive funding; but from our boards prospective, we are looking at it as the Master Plan; certainly, the Master Plan promotes a vibrant downtown community and doesn't propose any development regulations so it is not inconsistent or consistent with bulk standards or permitted uses or anything like that;

Mr. Barricelli – any other questions from the board;

Mr. Wildermuth – how will it be decided; what area of the zoning map is part of the Special Improvement District;

Mr. Cucchiaro – the Special Improvement District is already depicted, this does not propose a Special Improvement District, this is something that enhances the existing Special Improvement District;

Mr. Barricelli – someone make a motion of compliance;

Ms. Argote-Freyre, motion of compliance; Ms. Crombie seconded;

Yes	10	Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Argote-Freyre, Van Vorst, Councilwoman Rogers, Jackson and Mayor Kane
No	0	
Abstain	0	
Absent	1	Keelan

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

Last item on the agenda, an informal review of year; we did this last year looking at variances that came in and looking for any patterns frequently requested and any changes to the Master Plan, ordinances to consider; Dominica prepared this two-page informal report, hope you read it; any questions

Councilwoman Rogers – general observation, 200 Park Avenue, we need to be very specific in the things we request that people do and make sure the conditions are met; to ensure we can get the buildings we are hoping to get and not assume they understand what we want;

Mr. Cucchiaro – Councilwoman like the architectural standards, that were in the Redevelopment Plan;

Councilwoman Rogers – I want to make sure that when we ask them to look at something, we are very specific;

Mr. Cucchiaro – that is something we can recommend to the governing body, we do not legislate, we can make that recommendation to the governing body, if there is a particular revision, that is be very specifically articulated; if you remember in that redevelopment plan, it included illustrative pictures of what the property would look like; I think need, extra care needs to be taken, when you provide an example; we can make that recommendation to the governing body certainly;

Mr. Barricelli – I agree, I understand what we needed to do, but we were limited in what we could request;

Councilwoman Rogers – when I thought they agreed to do something and they agreed to look at and consider; I want us to be aware of the language;

Mr. Cucchiaro – if you remember, that resolution was not memorialized for about two or three months, because their attorney and I were going back and forth on those very issues;

Mr. Maltese – the general conditions to approvals in all the resolutions we provide, item #11, plan revisions, basically gives the applicant only 90 days from the resolution to provide revised plans in any reports need and if they do not there approval is null and void; we have not been enforcing, 90 days is not enough time, especially if dealing with environmental or DOT; I think we should consider revising section of the resolution of general conditions, #11, 90 days to at least six (6) or twelve (12) months;

Mr. Cucchiaro – that was a condition the board already had, I inherited when I took over this board; I have no attachment to any time period; we have several applications waiting for revised plans; Ronko Developers, is one that comes to mind and they are technically null and void those approvals because the 90 period is past;

Mr. Cucchiaro – we can certainly change the time period;

Ms. Van Vorst – why are they not meeting the time period;

Mr. Maltese – architectural plans, 90 days isn't really enough time in some cases; which is why I suggest six to twelve months;

Mr. Ceppi – can we agree to a time and perhaps the applicant can request an extension, this way we know they are being active in the project;

Mr. Malteser – I suggest six months with two extensions;

Mr. Cucchiaro – we can do six months with no time limit on extension requests; it would be whatever their reasoning is, so the board can make their own determination as to how long the extension should be at that time;

Ms. Argote-Freyre – is there a way to enforce they get back to you in six months;

Mr. Cucchiaro – it will be part of the specific condition, if they are not compiling we will need let them know they are required;

Ms. Van Vorst – who grants the extension;

Mr. Cucchiaro – you, the board;

Mr. Wildermuth – page 2, informal report; the resolution on top with offices converted to residential units at Saffron, I know only one application that has come before us, but overall trends in our society and the housing shortage, or work at home movement, I just see this as an issue down the road with less and less office space and more of these coming down the road and trying to make them residential; maybe the borough needs to look at, I know it is in the redevelopment plan but I think we need to revisit the guidelines we have in our ordinances and make sure we are guiding in the proper direction; it might be something to review and bring up to the times we are living in now; especially with the future redevelopment we having coming; I see a new trend coming down the road;

Mayor Kane – already happening, good time to discuss; there is one coming through, it has been to the governing body a few times and they haven't passed yet; across from Mateo's, with antennas on the roof, they want to make all apartments; it will be to Mikes point, when the redevelopment starts, the old Borough Hall area, you will see more of this, people living in the Downtown as opposed to offices;

Ms. Crombie – this is the time to set the standard, the quality of what Freehold Borough will be and uphold the standard to what we want it to be; clear conditions, so we get what we want and conducive and collectively looks good and works well;

Councilwoman Rogers – the governing body, we may need to revisit the downtown plan (2019 Freehold Center Core Rehabilitation Plan) to make any adjustments and not losing the vision of what our town should be; building what fits in with what we have;

Mr. Barricelli – my concern for conversion is parking; no place to park;

Mayor Kane – residential is a less intense use than commercial;

Ms. Argote-Freyre – thinking of a place I visited in Spring Lake, an apartment over a flower shop; you walk in and although above a flower shop, it was really beautiful; they can be very nice living area; just



because it is a second-floor apartment doesn't mean that it can't be spacious and luxurious; well thought out;

Ms. Crombie – what can we do for landscaping;

Mr. Cucchiaro – you can have landscaping standards, that can certainly be included in the ordinance; and if in the ordinance that gives you the power to enforce; similarly to architectural; if architectural standards are in the ordinance, then that allows the board to have better control; you go to other nice towns and a McDonalds looks good because they are being held to a standard; I feel like we need to change and if they want to be here they will comply;

Mr. Maltese – there is no standard now, Starbucks provided a landscape plan which we reviewed but there is no standard to follow for X number of trees;

Ms. Van Vorst – how do we go about implementing;

Mr. Cucchiaro – make a recommendation to the governing body, to explore adopting landscaping standards for the different zones and uses;

Ms. Crombie – I would like to make that recommendation; Ms. Van Vorst – I agree;

Mr. Wildermuth – also with the residential downtown developing standards beyond landscaping;

Ms. Van Vorst – what about architectural standards, they don't need to be as strict as in the HPC districts but just some general materials and methods; maybe don't build a very tall building next to a short building, thing of that nature; to keep cohesive;

Councilwoman Rogers – in the downtown area, don't they already have to go to HPC

Ms. Van Vorst – I am not saying to come before the HPC, saying we have specific standards with Planning Board applications for non HPC districts;

Councilwoman Rogers – I don't know if we can do that;

Ms. Van Vorst – if we can suggest landscaping why can't we suggest architectural general conditions;

Councilwoman Rogers – exterior or interior

Ms. Van Vorst – exterior

Mr. Cucchiaro – we would only suggest exterior at this board; this board would not have the power to look at interior design;

Mr. Ceppi – the example was tonight, vinyl or hardy board; hardy board certainly looks nicer or vinyl that will warp in the first summer;

Mr. Wildermuth – in the 2019 FCCRPA, doesn't it already have architectural standards;

Mr. Cucchiaro – that is the redevelopment zone; I think the recommendation is that we have some areas in town that are outside an area or redevelopment plan and outside our historic districts, so it would be limited to those areas, not regulated by either of those;

Mr. Maltese – a single family level, we can make recommendation for landscaping but don't think we can enforce adding shade trees unless there is a buffer requirement;

Mr. Cucchiaro – you can talk about what a buffer is; if you want to see greenery between units, you can say X amount of buffer between lots with shrubbery or whatever you want to see in there;

Ms. Crombie – my concern is that we have so many single-family homes rented, that they are renting they need to make them look good;

Mr. Barricelli – that would be a code enforcement;

Ms. Crombie – if in the standard then code enforces;

Ms. Van Vorst – the whole entire government would see recommendations, the code enforcement, clearly can't do it all; if we had standards from jump to make new buildings look better, it would be enforceable;

Mr. Cucchiaro – here is what I would suggest, listening to the comments tonight, we can work with Dominica to come up with a memo to the governing body, send it to you prior to the next meeting, prior to reorg and won't go into specific things because things but will identify those areas and those issues that you believe additional clarification or ordinance that allows us the ability to impose conditions can be adopted; again distribute in advance and then send to the governing body so everyone is comfortable with the language;

Mr. Barricelli – I think we did that last year, adopted in January; anything else to be added to the informal annual report;

Mr. Barricelli – last meeting of the year, thank you Mayor for attending all our meetings, first Mayor to attend and come here and we appreciate, your insight is invaluable; thank you Councilwoman, hope you come back next year, thank the board members for service, outstanding board, appreciate your intelligence; only comment is if you look at the minutes, we only had five (5) people here at the last meeting and can be difficult to deal with, without the Mayor and Councilwoman we couldn't have a meeting that is not right; we all get a calendar in January, I would like you to come, you are too good to be absent; we had to cancel a meeting at the last minute, if we only have four or five people, I feel embarrassed for the board; the public should see seven, eight or nine members; happy holidays; also thank you to Ron, Anthony and Dominica;

Ms. Crombie – next meeting is January 10, 2024 at **6:45pm**

Mayor Kane – Monday, the developer will be named in the redevelopment project; we had a subcommittee some members from the board that met for months; we had nine (9) professional proposals, narrowed down to three (3) did sight visits, then we decided on a developer last week; it will be great for the town, learning experience for the residents too; the developer will hire a historical architect, Brianne helped with finding the best in the state; will be involved for the entire project and will build what we want; it will be newer but will look very similar up and down Main Street; exciting and great opportunity for this board;

Mr. Barricelli – what is happening with Nestle property;

Mayor Kane – we have a call Friday, early morning; there is a lot of interest; we have authorized a redevelopment study so we can control the conversation; problem is, it is highly contaminated, ground contamination – there a many moving parts but we are hoping to put something great in there;

Mr. Barricelli – happy holidays to everyone, motion to adjourn the meeting;

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

Meeting adjourned at 8:05PM.

Respectfully submitted,

Dominica R. Napolitano