

**FREEHOLD BOROUGH PLANNING BOARD**  
**MINUTES OF JANUARY 11, 2023**

**MONTHLY MEETING**

The monthly meeting of the Freehold Borough Planning Board was held on Wednesday, January 11, 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.

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

**ROLL CALL**

PRESENT	Mr. William Barricelli
PRESENT	Mr. Paul Ceppi
PRESENT	Mr. Michael McCabe
PRESENT	Mr. Michael Wildermuth
PRESENT	Ms. Shealyn M.S. Crombie
ABSENT	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 December 14, 2022.

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

Yes	6	Barricelli, Ceppi, McCabe, Wildermuth, Crombie and Councilwoman Rogers
No	0	
Abstain	2	Van Vorst and Jackson
Absent	3	Argote-Freyre, Keelan and Mayor Kane

For the record – Mayor Kevin A. Kane joined the meeting 7:01pm

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

Memorialize Resolution for County of Monmouth Capital Review Project, Monmouth County Court House Emergency Generator, designated at Block 4.02, Lot 2.

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

Yes	7	Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Councilwoman Rogers and Mayor Kane
No	0	
Abstain	2	Van Vorst and Jackson
Absent	2	Argote-Freyre and Keelan

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

Memorialize Resolution for Review of Redevelopment Plan for Property Designated as Block 117, Lot 21 (200 Park Avenue).

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

Yes	7	Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Councilwoman Rogers and Mayor Kane
No	0	
Abstain	2	Van Vorst and Jackson
Absent	2	Argote-Freyre and Keelan

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

Memorialize Resolution for Planning Board of the Borough of Freehold Submission of Annual Review Report to Mayor and Council.

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

Yes	7	Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Councilwoman Rogers and Mayor Kane
No	0	
Abstain	2	Van Vorst and Jackson
Absent	2	Argote-Freyre and Keelan

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

Application Number: PB-UV-2022-009, Applicant: Jonathan Marshall Law Office  
Location: 82 Court Street, Block 37, Lot 1.02 Zone: R-5  
Request: Variance Relief – Expansion of Non-Conforming Use

Vincent E. Halleran Jr., Esq. – represent the applicant, Jonathan Marshall;

Mr. Marshall – sworn in by P. Austin Mueller;

Mr. Halleran – Mr. Marshall please tell the board how you plan to expand on the your business, not the building itself but the space within the building;

Mr. Marshall – at the time of my moving my business to the Borough I had about 14 employees; the board approved my use and I renovated the building; the board made certain requests, I have gone above and beyond what was requested; in particular, pavers, did Belgium block, ADA ramp use stone, garbage refuse was going to be block, we put brick fascia and stone pad; with Covid, our firm is internet driven and courts being closed, a lot of content yielded more work that we now have; fortunately I need more room; 15 lawyers, with 12 offices in this building and office in Toms River, one lawyer will remain there; I would like each attorney to have an office, they are small offices as it is; just to have the space to get the work done; if this is approved it will give the 15 offices needed; offices in the basement, secretarial station, file storage room and another room used for servers and docs that are secured and stair case;

Mr. Halleran – you reviewed the letter from the Board engineer and responded;

Mr. Maltese – I received the letter;

Mr. Marshall – before I review the letter, I want to state I went above and beyond in terms of safety, I don't need escape windows, I would like to if possible; there are two existing exits;

Mr. Maltese – you may not have the grading to do;

Mr. Marshall – looks like parking is enough to accommodate what is proposed in terms of stair case; met with building officer; needed to confirm enough space;

Mr. Maltese – plans shows 7'4 elevation from the basement slab to top of first floor;

Mr. Marshall – that is not what it is, I will do what is required;

Mr. Ceppi – asking about letter of response, advising board did not receive;

Mr. Marshall – there were 8 items in the Abbingtion letter; basement wall plan revised to show same as 'As Built'; it was approved and will be provided;

Testimony provided regarding ADA compliance – no ADA compliance provided to the basement;

Improvements with sanitary sewer system to accommodate proposed improvements; no proposed sanitary sewer improvements;

Provided testimony for changes to exterior building façade; no changes to façade or access points of façade;

Information if any additional exterior signage will be proposed; I don't have, the intention was in the rear to have a sign near the ADA ramp, an 8 x 8 sign on the building - Marshall Law Firm or Law Offices of JM; it would be a flush mount sign near the rear entrance / ADA ramp

Existing trash enclosure is sufficient to accommodate new offices in the basement; the dumpster in the refuse space in the rear is sufficient; the sanitation comes periodically to empty; should not be an issue;

Egress – head clearance from the slab to the floor joist is 85 inches, 7 feet, extra 1.5 inches; in terms of access point; access point from the furthest point of the basement to the exit is no more than 75 feet; there is a front and rear entrance to exit; also bilco type arrangement at the back of the building accessible from the basement that is full staircase out the back; all fire detection in the basement as well;

Suggested to replace any lead service line that may be from the dwelling to the main; I replaced everything there, interior and exterior all plumbing in existing building was replaced; new sewer lines interior were replaced;

Mr. Maltese – I was referring to line going to the street, line to the street;

Mr. Marshall – if lead I will replace if required;

Mr. Barricelli – Anthony – egress, does every room in the basement require egress; and 4 x 4 window is standard;

Mr. Maltese – no, residential would require egress; not commercial as long as they have access to egress within 75 feet; I don't recall, it is a building code, I think it is 36 inches;

Ms. Van Vorst – how do you know if it is a lead pipe going to the street;

Mr. Maltese – verification from sewer engineer; they have map of entire town;

Mr. Marshall – can I still install windows for esthetic purpose, even if not required;

Mr. Maltese – yes;

Councilwoman Rogers – that is an exterior change – he testified no exterior façade changes;

Mr. Maltese – yes, that would be a façade change;

Councilwoman Rogers – my question, is there any other items he would need to do if we approve;

Mr. Maltese – no

Councilwoman Rogers – concerned there is no fire exit;

Mr. Maltese – there is a basement door to the exterior on the right side of the property and stairwell to go up the stairs;

Councilwoman Rogers – is there a restroom proposed in the basement;

Mr. Marshall – only upstairs – two restrooms, male and female both ADA compliant; also the exit to the basement has pavers and a railing to assist with exit;

Councilwoman Rogers – is it three offices or two offices and a conference room;

Mr. Marshall – two offices and a conference room and reception area;

Mr. Wildermuth – in the as built there are 16 spots, parking lot; if proposal goes through what is total number of offices you will have;

Mr. Marshall – 15 offices;

Mr. Wildermuth – secretarial station for paralegal; so 16 people, do you think that having 16 spots for 16 people is adequate parking;

Mr. Marshall – we are litigators, having to maintain offices for the lawyers, most of the day they are in Court; we are back in Court full time now; for the most part the lawyers are gone all day; the parking lot is not usually full; that is a possibility and the Court House parking across the way; my parking facility is extreme compared to any other law office in the area;

Mr. Barricelli – any other questions; any discussion;

Mr. Barricelli – I commend you on the work completed on the property, you did a great job;

Ms. Crombie – I second that;

Mr. Barricelli – anyone else; anyone for a motion

Mr. Ceppi made a motion approve as presented; Ms. Crombie seconded;

Yes	9	Barricelli, Ceppi, McCabe, Wildermuth, Crombie, Van Vorst, Councilwoman Rogers, Jackson and Mayor Kane
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No	0
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Abstain	0
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Absent	2	Argote-Freyre and Keelan
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Mr. Halleran – thank you;

Mr. Barricelli does anyone have anything else for discussion, hearing none would someone make a motion to adjourn;

Mr. Jackson made a motion to adjourn, Mr. McCabe seconded;

All in favor, aye (all)

Meeting adjourned at 7:29PM.

Respectfully submitted,

Dominica R. Napolitano