

**Minutes of June 16, 2020 Zoom Meeting – 4 pm**

**Neil Hamilton, Board Chairman opened the meeting stating this was advertised in the Coast Star and Asbury Park Press. Barbara Ilaria, Municipal Clerk is sitting in as Zoom Engineer in the absence of Greg Love. George McGill wanted to clarify the fact that Board member Kevin Thompson was indeed able to hear, speak and see from whatever device he was on and he indeed could.**

**George McGill read the Open Public Meetings Act.**

**Roll Call:**

**Board Members Present:**

**Mayor Ed Donovan, Mark Apostolou, Bob Young, Kevin Thompson, Leonard Sullivan, Neil Hamilton, Mark Larkin, John Burke**

**Board Members Absent:**

**Councilman Gregg Olivera, John Muly, Greg Love**

**Professionals Present:**

**Albert D. Yodakis, Board Engineer/Planner**

**George D. McGill, Board Attorney**

**Mark Apostolou made a motion to approve the minutes of June 2, 2020 with minor corrections, seconded by Kevin Thompson, all in favor none opposed.**

**APPLICATION #15-2020 – RALCO – 92-94 Marcellus Avenue, LLC – Block: 69 – Lot: 42, 43, Zone: O – Kevin Starkey is the attorney representing the applicant, he said this is a minor subdivision, fully conforming. George McGill swore in Ray Carpenter, Engineer/Planner for the applicant, Neil DuCharme, contract purchaser and Al Yodakis the Board Engineer/Planner. Mr. Carpenter’s credentials were accepted by the Board. He explained that the application is for two lots which presently front on Union Avenue but will front on Marcellus which he believes is a good plan as the NJDOT really doesn’t encourage development on the Highway. George McGill asked if they understood that the existing structure on the property will have to be removed as a condition of approval prior to filing the subdivision Deed. They accepted that condition. Mark Apostolou asked about drainage as addressed in the Board Engineer’s report. Ray Carpenter said yes they will comply with the drainage Ordinance of the Borough. John Burke had a question about the driveway and the distance of the first driveway to Highway #71. Al Yodakis said he imagines the applicant will set back the driveway as far away as possible from the Highway. Kevin Starkey reiterated the lots are fully conforming. Mark Apostolou made a motion to open the meeting to the public, seconded by Kevin Thompson, all in favor none opposed.**

**Audience Members participating:**

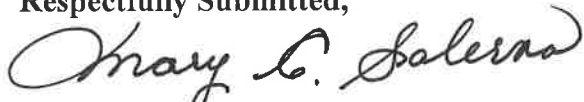
**Dennis O’Keefe – 90 Marcellus Avenue – He said he and his wife Kathleen purchased the property next door to the property in question in 2002. His lot number is 39, Block: 69. He said there is a history of underground streams and percolation issues in the neighborhood. A lot of neighbors have sump pumps, and pools below the water table. He doesn’t know if there is a running stream underneath this land, the site plan that was on the Borough Website was not large enough for him to read and he just found out about this Zoom meeting over the weekend. He saw Monroe Hawes over the weekend and he never mentioned the application to him. He said ground water runs across Marcellus and neighborhood kids call the lot Hawes, McAfee Lake, they ice skate on it in the winter when it freezes. It’s not that he objects to the subdivision but he is very concerned about the drainage and how it will be handled. Because he heard about the application so late he didn’t have a chance to contact any experts to represent him. It is his opinion the Planning Board should address the drainage. George McGill said Ray Carpenter should address these issues. Neil Hamilton said the drainage report from the applicant came in late, he himself has witnessed the ponding of water on this site for years and years. Ray Carpenter said at the lowest point on the property you have water 2-feet down, they will provide proper drainage and he is confident he can fully conform with the Town’s requirements regarding drainage. Neil said heavy rains always cause a problem in this area. Ray Carpenter again said the drainage will be addressed per the Borough Ordinance. Neil Hamilton said Al Yodakis needs to convince the Board we won’t have any problems down the road. Al said he spoke to Mr. Carpenter numerous times and he requested a recharge pipe system all along the neighbor’s property. There is a clay silt layer on the land which is not allowing water to perk, when that’s removed there shouldn’t be a problem. Mr. Carpenter and Al Yodakis are comfortable now they are very close to addressing any issues with water. Neil asked if the third lot will be developed as well and was told yes. He also said that maybe this property because of the issues with flooding should only be developed with one house. Who wins here, the developer, the applicant. Kevin Thompson said they could not run sump pumps into the Street. Kevin said all water has to be re-charged onto the lot and not to have any water going into the road. Al Yodakis said he would need to look over the Deeds before they file for the subdivision. Mr. O’Keefe said he may have to hire an attorney. George McGill said the Board doesn’t have the right to involve itself with a neighbor dispute. We are here to facilitate discussion and grant variances and in this case a subdivision by right. George also said the Board is here to draw a line on a map. If the Board oversteps its power, then we find ourselves in litigation against us. Mark Apostolou said maybe Ray Carpenter and Al Yodakis can work something out. He asked for a stipulation to be put in the Resolution. Neil Hamilton agreed there should be some wording in the Resolution regarding drainage. Kevin Starkey assured the Board they will comply with all the Borough Ordinances, grading and drainage design. Mark Apostolou made a motion to approve the application subject to all the stipulations made by the applicant and approved by the Board Engineer, Kevin Thompson seconded the motion.**

**Board Members Voting Yes:**

**Mayor Ed Donovan, Robert Young, Mark Apostolou, Kevin Thompson, Leonard Sullivan,  
Neil Hamilton, Mark Larkin, John Burke**

**Kevin Thompson made a motion to adjourn the meeting at 5 pm, seconded by Mark  
Apostolou, all in favor none opposed.**

**Respectfully Submitted,**

A handwritten signature in cursive script that reads "Mary C. Salerno". The signature is written in black ink and is positioned above the printed name and title.

**Mary C. Salerno**

**Planning Board Secretary**