

PLANNING BOARD SPECIAL MEETING OCTOBER 20, 2020 – 4PM
ZOOM

Chairman Hamilton opened the meeting and asked everyone present to please Salute the Flag.

ROLL CALL:

Board Members Present:

Mayor Donovan, John Muly, Robert Young, Greg Love, Mark Apostolou, Kevin Thompson, Leonard Sullivan, Neil Hamilton, Mark Larkin

John Burke entered the Zoom Meeting at 4:30 pm

Board Members Absent:

Councilman Gregg Olivera, Barbara Ilaria (Mayor's Alternate)

Professionals Present:

Al Yodakis – BORO Engineering, Board Engineer/Planner

George McGill – Board Attorney

Attorney George McGill read the Sunshine Law.

APPLICATION #10-2020 – 34 Broad Street – Sepe, William – Block: 64 – Lot: 25.01, 25.02, 26, 27 – Zone: AR-1 – George McGill explained this is Site Plan approval, this is a permitted Use and furthers the Town's Affordable Housing Plan, there was a settlement agreement in Superior Court. The Judge approved this plan. We are not discussing the Use. Attorney John A. Sarto, Esquire is the attorney representing the applicant. He is with the firm Giordano, Halleran & Ciesla of Red Bank, NJ. There are twenty-two (22) units proposed for the site. The Borough Council approved Ordinance #2286-19 in a final reading and hearing on May 6, 2019. This is a Zoning Ordinance for the Broad Street Project. Civil Engineer, Jaclyn J. Flor, PE, PP, CME was the first to testify. The Board accepted her credentials. She stated there are no variances requested for this project. She had Exhibits to be entered and all are posted on the Borough Website, they show the existing conditions. Exhibit A-1 – existing site, there are three (3) principal structures and three (3) accessory structures. Next to that is a blank lot, next is the building where the Crematory Office is presently, all structures will be demolished. Exhibit A-2 is a rendering of the proposed building which will be a three-story, 16,630

square-foot, twenty-two (22) units. There will be 30 parking spaces beneath the building and 16 spaces behind the building. There will be one full movement driveway providing vehicular access to Broad Street. Next, she addressed Al Yodakis' letter dated August 26, 2020 and the Fire Marshall's report dated January 24, 2020. First addressed was Al's report. Page 2 Zoning Headline, minimum parking space size of 9' x 19' is required, whereas 9' x 18' is proposed. A minimum 80 square-feet of storage space is required for each apartment, whereas no dedicated storage space appears to be provided. Common storage space is proposed on the first floor but the applicant should explain how this space will be utilized and divided between the units. Al's letter #3 states the settlement agreement outlines allowable material for the proposed building. The architectural plans should be detailed to demonstrate conformance with this requirement. Jaclyn said the building materials will be addressed by the architect as well as the building height. The building height will be from top of curb. Next, the drainage and utilities were addressed. Al Yodakis will need to see a revised drainage calculation. Al stated in his report the drainage calculations must be revised to show pre and post development flows and the applicable reductions since this is considered a "major" project by the NJDEP storm water regulations since it creates a new one quarter acre impervious coverage. The calculations must also demonstrate that the system will drain within 72 hours. The applicant's engineer has revised the submitted drainage calculations to route the entire site through the underground recharge system. The calculations demonstrate that the recharge system will not overflow into the parking lot for the 100-year design storm. The applicant's engineer has provided an operations and maintenance manual for the proposed drainage system as required. The manual should be revised to include specific details on when certain maintenance operations will be performed (i.e. inspected quarterly, system vacuumed every 6 months, etc.) Al needs a copy of that and who will be monitoring the system. George McGill stipulated the applicant will amend the manual accordingly addressed in #10 of Al Yodakis' report. This was agreed to by the Engineer for the applicant. #11 of Al's report addresses the roof drain overflows and they agreed to fit them with slotted covers to prevent debris from entering the recharge system. Al said he needs a copy of that and that was agreed to provide to him. The traffic section was deferred to the Traffic Engineer for the applicant. The Landscaping/lighting have been addressed. Under Al's Miscellaneous statements which include the utilities

being underground, they agreed to this. All trees which will be removed as part of the application have to be shown on the plan, this will be addressed with the Shade Tree Commission and Al. #18 all curbs and sidewalks on Broad Street are shown to be replaced. #19 All necessary outside agency approvals must be obtained for this project. These may include, but not limited to Monmouth County Planning Board, Freehold Soil Conservation District. This is a stipulation also. Al stated that his report may seem a little light and the reason for this is we've been through five or six revisions of the Site Plan to get to this point. Also, the neighbors around the neighborhood are requesting more buffering along the back of the site. The applicant agreed to add a fence, Al said a vinyl fence with added plantings would suffice. The buffer will be along the back and the sides of the proposed site. George McGill asked they do as much buffering as they can and Jaclyn said they will comply and work with the Board Engineer. Next, Jaclyn addressed the Fire Marshall's report dated January 24, 2020, Christopher Barkalow the Fire Marshall said they would like to ensure that the proposed structure is fully suppressed, including any exterior porch, balcony or covered areas. He also requested certification that the water mains in the area are capable of supplying an adequate flow for fire suppression operations in a building of this size. He also wanted confirmation that the driveway leading to the rear of the structure can accommodate the weight of the fire apparatus used by the Manasquan Fire Department and provide enough room for the apparatus to access the rear of the structure. Jaclyn stated the driveway can indeed accommodate a fire truck as the concrete is 8-inches thick. She also said Exhibit A-5 shows the rear of the building and a fire truck can come in and access the rear of the building. The next witness called was Matthew Martinique, RA, Project Architect of Appel Design Group of Livingston, NJ. His firm has designed projects all over the State of New Jersey. He said he prepared the plans. He shared Exhibit A-10 and A-11, he explained the building is a 22-unit multi-family dwelling. The height of the structure will be 40-feet and will be comprised of three and one-half stories. The applicant is proposing 46 parking stalls with some of the parking being located on the ground level beneath the structure. As his screen froze the Board moved on to Lee D. Klein, P.E., PTOE Traffic Consulting, LLC. He is a professional engineer in the State of New Jersey, he has been a traffic engineer on over 100 boards in the State and has sat on both sides of the table. He performed two (2) field visits to the site, his traffic evaluation report dated January 22, 2020

is included in the applicant's packet. The Board Engineer, Al Yodakis asked the Traffic Engineer to discuss the proposed traffic functioning of the site and the site's impact on the surrounding roadways during the summer months. It is Mr. Kline's opinion that the proposed 22 multifamily housing units would have no significant impact on traffic conditions during the AM and PM peak commuter traffic hours. He believes the development of this project will have a minimal impact on the traffic operations of the area roadways and intersections. Board members asking Mr. Klein questions were Mark Apostolou, John Burke and Greg Love. Next, John Sarto had Matt Martinique who was still under oath address the building layout. He had Exhibit A-10 and A-11 which show the layout of the units, there will be 11 two bedroom units, 8 three bedroom units, 16 balconies, 600 square feet of storage inside each unit. A storage of 1500 square feet below on the ground floor which will somehow available for all inhabitants to share. There will be common space for bikes, chairs, etc. There will also be an office on the ground floor. Mark Apostolou mentioned that Jennifer Beahm is listening in on the meeting. Jennifer expressed her concern that there is a change in the building design and what is proposed was not what was agreed upon in the settlement agreement in Court. She stated the original plan was for the breezeway to be open, she was curious as to how this significant change occurred. Matt Martinique said it was basically just a long alley with no privacy. Mr. Martinique said there really wasn't a rendering at the time of the settlement agreement. Mr. Martinique went through the architectural design of the building and the materials and colors that will be used. Mark Apostolou asked Mr. Martinique about the common storage areas and the allocated spaces, what about the exterior? Have you provided bike racks and areas where the site will not be cluttered with outside storage? He stipulated he will do that. Mark Larkin asked if there will be the required storage on the first floor for the residents. Mr. Martinique said it is not the required storage area but very close. They are looking at many different ways to meet that criteria. Neil said he is disappointed that the storage space may not meet the requirement. Al said it is just a matter of working out that space. Mr. Martinique said the storage cages will be about 8 X 6 and 10-feet high. Neil Hamilton asked the proposed occupancy of the units. So in a three bedroom we could have 6 or 7 occupants. A two bedroom could be C/O'd for 4 people. Mr. Martinique said there are State Standards for occupancy. Mark Larkin asked about the elevator. Mr. Martinique said that would be 8 X 6.2.

Jennifer Beahm said in looking at the settlement agreement it's open, now you've closed that up with a lobby and door. That open area was important for breaking up the massing of the building because of the proximity to the roadway. Mr. Martinique it did not provide any privacy. Jennifer said you should have figured this out while we were in negotiations for two years regarding this building. The massing of this building is problematic without the opening. This design does not comply with the settlement agreement. Having sat through hours of negotiations, this building was pushed closer to Broad Street to help accommodate buffering in the rear. She thinks this is significant. Mark Apostolou said if our Planner is not satisfied he has a problem going forward. Jennifer said ultimately it's the Board's decision she had to address it. George said he needs to swear Jennifer in so she can state why she thinks it's important. She gave her credentials and her position on this matter. She is the Planner for the Borough and also the Affordable Housing Planner for the Borough. She has been licensed as a Planner for 21 years. Neil Hamilton said the Board accepts Jennifer's credentials. Mark Apostolou asked what was the purpose behind the original proposal and what is the difference you see that would be detrimental. Neil said Jennifer brings up a good point. He said for safety purposes when you close up both ends, is it a good idea to have that closed. It could be a hangout and if it was open with more visibility for the police to drive by, he would rather see that back opened the way it was. Mr. Sarto asked Matt what would be in the lobby? Matt Martinique said that is where you would get your mail, it could be a meeting area, refuge from the elements. Mark Apostolou said he agrees with Neil, the Chairman. Bob Young asked if the driveway was always to the south? Jennifer said it's totally up to the Board overall the majority of the building is consistent with this vision, but that is a visible change that she felt she should have brought to the Board's attention. How this looks from the Street is something that the Board should look at. Matt Martinique said it's not open but visually you can see through it. On the second floor above the lobby we have a double heighted space there are no units in the middle there. Mark Apostolou said so if we ask for it to be open as proposed it will not impact you in any way financially. Jennifer said if this is something that was so strongly set upon it should have been discussed years earlier. The Planning Board and the Governing Body was under the impression that the building would be open in the middle. Jennifer said this is the rendering that was shown. We showed this vision to the public many times prior to tonight. Mark Apostolou

said he has a problem if this is what was addressed earlier. Jennifer said yes this is the rendering that was agreed upon. George McGill swore Jennifer Beahm in and accepted her credentials. Mr. Sarto asked Jennifer if she was aware that the current plans have been with the Board for months. She said she was just asked last week to attend the meeting. Mr. Sarto said this is a surprise to him, he asked if in her opinion if there was a deviation or a variation of this that you would find consistent with something that we are looking at. Is glazing something you would find consistent. Jennifer said that may solve the problem, possibly if there was glass at both ends, maybe that would work but she would have to see it. Jennifer said looking at this building on her computer screen it's pretty closed off. Mr. Sarto said that has always been a parking back there behind the building. Mark Apostolou said but you are going to put plantings in the back. Jennifer said you are proposing a pitched roof, that closes it in a little bit. This is A-11. Jennifer addressed Exhibit A-15. Mark said that is a totally different look. Jennifer said over the front door, that area is something she would like to see changed. She doesn't think this is a fatal issue, if you desperately want to keep the lobby area an enclosed space as opposed to open air, maybe make that entire area glass. Is it open to the top? Mr. Sarto said the third level is a communal lounge. Down below we can put glass to give an open appearance, he doesn't suggest having an open breezeway. Jennifer said that was the intent, but she defers to the Board. Neil Hamilton said he would rather see it the way it was. They may want to Condo this down the road. Board members commenting were Mark Larkin, Mark Apostolou, Bob Young, John Burke, John Muly. Jennifer explained addressing the original design that the agreed upon design was open front to back. The decision is totally up to the Board. She feels how this looks from the Street is something the Board should definitely look at. Matt Martinique said there is no unit on the second floor above the lobby area. Jennifer feels that this vision was shown multiple times to the public and the Board and this is a significant design change. This was the rendering that was attached to the Settlement Agreement and the Ordinances. Mark Apostolou said that is cause for concern for him. Jennifer said she was just asked last week to attend this meeting. John Sarto asked Jennifer is there something in between or a deviation that she would find consistent. Jennifer said it's pretty closed off, so if it was glass on both ends that may meet the intent, she would have to see it. John Sarto said looking through the pass through you would be looking into a parking lot, correct? Jennifer said you have kind of a pitched

roof above the front door, that closes it in a little bit on the new rendering. Jennifer said the mansard type roof over the front opening she would like to see changed. She asked what's above that? Mr. Sarto said there is a communal lounge on the third floor. Down below they can put more glass to give an open view. He doesn't think it should have glass on both ends. Neil said if we make that change will that affect the agreement. She said the look and style of the building is consistent and if the Board wants to go with the new design and likes the lobby space the glass is a good alternative. John Muly doesn't like it open through the building he feels that would encourage people to run through it. John Burke feels it's safer to close it up somewhat. Jennifer said if they put more glass in the lobby area she would be happy to review it. John Sarto asked Matt Martinique how large the opening is and he said about a 20-foot wide view, you would see through to the lobby and to the back. John Sarto asked about the bike storage and the location doesn't dictate the design for us. George McGill said looking into Jennifer Beahm's testimony the Board has to decide where they want to go. Neil said it seems the majority of the Board would like to see the building front closed in with glazing. John Sarto said they will design and have Jennifer and Al Yodakis review. George said if we are going to change it this is the time to do so. Mark Apostolou made a motion to open to the public, seconded by Bob Young, all in favor none opposed. Mr. McGill said at this point the public can ask questions but don't testify, just stick to questions and who you are addressing. Greg Love explained how the public should identify themselves to speak.

Public Comments:

Peg Devane – 14 Beams Terrace – This is directed to the Traffic Engineer. With the smaller parking spots, having a three-bedroom apartment she doesn't think an SUV would fit, therefore would take a Street spot. Does the apartment have a limit to the car type/size anything to prevent that? Mr. Klein said he believes the parking spaces meet the Ordinance, he believes they are 9 X 18 which meets RSIS standards. SUV's are 17.6 a Yukon Denali which is still 6-inches shorter than the 18-foot long space. Peg said that's with the doors closed and Mr. Klein agreed with that statement. She asked him if he has been here in the morning when the children are going to school and going past that driveway, a car would need to get to the sidewalk before they could see a child. Have you been here during the morning and afternoon school rush. Mr. Klein said no, this development is going to generate about

the same amount of traffic as it does now. There will be proper site triangles at the site. Ms. Devane said we have 12 houses on this Street and 14 cars leave at the same time in the morning. Mr. Klein said he did his standard inspection accepted by Boards across the State of New Jersey.

Brett Kaplan – 34 Beams Terrace – Mr. McGill said there are quite a few people who are not familiar with the Zoom process so could he inform the public. Mr. McGill said he believes he did that. Brett asked Mr. Martinique about the potential occupancy loads. Could you explain what the occupancy limit is for a two and three-bedroom unit. Mr. Martinique explained per Code. Brett said there is a possibility the two bedroom could have four people and the three bedroom could have five people. Mr. Martinique said correct. Brett said so it is possible that those four or five people could all be drivers. Mr. Martinique said correct. Brett said you have only provided 46 parking spaces, so there may not be enough parking spaces on site. Mr. Sarto said we have met the RSIS Standards, Brett said your witness could answer the question. Mr. Sarto said he can answer, I just objected. Mr. Klein said the case you are coming up with is a worst case scenario. Brett still thinks the parking is going to be problematic. Mr. Sarto said some of these things are moving into comments. Brett said Exhibit #5, said it's kind of hard to tell but it looks like the fire engine is going to clip the right side of the building.

Jaclyn Flor said she could demonstrate that that indeed would not happen.

Lawrence Leykam – 19 Beams Terrace – Question for the traffic engineer, he said you have your license because you deal with the unusual, if it was cookie cutter anyone could do it. Why didn't you do your surveys during the school year. Mr. Klein said he explained this earlier, it's basically a wash. There is no reason for him to analyze anything along Broad Street. Mr. Leykam said you are taking assumptions. Why not go and take a look, during the school year you might get a real difference especially during a rainy day. Are you aware the First Aid Department stated they had a problem getting ambulances out during the time of school drop off and pick up. Mr. Klein said no he was not aware.

Theresa Karran – 70 Curtis Avenue – She lives close to the Union Avenue project and that's an area that floods, there is a remediation project going on there. How can you go ahead with the Broad Street project if you can't go ahead with the Union Avenue project? Mr. Sarto said he can respond as he is the attorney for both sites. The way the MLUL is set up we are allowed to set up applications on both sites separately as well as the Settlement Agreement.

Aside from being legally appropriate it's practically appropriate. He doesn't know about the environmental issues she is talking about but with respect to outside agencies, approvals will be obtained and you and the public will have access to a public hearing for that site also. He served notice on the Union Avenue neighbors as well and she will again receive a notice when that site will be heard. Neil Hamilton said we will wait until that hearing comes up. George McGill said if the Union Avenue project doesn't go through this one doesn't go through. This project is conditional on approval of the Union Avenue project.

Jan Darata – Pearce Avenue – She attended many meetings on this project as well as the one on Union Avenue and was under the impression that they were both connected somehow in that the second parcel would not be approved. She doesn't want to get stuck with the density on Broad Street and not have the affordable housing on Union Avenue. George McGill said they are connected, if they don't get Union they don't get Broad Street. Mr. Sarto said the Union Avenue project has been submitted our intention is to proceed on both. Mark Apostolou said no variances are being sought on Broad Street. George McGill said they are absolutely within what is accepted. Jennifer Beahm explained the Settlement Agreement, and the phasing schedule approved by the Court.

Thomas Duluchio – Colby Avenue – He questioned Mr. Martinique regarding storage and what the impact of the different options will be. Will that be decided before the actual approval by the Planning Board? Mr. Sarto answered his question. Mr. Duluchio said the breezeway would not affect these areas and the answer was no. He asked about the height clearance of the parking area, the answer was between 9 and 10-feet.

Brett Kaplan – Beams Terrace – he asked what kinds of amenities the units will have, Mr. Martinique said these are not for comment. Brett asked about washer/dryers and yes they will be provided. Brett asked the rent amount and the answer was market rate for the market.

Peg Devane – Beams Terrace – to Mr. Sarto she asked the minimum length of the lease for these units. She said she doesn't want it to be transient obviously. Mr. Sarto said they are certainly not proposed to be transient.

Annemarie Parollo – corner of Broad Street and Beams Terrace – She said the kids and the disabled can't even walk on that side of the Street. What water company will supply the water and sewer? Mr. Sarto said we can't answer for the County; their review is still forthcoming. Jacqueline said she

believes it is NJ Water. Kevin Thompson said he is from Public Works, everyone in Manasquan is on Manasquan Water and sewer.

Annemarie Parollo – 39 Broad Street - She said her water is from NJ American and he doesn't believe that's accurate. She's been paying for 25 years and the Town has even asked her if this is her real bill.

Larry Karran –Theresa Karran's husband – He said there is definitely a traffic problem on Broad Street where residents cannot pull out of their driveways.

Mark Apostolou made a motion to close the public portion, seconded by Bob Young.

Mark Apostolou made a motion to open to the public for general comments, seconded by Bob Young, all in favor none opposed.

George McGill swore in all audience members:

Lawrence Leykam – He said anybody who is in this area in New Jersey knows when you have a school you have a lot of traffic, particularly in Manasquan where you have no buses. In the last week there was traffic backed up all along Broad Street all the way to Main Street. People could not turn left into Broad Street from Atlantic Avenue. So, people blocked traffic or proceeded in the wrong direction. It was a three ring circus down here, anybody who says you can come out of that driveway and turn left onto Main Street it's not going to happen. All of these children are walking along side of Broad Street because that's where the crossing guard is. That is one situation, the other is they are changing the traffic on Main Street. But instead of putting a traffic light in there they are doing a cheaper way to go. Parking is also a problem, when the High School kids get their licenses they block driveways, the kids are happy to pay the tickets. He questions the traffic study because it was not done during school hours. It was done on the cheap. These people when they come down in the morning to drop junior off they are vicious they won't let you in, they open the doors where it says no standing. We really need a decent traffic study.

Brett Kaplan – He echoed Larry's comments and traffic study, he doesn't agree with it. It should have been done on a school day in the morning and afternoon, he respectfully disagrees and he thinks the Board should have that information. He finds the rendering provided to the Board aesthetically pleasing and he asks that the approval be made as represented in the new plan. He thinks the building is too big but they did a nice job. He would like to see the new rendering have to be returned to the Board and the neighbors.

He asks that all leases be a minimum of one year. Mr. McGill said we can't do that. Mr. Kaplan disagrees, he doesn't want this to become an Airbnb, we want long term residents there. George said it's not part of the site plan application it's not the jurisdiction of the land use Board to do that. We are not talking about use; this is a site plan review. George and Brett disagreed. Mr. Kaplan asked that bikes and surf boards etc., not be stored in the front yard. George McGill said if a child leaves a bike in the front yard, there won't be bike racks in the front yard, we can't control that. Mr. Kaplan asked Mr. Sarto who will be managing the units. Mr. Sarto said this will be typical of any development of this kind. George said we need to keep this to testimony. Mr. Kaplan said he hopes there will be a professional management company that manages the 22 units and make sure the property is maintained in a fashion that we expect in Manasquan.

Peg Devane – She is hoping that the Board will consider that the trash of this building is in the rear, each garbage day there is an excessive amount of trash and bulk pick up in front of the existing building.

Neil said there will be container areas and everything will be concealed in the rear. If there is a problem Code Department will take care of it.

Dustin Brown – 29 Pearce Avenue – He lives directly behind the proposed building and he would like to see natural screening to provide privacy for the homes behind this site plan. He would like the Board to stipulate to bigger trees, plantings to provide a good buffer.

Mark Apostolou made a motion to close the public portion, seconded by John Burke, all in favor none opposed.

George McGill said the Board has to decide whether or not they want the building open or closed with the glass in the front. Based upon that does the Board want to see new plans or do they want to move forward. There are certain questions as to the storage. Mark Apostolou said as long as Jennifer Beahm is satisfied with the new plan he is satisfied. Based upon the neighbor's testimony he is satisfied with the new plan. George said do we want a modification and if we do we have to give the applicant direction. Jennifer said it is just an aesthetic change and what she is hearing the Board is satisfied with closing the building in, if you are comfortable with the way it looks that's fine. Ultimately, it's what you guys want. Hearing the concerns about safety she doesn't have any issue with it. The Court doesn't involve itself with the detail, we are not affecting Court approval at all. Neil said we can make a move if the Board is satisfied. Lenny Sullivan said if we are

making a change with glass he would like to see the new rendering, those agreeing with Lenny are John Burke, Mark Larkin, Neil Hamilton, John Muly, Kevin Thompson. George McGill said the Board can vote on the approval of the plans as presented, the required storage area will be provided, bike racks will be in the rear, any substantial deviation from the plans will have to return to the Board. Lenny Sullivan said larger trees are needed, Mark Larkin said taking down 21 mature trees will mean substantial trees need to be planted. Mayor Donovan said the Shade Tree Commission should be involved with the nature and caliper of tree to be put in there. Also, a perimeter fence. John Sarto said they will comply. Neil said we have a Shade Tree Ordinance and they will go out and there is a replacement condition as to what will have to be planted. Kevin Thompson said he will work with Al on the landscaping and work with Shade Tree to put the best plantings there, as the Public Works Director and a Licensed Tree Expert he will come up with a plan. Greg Love said Jennifer did a lot of work on this but he is not in favor of 96 more people living in that area, he thinks it will be over crowded, he knows we are too far down the line but he thinks it's going to cause problems. Mark Apostolou said he doesn't love it but we are stuck with it because of the Court Order he votes to approve with all the conditions imposed, our hands are forced into it because of the settlement. Seconded by Mark Larkin.

Board Members Voting Yes:

Mayor Donovan, John Muly, Robert Young, Greg Love, Mark Apostolou, Kevin Thompson, Lenny Sullivan who feels it is too large for the Street also, Neil Hamilton who feels it is too big for the Street, Mark Larkin

Final comments, Kevin Thompson said everyone should sing happy birthday to Mary and they did.

Kevin Thompson made a motion to adjourn at 7:16, seconded by Mark Apostolou, all in favor none opposed.

Respectfully Submitted,



Mary C. Salerno
Planning Board Secretary