



BOROUGH OF WEST LONG BRANCH
REGULAR MEETING OF THE PLANNING BOARD
956 Broadway, West Long Branch, NJ 07764
February 9, 2021

1 ROLL CALL:

Mayor Janet Tucci	Present
Anthony Scalise, Chairman	Present
Stephen Bray, Councilman	Present
Gordon Heggie	Present
James Miller	Present
Anthony Scalise	Present
Don Brocklebank	Present
Randy Triolo	Present
Rob Ferragina	Present
John Aria, Alternate #1	Present
Michael Irene, Board Attorney	Present
Fran Mullan, Board Engineer	Present
Lisa Norman, CSR	Present
Chris Ann DeGenaro, Secretary	Present

2 Open Public Meeting s Act: At 7:35 PM, Chairman Scalise opened the meeting by reading the notice that the meeting complies with the Open Public Meeting act, by notification in the Asbury Park Press and Star Ledger and posted on the bulletin board in Borough Hall and a copy of the notice is available from the Borough Clerk.

3. Pledge of allegiance: Chairman Scalise led the audience and members of the public in the flag salute.

4. **Professional Contracts and Resolutions:**

A.) Board Attorney – Michael A. Irene, Jr., Esq.

RESULT: Adopted

MOVED BY: Scalise

SECONED BY: Heggie

AYES: Tucci, Scalise, Bray, Heggie, Brocklebank, Triolo, Miller, Ferragina

NAYS: None

ABSTAIN: Aria

ABSENT: None

B.) Board Engineer–T&M Associates – Francis W. Mullen, P.E.

RESULT: Adopted
MOVED BY: Bray
SECONED BY: Heggie
AYES: Tucci, Bray, Heggie, Brocklebank, Triolo, Miller, Ferragina, Aria
NAYS: None
ABSTAIN: Scalise
ABSENT: None

C.) Recording Secretary – Chris Ann DeGenaro

RESULT: Adopted
MOVED BY: Scalise
SECONED BY: Bray
AYES: Tucci, Scalise, Bray, Heggie, Brocklebank, Triolo, Miller, Ferragina, Aria
NAYS: None
ABSTAIN: None
ABSENT: None

D.) Board Certified Shorthand Reporter (CSR) – Lisa Norman

RESULT: Adopted
MOVED BY: Scalise
SECONED BY: Bray
AYES: Tucci, Scalise, Bray, Heggie, Brocklebank, Triolo, Miller, Ferragina, Aria
NAYS: None
ABSTAIN: None
ABSENT: None

5. Items of Business:

Applications:

1) Kelly Builders – Preliminary & Final Major Site Plan

PB 2020 - 03

310 Norwood Ave.

Block: **28** Lot: **87&88**

EXHIBITS

A-12 – Amended Layout prepared by Kennedy Consulting, dated 1/26/2021

A-13 - Color Rendering of site plan dated 2/10/2010 (In error)

A-14 – Setback Exhibit prepared by Kennedy Consulting, dated 2/10/2021 (In error)

A-15 – Townhouse Rendering

A-16 – Color Rendering of flat building elevation

A-17 – Alternative Townhouse rendering

Jennifer Krimko, Esq. appeared on behalf of the Applicant, confirmed that renote was not required and revisions were submitted. Mr. Brocklebank advised that he had not listened to the November 2020 meeting, and therefore, Mr. Irene stated Mr. Brocklebank would be ineligible to vote if the application concluded tonight.

Ms. Krimko entered and described Exhibits A-12 through A-17 for the record. Ms. Krimko introduced James Kennedy, Professional Engineer; Jack Chudoven, Architect; John Rey, Engineer; Richard Preiss, Professional Planner.

The following persons were sworn: Fran Mullen, Board Engineer; Gregory Gito, Board Engineer; James Kennedy, Applicant's Engineer.

Mr. Kennedy provided extensive testimony regarding A-13, including details of the revisions made to previous plans and the reduction in non-conformities, setback requirements and lower lot coverage as a result of the revisions. Mr. Mullen asked questions regarding height of buildings and requested landscaping designs. Mr. Mullen discussed his review letter dated February 8, 2021, noting that the Applicant's Engineer had addressed the issues outlined in that letter. He did have additional questions regarding the trash enclosures, which Mr. Mullen answered. Ms. Krimko noted that bylaws of a homeowners association would most likely govern the refuse removal. Mr. Mullen suggested adding more trash enclosures. Chairman Scalise asked questions regarding drainage from Mitchell Terr., which Mr. Kennedy addressed.

Chairman Scalise opened the meeting to the public for questions of this witness. Elpidio Cruz, 20 Mitchell Terr., expressed concerns regarding setbacks related to his residence, building height and the age restricted stacked flats. Mr. Aria and Ms. Krimko had discussions regarding building height. Mr. Mullen asked Mr. Kennedy for an overview of the proposed sanitary sewer construction for the western side of the property, which Mr. Kennedy provided. There was additional discussion regarding repavement/curbing as a result of the sewer connection. Mr. Mullen asked questions regarding tree removal, which Mr. Kennedy addressed by stating the tree removal was limited to Lot 72. Mayor Tucci also expressed concerns regarding repaving and drainage. There was extensive discussion regarding resurfacing/curbing, including the responsibilities of the developer and the municipality. Petagay Cruz, 20 Mitchell Terr., requested more information regarding setbacks between her residence and the development. Ms. Krimko advised that the Applicant has complied with the required setbacks. As no one else from the public wished to be heard, Chairman Scalise closed that portion of the meeting.

Ms. Krimko introduced Jack Chudovan, Applicant's architect, who was sworn, provided his qualifications and was accepted as an expert in the field of architecture. Mr. Chudovan provided testimony regarding the type of units in the development, two stories, some age restricted, explained exterior details for both affordable housing, age restricted and market rate units. There was some discussion regarding have basements and attics.

Chairman Scalise opened the meeting to the public for questions this witness only. Petagay Cruz, 20 Mitchell Terr., had a question regarding Building 1, which Mr. Chudovan addressed. Mr. Mullen asked questions regarding the location of air conditioning condenser unit and patios or decks as shown on the plans, which Mr. Chudovan addressed. Mr. Miller asked questions regarding installation of future standby generators. Chairman Scalise suggested that generator installation is a difficult issue. Ms. Krimko stated the homeowners association should be the body to address that. As no one else from the public had any questions for this witness, Chairman Scalise closed that portion of the meeting.

Ms. Krimko introduced John Rey, Applicant's traffic engineer, was sworn, provided his qualifications and was accepted as an expert as a traffic engineer. He provided testimony regarding peak hour traffic generation and traffic flow in the area of the development, including his opinion that since part of the development contains a County road, that Monmouth County would approve the plan. Chairman Scalise opened the meeting to the public for questions of this witness. Mr. Elpidio Cruz, 20 Mitchell Terr., had questions regarding the traffic impact study, stating that traffic was a nightmare now. Mr. Rey provided an explanation. Mr. Miller asked for the police safety report for Norwood Ave. Ms. Krimko read a statement into the record from the police dated 7/29/2020. Mr. Mullen asked Mr. Rey questions regarding the adequacy of visitor parking, which Mr. Rey addressed. As no one else from the public wished to be heard, Chairman Scalise closed that portion of the hearing.

At 9:35 PM, the Board took a five minute recess from this Application. At 9:45 PM, the Board resumed hearing the Kelly Builder application (PB2020-03).

Ms. Krimko introduced Richard Preiss, Applicant's planner, who was sworn, presented his qualifications and was accepted as an expert in the field of planning. Mr. Preiss provided testimony regarding compliance with affordable housing requirements, requested variances, and advised that the benefits substantially outweigh any detriments of the project. Chairman Scalise opened the meeting to the public for questions of this witness. Elizabeth Reeves, 94 Branchport Ave., Long Branch, NJ, had questions regarding the recording/publication of meetings. Mr. Irene advised that Ms. Reeves could contact the Clerk's Office to submit an Open Public Meetings Act request or request a copy of a transcript of the meeting from the CSR.

Stan Slachetka, Board engineer and professional planner, was sworn. He asked Mr. Preiss questions regarding integration of affordable housing units into market rate units, which Mr. Preiss addressed. Chairman Scalise asked Mr. Slachetka for clarification on his comments regarding affordable housing, and Mr. Slachetka stated that it was his intention to make the record clear regarding affordable housing. As no one else from the public wished to be heard, Chairman Scalise closed that portion of the meeting.

Chairman Scalise opened the meeting to the public for comments on the Application. Elpidio Cruz and Patagay Cruz were sworn. Ms. Cruz stated the buffer of 50 ft. on her home is intrusive, in particular toward her bedroom window. She commented on the basin area, and suggested there be an additional retention area. As no one else from the public wished to be heard, Chairman Scalise closed that portion of the meeting.

Ms. Krimko provided a summary of the Application, including reduction in density, outlined the revisions made to accommodate the Board's concerns, addressed Ms. Cruz' concerns, runoff and resurfacing concerns after the sewer connections. She requested the Board's approval.

Chairman Scalise addressed the comments from Mr. & Ms. Cruz regarding buffering and explained how the Board is bound by the land use law. Mayor Tucci had questions for Mr. Mullen regarding curbing. Mr. Irene stated the Board will rely on the Engineer's recommendation as a condition of approval in addition to normal conditions and those expressed during the hearing.

RESULT: Adopted
MOVED BY: Scalise
SECONED BY: Bray
AYES: Tucci, Scalise, Bray, Heggie, Triolo, Miller, Aria
NAYS: Ferragina
ABSTAIN: None
ABSENT: None

2) Ercolino Builders – Preliminary Major Subdivision

PB 2020 - 04

21 Dennis St.

Block: **28** Lot: **39 (R15 Zone)**

Mr. Irene spoke with Mr. Bransley, Esq., Attorney for the Applicant, Ercolino Builders (PB2020-04). Mr. Bransley expressed a desire to have his client's application carried to the next meeting. Mr. Irene, Chairman Scalise and Mr. Bransley discussed notice requirements.

RESULT: CARRY TO MARCH 9, 2021 MEETING
(No renote required, if previous was sufficient)
MOVED BY: Bray
SECONDED BY: Tucci
AYES: Tucci, Scalise, Heggie, Bray, Miller, Brocklebank, Triolo, Ferragina, Aria
NAYS: None
ABSTAIN: None
ABSENT: None

6. ADMINISTRATIVE:

Mr. Irene advised that the Board received a referral from the Governing Body for consistency review with the master plan. The amendment plans to revise the Borough's ordinance to comply with the recently revised DEP requirements for storm water best management practices.

RESULT: Adopted
MOVED BY: Scalise

SECONDED BY: Triolo

AYES: Scalise, Heggie, Brocklebank, Triolo, Miller, Ferragina, Aria

NAYS: None

ABSTAIN: Tucci, Bray

ABSENT: None

7. Review and approval of minutes (Adopting) 1/12/2021 Reorganization

RESULT: ADOPTED

MOVED BY: Bray

SECONDED BY: Brocklebank

AYES: Tucci, Aria, Bray, Heggie, Miller, Scalise, Brocklebank, Triolo, Ferragina

NAYS: None

ABSTAIN: None

ABSENT: None

Review and approval of minutes (Adopting) 1/12/2021 Regular Meeting:

RESULT: ADOPTED

MOVED BY: Scalise

SECONDED BY: Triolo

AYES: Tucci, Aria, Brocklebank, Heggie, Miller, Scalise, Ferragina

NAYS: None

ABSTAIN: Bray, Aria

ABSENT: None

7. Resolutions:

3). Minor Site Plan

PB 2020-01 / Collard Realty, LLC

193 Wall Street

Block: 17 Lot: 47, 48.01 (NC Zone)

RESULT: ADOPTED

MOVED BY: Scalise

SECONDED BY: Brocklebank

AYES: Tucci, Scalise, Heggie, Miller, Brocklebank, Triolo, Ferragina

NAYS: None

INELIGIBLE: Bray, Aria

ABSENT: None

6. Review and approval of minutes (Adopting) 1/12/2021 Reorganization & Regular Meeting:

RESULT: ADOPTED

MOVED BY: Bray

SECONDED BY: Miller

AYES: Aria, Bray, Heggie, Miller, Scalise

NAYS: None

ABSTAIN: None
ABSENT: None

10. Adjournment

Motion to adjourn 10:27 PM and approved by Board members.