

**Planning Board Minutes
Borough of Kenilworth
September 14, 2017**

The meeting began with an affirmation of the Open Public Meetings Act. The schedule of meetings is on file in the Borough Clerks' office, was posted on the bulletin board, and has been mailed to the Local Source, and the Star Ledger.

Pledge of Allegiance was led by Chairman Picerno.

Roll Call: Present: Mr. Clementi, Mr. Picerno, Mr. Cuppari, Mr. David, Mr. Grimaldi, Mr. Schielke, Mr. Pantina, Mr. Mazzeo, and Mr. Pinto. Mr. Ladauti arrived at 7:45. Also present were Mr. Bongiovanni, Planning Board Attorney, Kevin O'Brien, Planner and Victor Vinegra, Engineer.

Approval of July 13, 2017 Minutes

Motion was made by Mr. Cuppari, seconded by Mr. David. All in favor.

Communications: None

Resolutions:

Application #360 Dana Development

Minor Site Plan
515 Springfield Road (rear)
Block 3, Lot 9

Mr. Picerno asked for a motion to table this resolution.

Motion was made Mr. David by seconded by Mr. Pantina to table the resolution for Application #360 until next month's meeting of October 12th. Roll Call: Mr. Picerno, Mr. Clementi, Mr. Cuppari, Mr. David, Mr. Grimaldi, Mr. Schielke, Mr. Pantina, Mr. Mazzeo and Mr. Pinto all voted yes.

Application #17-02 Wayne Fennes

Minor Sub-Division
112 South Michigan Avenue
Block 129, Lot 1

Motion made by Mr. David, Seconded by Frank Mazzeo to approve Resolution approving Application #17-02. Roll Call: Mr. Picerno, Mr. Clementi, Mr. Cuppari, Mr. David, Mr. Grimaldi, Mr. Pantina, Mr. Mazzeo and Mr. Pinto all voted yes.

Application Variance #2-17

Rafaele Pugliese
12 North 8th Street
Block 72, Lot 23

Motion was made by Mr. David, seconded by Mr. Pantina to approve the resolution denying Application #2-17, Use Variance, Raffaele Pugliese. Roll Call: Mr. Clementi abstained, Mr. Picerno, Mr. David, Mr. Grimaldi, Mr. Schielke, Mr. Pantina, Mr. Mazzeo and Mr. Pinto all voted yes.

Mr. Bongiovanni stated there was a minor typographical correction in paragraph 4, seven lines down should read there are 23 homes on 8th Street between the Boulevard and Washington....he said it is an obvious typo....and should not say PM 8th Street.

**New Business: Application #358 Minor Sub-Division
Hermes and Maria Louro
226-228 North 18th Street
Block 37, Lot 8 and 9**

Monique Moreira, Esq. from Moreira & Moreira, Attorneys at Law, 712 Kearny Avenue, Kearny, NJ. Ms. Moreira said she is here tonight because her client is applying for a minor sub division, which she believes will further beautify the Town of Kenilworth. Specifically they are looking to make 2 lots into 3 lots and to that end they have brought an engineer, Mr. Remo and an Architect Mr. Paulo Dantas who will speak to any questions the Board may have. She said she met with members of the Kenilworth Board and spoke to them about ideas that they had that might improve the project and make the homes more fitting for the Kenilworth community. We took those ideas and gave them to our architect and they have been incorporated into the plans as you will see.

Ms. Moreira, Mr. Marc Remo, Mr. Dantas, Mr. Bongiovanni and Mr. O'Brien and Mr. Vinegra were sworn in.

Mr. Marc Remo, Remo Engineering. Mr. Bongiovanni asked Mr. Remo if he prepared the plans that are here tonight and if he was a licensed Engineer in the State of NJ? Mr. Remo said yes he is a licensed professional engineer in New Jersey, New York and several other States and Washington DC and he is also a licensed professional planner in New Jersey and a certified municipal engineer. Mr. Bongiovanni asked Mr. Remo how long has he been a licensed engineer in New Jersey? Mr. Remo answered 1992.

Mr. Remo said the property being developed is known as Lots 8&9, Block 37. The site is located on the west side of North 18th Street, approximately 250 ft. north of the intersection of Monroe Avenue. It is a rectangular shape, 150 ft. wide by 100 ft. deep with 150 ft. of frontage along North 18th Street. The area property is 15,000 sq. ft. or .34 acres. Currently the site is developed and contains a one story single family dwelling and concrete paved driveway on lot 8 and a 1 ½ story single family dwelling and asphalt paved driveway on lot 9. The remainder of the site is predominantly lawn area. The topography of the site moderately slopes generally in a southwesterly direction towards the rear of the property and the adjacent lots 5, 6 and 7. The site is located within the R5 medium density single family residential zone district. Uses surrounding the site are single family residences. The applicant for the project proposes to demolish the two existing dwellings, sub divide the property into 3 lots and construct 3 single family dwellings and 3 asphalt paved driveways. All 3 proposed lots and dwellings are identical, each lot will have an area of 5,000 sq. ft. or .11 acres and the lot width and street frontage will be 50 ft. and lot depth will be 100 ft.. Each lot will contain a single family detached dwellings, the approximate dimensions of the dwellings are 40 ft. wide by 43 ft. deep, the dwellings will be set

back 25 ft. from North 18th Street, 5 ft. from the northerly side property line and 5 ft. from the southerly side property line and 31 ft. from the rear property line. Access to each proposed lot will be provided from North 18th Street by a 20 ft. wide asphalt paved driveway and all three dwellings will have 2 car garages. The proposed 2 car garage and driveway combination will provide 3 ½ parking spaces based on the RSIS standards. With regard to drainage, proposed drainage improvements include a construction of a storm water seepage pit for each lot, the seepage pits will be located in the far rear of each lot. The run off on the proposed dwellings will be directed to the seepage pits to control post development run off from the site. Since we are providing storm water seepage pits there should be no adverse impact on downstream areas and drainage facilities. The proposed dwellings will be served by existing gas, water and electric and sanitary sewer utilities located on North 18th Street. These utilities will be extended into the site. Proposed landscaping will consist of shade type trees planted along North 18th Street and screening type plantings around the air conditioning units. All areas disturbed will be seeded or sodded and existing trees will all be preserved where possible. The proposed residential use is a permitted use in the zone and there are no variances required for the project. The project with its planned improvements, new dwellings and landscaping will enhance the neighborhood and provide a desirable visual environment. As far as outside agency approvals, a soil erosion sediment control plan has been prepared and will be submitted to the Somerset Union Soil District for their review and approval. We have received comments from the Township Planner in a letter dated April 18, 2017 and from the Township Engineer in a letter dated May 8, 2017. The applicant plans to work with the Township Planner and the Engineer and address all the comments. If the Board would like me to go through each comment, he will, otherwise that concludes his testimony.

Mr. Picerno asked if he had individual seepage pits or one combined for all. Mr. Remo said one for each dwelling.

Mr. David asked what is the proposed height of the dwellings? Mr. Remo said the proposed height is 34.9 ft., allowed is 35 ft.

Mr. Pantina asked Mr. Remo to go over Mr. Vinegra's report relating to drainage and his recommendations to flatten the slopes. Mr. Remo said in Mr. Vinegra's second paragraph on the first page, he is indicating, in his opinion, that the rear yard detention basins should be moved from the center of the lots to along the property line so that the future purchaser can put in a pool or other type accessories. Mr. Remo said they actually are along the property line, they are 5 ft. off the property line, he would not put them any closer because you don't want seepage going onto the adjacent property.

Mr. Ladauti arrived at 7:45.

Mr. Pantina asked Mr. Remo to address Harbors Report of May 8, 2017 on grading and drainage on page 3.

Mr. Remo said he will go over the comments

UNTILTY PLANS: Mr. Remo referred to Mr. Vinegra's comments on his report.

1) The design engineer proposed to connect the sanitary sewer and water lines and natural gas lines to North 18th Street, like he discussed and upon completion of these services, the developer shall mill and resurface North 18th Street curb to center line for the entire frontage of the property along North 18th Street. He will revise the plans and indicate that the applicant agreed to pave the street over from the center line to the curb.

2) In regard to performance bonds, the applicant will provide that.

3) The sanitary sewers are located 14 ft. below the surface so any connections should be a dropped sanitary lateral that will show on the revised plans.

Grading & Drainage on the Subdivision Plan: Mr. Vinegra's report says it is his opinion that the site can be slightly regraded so as not to contain front yard slopes of 33% or 3;1, there is ample room to move some grade lines around so as not to have a slope this steep. Mr. Remo said he will investigate that but the site actually drops 10 ft. along North 18th Street from 106 down to 96 and it drops about 12 ft. from the north east corner to the southeast corner, so it is moderately steep but he will investigate that and see if he can tweak some of the grade lines to lessen the slope.

Item #1- Mr. Vinegra states the rear yard lawn detention systems proposed with lots A, B and C should be moved to the edge of the southern property line, the elevations are lower along this property line. The current design would affect the future residents ability to construct pools, patios and rear yard child play sets, relocating the low points along the property lines would benefit the future home owners. Mr. Remo said the seepage pits are located 5 ft. from the property line so they are as far as you can get away from the house. Mr. Vinegra said that is OK on the left lot but the lots in the middle and the right, that property line doesn't exist so you can move that closer to the property line, if you could hug that property line as much as possible. Mr. Vinegra asked if all the pits were concrete? Mr. Remo said they are actually stone filled pits with concrete. Mr. Vinegra said it was just an idea because those lines don't exist now, they will exist in the future, so you can hug during construction. Mr. Picerno asked if Mr. Vinegra was saying this is just an idea or that is what he is recommending? Mr. Vinegra said it's a recommendation for them to investigate. Mr. Remo said we did add inlets at the corner, very close to the property lines to pick up any water that might drain towards the rear of the property.

Item #2 - As far as Mr. Vinegra's comment in item 2, we added curb to North 18th Street so all the run off will continue down North 18th Street, not onto the property.

Item #3 - Regarding relocating the 3 proposed drains which exist in the front yard near the curbing further to the rear so as to collect additional storm water runoff. Mr. Remo said he guesses Mr. Vinegra is talking about the proposed inlets and he said they are not actually inlets, they are overflow devices so that when the seepage pit overflows it drains and then it bubbles out so they are not really inlets and not made to collect water, that is why they are close to the street.

Item #4, - Inverts are necessary at the drains for lot 4.07, Mr. Remo said they do not have a lot 4.07.

Item #5 The applicant shall provide an Operations and Maintenance Manual for the entire storm sewer system including points of contracts, responsibility and scheduling of maintenance. Mr. Remo said, if required, the applicant will provide operational and maintenance manual for the seepage pit. Mr. Vinegra said it is great for the purchaser so when they buy the home, they realize what it is, it's really to have the details attached to the deed sometimes, not so much for his end but for the buyers. Mr. Remo said they can do that. Mr. Picerno asked Mr. Vinegra if he wanted that as part of the plan? Mr. Remo said we will have a separate report which will indicate operational maintenance. Mr. Vinegra said normally on the bigger systems we want the operator of the facility to know that it exists, sometimes we build these things and someone not in the building industry does not know what a detention basin is so this is a blurb written by the engineer and it would show up on the boundary survey. Mr. Picerno asked if it would be on the site plan? Mr. Vinegra said no it is a little 8 1/2 x 11 that gets stapled....they are going to have to supply the purchaser with a survey and attached to the survey sometimes is two pages showing the retention basin.

Subdivision Map, Sheet 3 of 6 dated March 27, 2017.

The subdivision map submitted is deficient and must be revised prior to requesting of signatures from Borough Officials. The Planning Board can vote on this plan, but it must be revised prior to filing with the County. Mr. Remo said this is a minor sub division so a file map is not required, it is going to be created by deed so there is no need for a file map to be filed if it is a minor subdivision. Mr. Vinegra said he is not that concerned, as long as the survey shows the detention basins, he is not that concerned about having that filed. He said sometimes it is nice to have a filed map because a file map will show the setback and the detention basin but if the engineers supplies that little sheet with each house and its filed with the survey....because there are two ways to file a map, either you file with the County, or you can file by deed where there is no map filed just a description of the property. Since it's a minor subdivision the engineer surveyors asking for just a file by deed and he does not have a problem with that. Mr. Picerno asked if he was going to retract that issue? Mr. Vinegra said yes, sometimes he puts comments in for discussion, if there are a lot of easements, then he wants the file plot filed but there are no easements here and he will strike that comment. Mr. Remo said there is no reason to go over the other 7 items because they pertain to a file map?

Final Comments (sheet 5) – Mr. Vinegra's report said the Borough seeks to permit underground detention to be placed in the front and side yards of future residential homes and Mr. Remo's said the detention basin is actually in the rear yard. As far as how to handle storm water detention, Mr. Remo said the seepage pits are located in the rear yard, not in the front/side and the applicant would like to provide separate detention on each lot as opposed to a system for all three lots. Mr. Vinegra said yes, this is a small project and that was just a general comment because we had another subdivisions come into town and when they start getting a little larger, we have to look at where we put these systems because they encumber the property, it would have been nice if they could have put the system in the front yard but that wouldn't work....what is great about what the engineer has done is that he is collecting most of the water before it affects the neighbors in the rear, so that is the only site he can really put the system so he is OK with it.

Mr. Schielke – Mr. Schielke asked Mr. Vinegra if the applicants explanation of the location of the drainage pits which are 5 ft. off the property line on each one are acceptable? Mr. Vinegra said yes, like Mr. Remos stated if you put it right on the property line and you have to excavate it you

will have an issue with your neighbor so what Marc is doing is correct in that he is thinking forward, if it clogs up or we have a soil problem and something has to be excavated, you have enough room. He said it is a tough lot to grade because it is so deep, he thinks Mr. Remo did a very good job of getting this to work, the detention is necessary on this so it doesn't affect the people next door, he said he bets now the water just rushes onto the neighbor's property. Mr. Picerno asked Mr. Vinegra if he was going to tie all the pipes into the detention basin? Mr. Vinegra said yes.

Paulo Dantas, Architect – Mr. Dantas is partner and owner of DantasCarrete Architecture graduated from New Jersey Institute of Technology in 2002 with a Bachelor's Degree in architect. In 2007 he obtained his license in New Jersey. He said he has testified at various Boards throughout Union and Essex Counties.

Mr. Dantas introduced sheet A2 which was marked as **Exhibit 1 (9/14/17)** and is a rendering of the basement, first floor and second floor plan and the proposed elevation. They will have a finished basement of approximately 800 sq. ft. with a mechanical room toward the front and a full bathroom. The first floor has a livable area of approximately 1,235 sq. ft., and a proposed covered porch entrance to provide protection from the weather elements, a formal living room and kitchen and eating area towards the back and also a great room which will have a fireplace and all of this is to create an open plan concept. There is a 2 car garage of approximately 417 sq. ft. with a mud room with built in cubbies and a powder room. The second floor has a livable area of 1,652 sq. ft. with a two story foyer with four bedrooms and a laundry closet, bedroom #2 will have a walk-in closet plus a full bathroom, bedroom #3&4 will have their respective closets with a shared bathroom in the middle. The Master suite will consist of his and her walk in closet plus a full bathroom with a soaking tub and a stand up shower. There are 3 family dwellings and the design was based on the architectural characteristics from the neighborhood in keeping with the colonial style, but also providing its own unique characteristics of making each home independent of each other. Some of the materials proposed will be siding, stone veneer, decorative trim and detailing to achieve an expression and at the same time will try to make each façade different. Some of the differences within these three facades will be depicted by introducing different colors of the siding and different stone types. Two overhead doors vs. one overhead door and different roof peaks in order to differentiate different appearances. These are some of the elements we are proposing in order to make them not only consistent but different as well.

Kevin O'Brien said he wrote a completeness and planning report on the 28th of June in which he went through the elements of a Minor Sub Division approval. Our Ordinance actually outlines what is required for a minor sub division and the design elements that are involved. This is a little bit different from a standard sub division or a major subdivision that would come before you in which they would be a lot more in the way of planning comments but because the applicant took those design standards straight from the ordinance that I had referred to them and they met them, therefore I have no planning comments at this time because they have done everything that the ordinance has asked them to do.

Mr. Vinegra said Mr. Remo has already addressed his concerns, normally on minor subdivisions we don't ask for that much information, we do that later but he is glad that Mr. Remo because of the steep nature of the lot, designed everything ahead of time. Sometimes we do the subdivision on a minor and we then do additional detail on how the house will situate later but he is glad they did it now. He said he is glad they are breaking up the garage doors and

having different roof lines and even though they are similar floor plans, he said he thinks he is doing a nice job by changing the colors.

Motion was made by Mr. David, seconded by Mr. Schielke to open the meeting to the public on Application #358. All in favor.

Mrs. Pazienza said she lives right next door to where they are planning to build the houses. Her dad built her house which is a Cape Cod in 1950. Her only concern is the ground changing because there is a hill and she has a retaining wall and she does not know what will happen to the retaining wall because she is higher in the front than in the back. She is worried about water seepage getting into the basement she has never had that before.

Mr. Picerno said that Mr. Remo has a fantastic design for a retention basin and he has not seen something done so well in a long time, he has corrected the storm water runoff and put the water where it is supposed to go, he is changing the elevation so anything that is happening now to your home, if anything, for sure will not happen in the future. He is putting curbs in to divert the water and he is going to make it a better environment than the one you have now. Mrs. Panzienza said she would like to know what their plans are for the retaining wall. She has a retaining wall that is higher in the front, the backyard is the same grade level as hers so it goes down and there is a hill with two other retaining walls on the other properties so that is all going to have to be graded. She asked if they plan on rebuilding her retaining wall to make it higher? She said there is a big drop on North 17th Street, all the houses drop off and she does not know how that is going to be addressed.

Mr. Picerno asked Mr. Panzienza if she is asking if her retaining wall is going to be compromised as a result of the construction.

Mrs. Panzienza said she is 216 North 28th Street which is right next door to first house on the left.

Mr. Remo said the way your property grades now is the way it will continue to grade, the retaining wall is going to remain. He said the retaining wall is actually on the property line so he wouldn't say we wouldn't touch it but we are going to grade, we are not going to disturb the retaining wall. We are not going to dismantle the retaining wall, if it is damaged in any area, obviously the applicant would have to repair it. Mrs. Panzienza asked if you are going to have to build the back wall higher? Mr. Remo said no, they are going to meet the existing grade at the retaining wall and it will not be higher than what the grade is now. Mr. Panzienza asked about the back, will you be rebuilding the wall? Mr. Remo said no our intention is to grade against the walls because the walls are just off the property. Mr. Panzienza asked if the retention basin would be in the back? Mr. Remo said yes there will be an overflow pipe and the intention is that the water is going seep into the ground and if for some reason you get a terrible storm it will overflow and then drain to our system.

Mr. Picerno said any work that is being done cannot impact the neighbor's property so he cannot direct the water to your side.

Motion was made by Mr. David, seconded by Mr. Mazzeo to close the meeting to the public on Application #358.

Mr. Mazzeo asked if there were any landscaping requirements and Mr. O'Brien said yes and they have been met.

Motion was made by Mr. David, seconded by Mr. Pantina to approve Application #358. Roll Call: Mr. Clementi voted yes, Mr. Picerno voted yes, Mr. Cuppari voted yes, Mr. David voted yes, Mr. Grimaldi voted yes, Mr. Schielke voted yes, Mr. Pantina voted yes and Mr. Mazzeo voted yes, Mr. Pinto voted yes and Mr. Ladauti voted yes.

Application 362 Minor Site Plan

535 Boulevard Partnership
535 Boulevard, Kenilworth
Block 116, Lot 16 & 17

Mr. Kevin O'Connor, Esq., Lum, Drasco & Positan LLC, Roseland, NJ representing the Applicant 535 Boulevard Partnership. This is a minor site plan application and the purpose of the application is to add additional parking to the rear of the bank building that houses a bank and an office. As part of the application, they are going to be adding enhanced landscaping and lighting for the property. The additional parking will bring us up to the standards of the ordinance. Also testifying is Mr. Sam Fromkin who is the principal and Mr. Michael Lanzafama who is the engineer who will testify as to the particulars of the plan.

Mr. Kevin O'Connor, Mr. Lanzafama, Mr. Fromkin, Kevin O'Brien and Mr. Vinegra were sworn in by Mr. Bongiovanni.

Michael Lanzafama is a licensed Professional Engineer and is licensed in the State of New Jersey and is a principal with the firm of Casey & Keller, Inc., 258 Main Street, Milburn, NJ.

Mr. Picerno said that Mr. Lanzafama has been before the Board a number of times and his credentials are impeccable.

Mr. Lanzafama said the property in question is Lot 16 & 17, Block 116, PNC Bank, the property is 20,625 sq. ft. and .47 acres and has a frontage of about 125 ft. along the Boulevard and 175 ft. along South 22nd Street and sits on the southwest corner of the intersection. The proposal is to add 10 parking spaces to the southern side of the property so that we can bring the property up to code compliance in regard to parking. The building that exists on the property is on 4,159 sq. ft., one car for every 250 sq. ft. we are required to have 17 parking spaces. This would give us 18 parking spaces plus one handicapped space, giving us code compliance. The addition of the parking area would add about almost 2,200 sq. ft. of additional pavement to mitigate that increased impervious area, we are proposing an underground detention system composed of two dry well tanks, storm water inlets will be placed in the parking lot, water will be collected and discharged into those drywells. An overflow system is provided so that it would bring water out to the curb along South 22nd Street without impacting the sidewalk or driveway area. As part of the overall plan, we are proposing new lighting in the parking lot, 3 LED type light fixtures which are 18 ft. high, they are lithium type fixtures and they will be proposed at key points on either side of the parking lot and one on the southern end. The good thing about the LED type fixtures is that we can get a direct cut off so there will be no glare or impact onto any of the adjacent properties. To further improve the site, we are providing a picnic table area so that the employees of the facilities can have a little escape from their work day.

We are proposing 15 Arbors along the perimeter and 3 red maples. The landscaping plan has been modified in response to Kevin's latest memo dated August 2nd. Mr. Lanzafama gave copies to the Board members and professionals (**Exhibit A1**). The overall impervious coverage of the site would still be compliant based upon the BD zone requirements, all of the bulk standards are met by this property with this improvement. He is in receipt of Kevin's and Victor's review memorandum which he got this evening and one of Mr. Vinegra's comments was to bring the detention system further to the east and we could do that with no problem, we would simply move it forward so that we can get a direct overflow without having to go through the inlet that we had proposed. He does not see any other issues with regard to either one of the memorandums we will be complying with all of those requirements. In Mr. Vinegra's memorandum, on the question on the refuse area...there is an existing concrete pad in the southwest corner of the parking lot and there is a metal dumpster on that pad, the refuse company would continue to come in and pick that up, we don't have a confined space for it but it exists there now. The way in which it is picked up will not change from its current process.

Mr. Pantina said he thinks they should incorporate a stop bar, he said he knows you are putting a Do Not Enter signs on either side, on the building side and by the existing light but you could actually move the location anywhere you want, you can put the stop bar anywhere you want but he thinks the stop bar will go well at the existing edge of payment in which case you can put the stop sign there and a Do Not Enter sign in front of it and maybe put a right turn only sign because there is really no coming in from the Boulevard and there is no indication to a new user that they can't go straight other than a possible one sign that you are going to have there.

Mr. Victor said you should have stop bars, if you are pulling out you can't see a pedestrian so you do need stop bars and signs. Mr. Lanzafama said that is not an issue.

Mr. Picerno asked what is the final on the stop Bar.... Pedestrian.... And left turn, no turn???

Mr. Lanzafama said we are going to propose at South 22nd Street a stop bar and pedestrian crossing sign and a stop sign. Also up at the southern southwest driveway, where we have the one way traffic pattern, we would put a stop bar and a 2nd Do Not Enter and a Stop sign on the west side of that driveway.

Mr. Cuppari said the whole property slopes down and the whole street slopes down and we have had issues with flooding....is there more we can do with this detention and basin to maybe try to avoid water getting out on the street at all because it is just going to roll right down to Newark Avenue.

Mr. Lanzafama said right now the sites all slopes from north to south. The detention systems that we are proposing is considerable in size, it is two large detention tanks that will be put in and we have two catch basins to pick the area up so the total area that was once going into that southern portion of the site is now being intercepted and directed into that detention. He said that should help that situation tremendously.

Mr. O'Brien asked Mr. Lanzafama if the new lights that are being put in the back...are they replacing any existing lights? Mr. Lanzafama said yes there is an existing light pole in the island in the western portion of the parking lot and that is being removed and replaced.

Mr. O'Brien said to Mr. Lanzafama that he mentioned the location for the garbage because it's existing we didn't mention that the new ordinance would require that to be enclosed but since you are making these improvements to the site would you consider a garbage enclosure for the dumpster?

Mr. Lanzafama conferred with his client and said they can do that.

The applicant said the difficult part about that is when they do come to pick it up, it's only one dumpster on one pad and it gets picked up pretty easily by the truck, adding a fence into there, because it is such a small space for him to pick it up and put it back down again. He would rather not put a fence but if that's the difference in what we are doing here then he would have to put a fence but he thinks it is only going to be more of a hazard then it would be a help.

Mr. Vinegra asked if they store the recyclables inside of the building? Mr. Frompkin said the bank does, that dumpster is locked and is actually only used by the bank, it is not used by the other tenants.

Mr. Picerno said he has a problem with the enclosure, although he knows what the ordinance is, this is a tight space and they do keep it clean and they do keep it closed, he would rather look at the container then the fence halfway down throughout the year.

Mr. David said the improvements are on what was basically an empty lot? He asked if the applicant has owned that lot all along or is it a recent purchase. He said he is very happy for the improvements but he is somewhat curious as to why now?

Mr. Frompkin, 1 Channel Drive, Monmouth Beach, NJ - Mr. Frompkin said he is the owner of the property and he has had the building for about 20 years when it was National State Bank and at that time Nation State Bank occupied the entire building. When they left the site the next bank wanted a smaller facility so we broke the bank up and we leased. We never had a real active tenant in there, we had Earl Monroe, the basketball player there and some other smaller tenants but there was never a real need for parking because it wasn't a retail operation. He has an attorney in there now that uses the space and he has a number of employees and the bank became very concerned that parking would become an issue. He spoke to the bank and said he would add parking and that is what we are trying to accomplish. He said the building is built to have a second floor.

Mr. O'Brien said his questions were answered in the course of testimony, this is a minor site plan, we don't have the design standards like we do for sub divisions but the burden of proof still has to be met, there are no variances, it is a straight site plan and if its conforming it is up to the Board to look at it and pass judgement.

Mr. Vinegra said the tenants have kept the building in good condition he sees fresh paint... it is an older building but well kept.

Motion made by Mr. David, seconded by Mr. Clementi to open the meeting to the public on Application #362. All in favor.

No one wished to speak.

Motion made by Mr. David, seconded by Mr. Cuppari to close the meeting to the public on Application #362. All in favor.

Mr. Picerno asked if anyone had anything to add about what we just heard. He said he heard a few things and he does not know if they come in by way of conditions. He said there is supposed to be a stop bar, a sign that says Pedestrian Crossing on the southwest drive and a stop bar and a Do Not Enter sign and we are not going to ask for an enclosure around the dumpster. Mr. Pantina said there was another Stop sign on the top. Mr. O'Brien said 22nd Street and the southwest corner.

Motion was made by Mr. David, seconded by Mr. Pantina to approve Application #362 with said conditions. Roll Call: Mr. Clementi voted yes, Mr. Picerno voted yes, Mr. Cuppari voted yes, Mr. David voted yes, Mr. Grimaldi voted yes, Mr. Schielke voted yes, Mr. Pantina voted yes and Mr. Mazzeo voted yes, Mr. Pinto voted yes and Mr. Ladauti voted yes.

Comments for the Good of the Board - None

Meeting Open to the Public

Motion made by Mr. David seconded by Mr. Schielke to open the meeting to the Public. All in favor.

No one wished to speak.

Motion made by Mr. David seconded by Mr. Schielke to close the meeting to the Public. All in favor.

Adjournment

Motion to adjourn was made by Mr. David, seconded by Mr. Picerno. All in favor.

Respectfully submitted by:
Kathleen Moschitta
Recording Secretary