

BOROUGH OF FAIR HAVEN PLANNING BOARD
Regular Meeting Minutes – November 16, 2021

The meeting was called to order at 7:30 pm by the Chairman, Mr. Lehder, with a reading of the Open Public Meetings Act statement (see attached) and salute to the flag.

Roll Call

Present: Mrs. Busch, Mrs. Koch, Mr. Newell, Mr. Paolo, Mr. Rolff, Mrs. D'Angelo, Mr. Burkhardt, Mr. Lehder

Absent: Mr. Bordelon, Mr. Nitka

Also Present: Mr. Kovats, Board Attorney; Ms. Gable, Heyer Gruel & Associates, Board Planner; Mr. Gardella, Borough Engineer

Mr. Lehder introduced the first agenda item:

M&M Realty Partners at Fair Haven, LLC – 626 River Road, B31 Lot 1 – Preliminary and Final Site Plan Approval for construction of three-story building containing 4,250 SF commercial space on ground floor, fourteen residential units on second and third floors, construction of ancillary parking, utilities, and other appurtenances within the Affordable Housing Zone.

A letter was received by the Planning Board Secretary from the applicant's attorney requesting their application to be carried to the December 21, 2021 Planning Board meeting. The applicant waived their time limits until the end of December.

A brief discussion took place by the Board regarding attendance at the December 21, 2021 meeting.

MOTION by Mr. Lehder with a second by Mrs. Koch to carry the M&M Realty Partners at Fair Haven LLC application to the December 21, 2021 meeting without the need to re-notice and stipulation of the extension of time by the applicant.

In favor: Busch, Koch, Newell, Paolo, Rolff, D'Angelo, Burkhardt, Lehder

Opposed: none

Abstain: none

The next agenda item was introduced: a resolution granting minor subdivision approval to Ilvento Builders, LLC – 37 Third Street, B38 L02.

Mr. Kovats recognized the applicant's attorney, Mr. Brodsky. Mr. Kovats swore in the following witnesses for the Ilvento application:

Matthew Cronin, Architect
Charles Surmonte, Engineer

Mr. Kovats marked the following exhibits:

A12 – Letter from the attorney, Richard Brodsky, October 15, 2021
A13 – Architectural renderings with revision date of October 14, 2021 by Matthew Cronin AIA
A14 – Revised Minor Subdivision dated October 10, 2021 prepared by Charles Surmonte
PB4 – Letter from Elena Gable, Borough Planner, dated November 12, 2021
PB5 – Letter from Richard Gardella, Borough Engineer, dated November 15, 2021
PB6 – Letter from William Brooks, Borough Tree Specialist, dated November 15, 2021

Mr. Kovats explained that the applicant will provide clarification or guidance to the Borough professionals through the exhibits and testimony since the application was approved in September 2021.

Mr. Brodsky, attorney for Ilvento Builders LLC, confirmed the receipt of the reports referenced by Mr. Kovats from the Borough professionals. He accepted the reports and stands by the submissions made.

Mr. Lehder opened the meeting to the public.

Mr. David Joye, Business Administrator and Board of Education Secretary from the Fair Haven Schools, offered his support. The Fair Haven Schools own the adjacent property and would like to work together regarding the landscaping bordering the two properties. Mr. Joye is concerned about the grading of the property onto the Schools' property because the Schools' property is used daily for recess and sports.

Mr. Brooks, Borough Tree Specialist, was asked to speak. He stated that there are no trees on the property that are worth saving. There are five large white ash trees that are not healthy. He recommended they be removed.

The Board members were asked for comment. There were no comments.

Mr. Kovats stated he will incorporate the new exhibits in the resolution.

MOTION by Mr. Newell with second by Mr. Rolff to approve the resolution.

In favor: Busch, Koch, Newell, Paolo, Rolff, D'Angelo, Burkhardt, Lehder

Opposed: none

Mr. Lehder addressed the Board and the public regarding the application for Ilvento Builders, LLC and the process associated with the approval. He expressed concern with regards to the drainage of the surrounding properties.

Mr. Lehder then asked Mr. Rolff to review the administrative items on the agenda. Mr. Rolff asked for comments on the minutes. There were none.

MOTION by Mr. Rolff, with second by Mrs. Koch, to approve the September 21, 2021 minutes.

In Favor: Busch, Koch, Newell, Paolo, Rolff, D'Angelo, Burkhardt, Lehder

Opposed: none

Abstain: none

Mr. Rolff accepted the resignation of Class II member Jessie Murray. Mr. Lehder stated he is in conversation with Mayor Halpern regarding the vacancy.

Mr. Lehder spoke of the reorganization meeting in January 2022. He stated that re-appointment of the Planning Board professionals occurs at the re-organization meeting. Mr. Lehder said that he will not support the re-appointment of the Borough Engineer and Heyer Gruel and Associates. He suggested that the Board consider a request for proposal for the professional services for the Board – planner, engineer, and attorney.

Mr. Kovats explained the process for a request for proposal. Discussion took place by the Board.

MOTION by Mr. Paolo, with second by Mr. Rolff to pursue a request for proposal for professional services for the Planning Board.

In favor: Busch, Koch, Newell, Paolo, Rolff, D'Angelo, Burkhardt, Lehder

Opposed: none

Abstain: None

MOTION by Mr. Lehder, second by Mr. Newell, to adjourn, was carried unanimously by voice vote.

The meeting adjourned at 8:15 pm.

Respectfully submitted,

Sandi Papa
Board Secretary

Public Announcement of Compliance

This is a regular meeting of the Fair Haven Planning Board. Adequate notice of this meeting has been given pursuant to the provisions of the Open Public Meetings Act. At the time of the Board reorganization in January of this year, the Board adopted its regular meeting schedule for the year. Notice of the schedule of the Board's regular meetings was sent to and published in the Asbury Park Press, and was also sent to the Two River Times and the Star Ledger. Tonight's meeting was listed in the Notice of the schedule of regular meetings. That notice was also posted on the bulletin board in Borough Hall, and has remained continuously posted there as required by the Statute. In addition, a copy of the Notice is and has been available to the public and is on file in the Office of the Borough Clerk. A copy of the Notice has also been sent to such members of the public as have requested such information in accordance with the statute. Adequate notice having been given the Board Secretary is directed to include this statement in the minutes of this meeting.