

**BOROUGH OF FAIR HAVEN PLANNING BOARD**  
**Regular Meeting Minutes – April 18, 2023**

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

Mr. Rolff, Chairman, entered the meeting at 7:32 pm.

Roll Call:

Present: Busch, Koch, Newell, Paolo, Rolff, Nitka, Anderson, Olson

Absent: Bordelon, Nitka

Also present: Mr. Kovats, Board Attorney; Elena Gable, Heyer Gruel and Associates, Board Planner; Rich Gardella, Borough Engineer; Greg Cannon, Borough Attorney; Theresa Casagrande, Borough Business Administrator.

Mr. Rolff introduced the first agenda item: *Appointment of Board Engineer*. Mr. Kovats recommended appointing Mr. Gardella. Mr. Gardella's recently approved Borough contract includes his position as Planning Board Engineer.

MOTION by Mr. Rolff and second by Mr. Newell to approve the appointment of Rich Gardella as Board Engineer.

In favor: Busch, Koch, Newell, Paolo, Rolff, Anderson, Olson

Opposed: none

Mr. Rolff stated that the administrative items would be reviewed first. He introduced the first item: *Approval of minutes from March 21, 2023 meeting*. Mr. Rolff asked if there were any comments from the Board. There were no comments.

MOTION by Mr. Rolff and second by Ms. Koch to approve the minutes from March 21, 2023 meeting.

In favor: Busch, Koch, Newell, Rolff, Anderson

Opposed: none

Mr. Rolff introduced the next agenda item: *Approval of March 21, 2023 Executive Session minutes*. Mr. Rolff asked for comments from the Board. There were no comments.

MOTION by Mr. Rolff and second by Ms. Koch to approve the Executive Session minutes from March 21, 2023 meeting.

In favor: Busch, Koch, Newell, Rolff, Anderson

Opposed: none

Mr. Rolff introduced the next agenda item: *Borough of Fair Haven – Allen Street/Hendrickson Place, Block 45, Lots 10, 11 and 12, Zone R-5; Minor Subdivision.*

Greg Cannon, Borough Attorney, was introduced as the applicant's attorney.

Mr. Kovats swore in the following witnesses for testimony regarding the application:

Theresa Casagrande, Borough Business Administrator

Mr. Kovats also swore in the Planning Board professionals:

Rich Gardella, Borough Engineer

Elena Gable, Planning Board Planner

The following Exhibits were marked by Mr. Kovats:

**Exhibit A1** – Proof of publication

**Exhibit A2** – Proof of mailing

**Exhibit A3** – Application

**Exhibit A4** - Tax assessor correspondence

**Exhibit A5** – Deed descriptions prepared by Vallee Surveying

**Exhibit A6** – Minor Subdivision Plan prepared by Vallee Surveying, titled *Minor Subdivision Plan of tax map Lots 10, 11 & 12 in Block 45 situated in Borough of Fair Haven, Monmouth County, New Jersey*, with revision date of 2/9/23

**Exhibit A7** – Architectural Plans prepared by Andrew F. Trocchia JR., AIA titled *Site Plan Set for Review*, dated 11/15/22

**Exhibit PB1** – Planner's letter, completeness review, dated 4/11/23

**Exhibit PB2** – Engineer technical review, letter dated 4/18/23

**Exhibit PB3** – Planning review, letter dated 4/14/23

Mr. Cannon, Borough Attorney, gave an overview of the subdivision plan and referred to **Exhibit A6**.

Theresa Casagrande, Borough Business Administrator, gave an overview of the history behind the agreement between the parties associated with the subdivision. She noted that through a settlement agreement for Affordable Housing, M&M Realty, Habitat for Humanity, and the Borough entered into a project that included the home that will be built on one of the lots of the proposed subdivision. M&M Realty will be contributing \$175,000 towards the construction of the two-family home and the Borough will be donating the land, along with Habitat Humanity that will also provide funding and support for the construction of the home.

Mr. Cannon reviewed the requirements of the lots in the R-5 Zone and Ms. Casagrande reviewed the bulk chart shown on **Exhibit A6**.

Mr. Cannon stated that the application was noticed and that plans were submitted without requesting site plan approval.

Mr. Kovats summarized the proposed subdivision will be combining the three existing lots and dividing them into two conforming lots.

Ms. Casagrande suggested that the lot will be passed to Habitat for Humanity unencumbered without the need for variance approval.

Mr. Kovats stated that there is a variance and design waiver needed based on the application submitted.

Mr. Cannon stated that the subdivision will be filed by deed. He said that in **Exhibit A5**, the lots are not identified correctly. He stated that this will be corrected.

Mr. Gardella reviewed his letter of April 18, 2023, marked as **Exhibit PB2**. He stated there is a need for a site triangle easement. The Borough Attorney will file this document.

Although site plan approval is not requested, Mr. Gardella reviewed the design waiver that Mr. Kovats mentioned for overhead utility connection. He stated that overhead connections are consistent with other homes in the neighborhood. Mr. Gardella confirmed that no variance is needed for this type of connection.

Mr. Gardella stated that the driveways presented in the plans are greater than 25% lot coverage of their respective lots. He stated that the Borough will need to work through the Affordable Housing ordinance because as presented, a variance is needed from the Zoning Board. Because the application is not a site plan, the variance does not require formal action by the Planning Board.

Ms. Gable stated that one- and two-family homes don't require Site Plan approval unless there are variances. If variances are needed, the application would need to go before the Zoning Board.

Mr. Olson asked about codes associated with inspections for a home built by volunteers.

Ms. Gable asked for clarification on the lot numbers. Mr. Cannon confirmed the corner lot is 10.01 and the interior lot is 10.02.

Ms. Gable recommended granting all waivers requested for completeness purposes including:

- Architectural plans
- Monmouth County Planning Board application
- Monmouth County Health Department application
- Public utility will serve letters, suggest the applicant provide as a condition of the approval
- Key map
- Deed restriction for Affordable Housing

Ms. Gable asked for confirmation that lot coverage and habitable floor area was calculated according to the Borough ordinance. Ms. Casagrande confirmed. Ms. Gable asked if the proposed location on lot 10.02 is proposed or conceptual in nature. Ms. Casagrande said that the home's location is proposed with a few outstanding details remaining.

There was discussion regarding tree removal. Ms. Casagrande stated that the Borough will engage their tree specialist on this matter.

There was discussion regarding the vegetative buffer on lot 10.01 with the home on Allen Street.

Mr. Paolo asked about tree removal on the site triangle.

Ms. Gable spoke of the street tree ordinance, and stated that one or two trees were needed. Mr. Cannon stated that the Borough is looking to contain costs on this project. Mr. Cannon stated that this was the reason a waiver was requested for street trees. There was also discussion regarding the driveway placement and placement of trees.

Mr. Olson asked about taxes. The property is assessed according to its deed restricted value.

Ms. Koch asked about a landscape plan.

Ms. Koch asked about the landscaping from Habitat for Humanity. Mr. Kovats stated that Habitat for Humanity cannot be held responsible as they are not the applicant. Mr. Gardella stated there are no requirements for landscaping buffering on a subdivision.

The Board asked about the overhead wires on the street. They questioned the safety of this design and impact of setting a precedent.

Ms. Gable explained the Affordable Housing standards associated with the dwelling. A moderate-income family will own the dwelling and a very low-income family will rent the second unit of the dwelling from the dwelling owner.

Ms. Casagrande detailed the income levels associated with the owner and renter of the units.

The meeting was opened to the public.

Matthew Glynn of 128 Maple Avenue requested confirmation of the location of the Habitat for Humanity lot and the number of units. Mr. Cannon confirmed the plan for the Habitat for Humanity home and stated that the structure will have two units. The home is planned to blend with the neighborhood.

Christine Glynn of 128 Maple Avenue stated they recently moved to the neighborhood and were not aware of the project.

Mr. Cannon explained the process for Affordable Housing that must be followed for the owner to be chosen and renter to be chosen.

Dianne Kinnane, Executive Director for Habitat for Humanity, spoke about the landscaping done on previous projects and confirmed a landscape plan will be developed for the Fair Haven project.

Didi Brignola of 26 Allen Street identified herself as the homeowner on Allen Street bordering the Habitat for Humanity project, and asked about landscaping.

Mr. Paolo thanked the members of the public for attending the meeting.

MOTION by Mr. Rolff and second by Mr. Newell to approve the Borough's application for a minor subdivision at Hendrickson Place and Allen Street (Block 45, Lots 10, 11 and 12) taking the three lots and creating two conforming lots for a conforming use with the following conditions for approval:

- Will serve letters
- Easements
- Documentation in deeds for the site triangle
- Landscape and tree plans

In favor: Busch, Koch, Newell, Paolo, Rolff, Anderson, Olson

Opposed: none

The meeting was opened to the public.

Mr. Glynn of 128 Maple Avenue addressed the Board requesting an update on the DPW site. Ms. Casagrande summarized the current progress on the project and referred Mr. Glynn to the website.

MOTION to adjourn was made by Mr. Rolff that was carried by voice vote. The meeting was adjourned at 8:37 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 was sent to and published in the Asbury Park Press and the Two River Times on February 9, 2023. That Notice was also posted on the bulletin board in Borough Hall and has remained continuously posted there as required by the Statute. 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.**