

**BOROUGH OF FAIR HAVEN PLANNING BOARD**  
**Regular Meeting Minutes – December 21, 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. Lehder

Absent: Mr. Bordelon, Mr. Nitka, Mr. Burkhardt

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

Mr. Lehder mentioned the meeting was slated to be held in person but is also being broadcast via the Owl/Zoom platform. Although documents cannot be shared with the public, the public will be able to comment regarding the application being heard.

Mr. Lehder asked that Mr. Rolff review the administrative items. The first item mentioned was the November 16, 2021 meeting minutes. Mr. Rolff asked for comments regarding the minutes. There were none.

MOTION by Mr. Rolff with second by Mrs. D'Angelo to approve the November 16, 2021 meeting minutes.

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

Opposed: none

Mr. Rolff introduced the next agenda item for Washington Phillips LLC to approve the extension of time to perfect the subdivision of 101 Princeton Road, Block 5 Lot 19. Mr. Kovats explained the process to file with the county.

MOTION by Mr. Newell and second by Mrs. Busch for a resolution for Washington Phillips LLC to approve an extension of time of one month to perfect the subdivision of 101 Princeton Road, Block 5 Lot 19.

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

Opposed: none

Mr. Lehder introduced New Business and the following application:

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.

Mr. Kovats then swore in the following witnesses:

Ron Aulenbach, (applicant), Director of Planning and Engineering for M&M, Edgewood Properties, 1260 Stelton Road, Piscataway, NJ 08854

Christine Cofone, (planner), Cofone Consulting Group LLC

Matt Seckler, (traffic), Stonefield, 92 Park Avenue, Rutherford, NJ 07070

Mr. Kovats also swore in the Board professionals:

Elena Gable, Heyer Gruel and Associates, Borough Planner

Rich Gardella, Borough Engineer

The Planning Board Secretary confirmed jurisdiction.

Mr. Kovats introduced the Exhibits, (see attached Exhibits List).

Mr. Wolfson introduced himself as the applicant's attorney and explained the history of the application. He stated the application is fully conforming. A waiver request was submitted for removing the requirement of a certified landscape architect for the landscape plan. Mr. Wolfson then called Mr. Aulenbach. He also introduced exhibit A28 – a new rendering of the project, 3 pages.

Mr. Aulenbach began his testimony and introduced himself as the Director of Engineering of the parent company for M&M Realty Partners at Fair Haven, LLC, Edgewood Property. He reviewed the three-page exhibit. From an environmental cleanup, Sunoco is the responsible party for groundwater contamination on the site that is being monitored by the NJDEP. The building contains approximately 4200 square feet of commercial/retail space on the first floor and 14 residential units on the second and third floor. Two of the residential units will be affordable units as part of the settlement agreement. There will be tandem parking behind the building for the residential units. He reviewed the remainder of parking spaces and trash disposal. He also reviewed the set back from River Road and compliance with the town's ordinance.

There was discussion with the Board regarding building materials.

Mr. Aulenbach reviewed the elevations and how some parking is under the building. The materials will be earth tones including hardy board and brick. Consistent materials will be the same for all sides of the building. He stated that the retail space will have a maximum of three tenants.

There were questions from the Board regarding building height. Mr. Aulenbach explained his measurement is from the front of the building.

Mr. Aulenbach then reviewed exhibit A18 – 5-sheet architectural plans from EP Design dated July 15, 2021 with revision date of December 9, 2021 entitled “Proposed Mixed Use Building at Fair Haven.”

Mr. Lehder asked about the mix of the sizing of the 14 units. Mr. Aulenbach confirmed the affordable units meet the minimum standards. The market units are one and two bedrooms with the remaining square footage. Mr. Wolfson referred to a cash contribution requirement for Habitat for Humanity because the affordable housing requirement was slightly greater than the two required units.

Mr. Lehder asked about the standards and how those were met for the affordable units.

Mr. Kovats asked whether Mr. Aulenbach is testifying as an architect. Mr. Wolfson said he is not.

Mr. Wolfson asked to review the Borough professionals’ letters.

Mr. Lehder asked to continue testimony of the professionals.

Mr. Seckler stated his credentials as a traffic engineer and the Chairman accepted his credentials. Mr. Seckler reviewed the Traffic Impact Study Proposed Mixed-Use Development, prepared by Stonefield Engineering & Design, dated June 18, 2021 and marked Exhibit A15.

Mr. Wolfson mentioned that the River Road entrance is pending with the Monmouth County Planning Board. The applicant is waiting for a decision on a waiver on the driveway distance. A revised plan would be required if the waiver is not granted by the Monmouth County Planning Board. Mr. Wolfson stated that without the waiver, they will come back to the Fair Haven Planning Board.

Mr. Seckler stated that the application is fully conforming with the ordinances.

Mr. Lehder asked about deliveries. Mr. Aulenbach said there is a front door and back door access for deliveries. Mr. Aulenbach also suggested putting a door in the back on the west corner. Mr. Lehder referred to Exhibit A18 and asked Mr. Aulenbach to walk through deliveries. Mr. Lehder is concerned about cars being parked and no access for delivery. There was also discussion regarding bollards to stop vehicles along the walkway in the rear of the building.

There was also discussion regarding retail uses. The applicant confirmed they do not know who will occupy the retail space.

Mr. Seckler confirmed the aisle widths of residential parking are 9 feet. There was discussion regarding 18 inch square columns between the spaces.

Mr. Seckler stated his testimony was complete.

Mrs. D'Angelo asked about the parking requirements for the retail space. Mr. Kovats said the maximum calculation is based on the square footage of the retail space. Mr. Gardella said that one parking space will be provided based on 250 square feet of retail space. Mr. Gable outlined the permitted and not permitted uses in the zone.

Mr. Lehder explained that the Zoning stayed consistent with the current Zoning for retail space.

Mr. Aulenbach stated that the columns are 16" versus the previously stated 18" for the parking spaces.

Mrs. Koch asked about deliveries on Cedar Avenue. Mr. Seckler said that a K-turn could be done at the end of the parking lot.

Mrs. Koch asked about bollards along the walkway and wondered how deliveries would be made. Mr. Aulenbach stated that one bollard would be for each parking space. Mrs. Koch expressed concern about the columns and getting through with the bollards in place. Mrs. D'Angelo asked about the delivery of pallets.

Mr. Lehder asked about garbage delivery and Mr. Seckler explained the process.

Mrs. Koch asked if the residents will bring their trash out or will there be a maintenance service to bring the trash to the dumpster. It was confirmed that the residents bring their trash to the dumpster.

The next witness, Christine Cofone, was introduced by Mr. Wolfson. Ms. Cofone is a licensed qualified planning professional for over 25 years and is an affordable housing special master. She is familiar with the property as an area resident. Mr. Lehder accepted Ms. Cofone's qualifications. She stated there are no variances sought and explained how carefully the project was put together according to the Affordable Housing Zone.

Both affordable units are 2-bedroom units and 863 square feet. There are (10) two-bedroom market units and (2) one-bedroom market units. All the units have two parking spaces.

Mr. Aulenbach reviewed their model for square footage to be successful with the market units. He reviewed the sizes of the units that range from 884 square feet for a one-bedroom unit to up to 1400 square feet for a two-bedroom unit.

Mr. Wolfson stated that the applicant had completed their testimony.

The applicant requested a break.

The meeting was stopped for a break at 9:05 pm.

Mr. Lehder requested a roll call before resuming the meeting at 9:10 pm.

#### 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, Mr. Burkhardt

Mr. Lehder asked the professional to review their checklist.

Ms. Gable, Borough Planner, reviewed her report, Exhibit PB5 dated December 20, 2021 beginning on page 5:

1. The applicant shall confirm that all calculations included in the bulk chart are calculated in accordance with Borough definitions, including habitable floor area, building coverage, impervious coverage, and building height. a. We are still unsure whether the building height is calculated correctly, as the applicant has not provided the individual elevations of the corners of the lot, nor have they provided the anticipated total elevation of the building to the highest point once constructed. The applicant shall submit details to the calculation of the building height to confirm compliance.

*The applicant agreed that all calculations are provided according to Borough definitions. They also agreed to provide individual elevations of the corners of the lot and total elevation of the building at the highest point once constructed.*

2. The applicant shall provide testimony, and if necessary, details such as a diagram, of the parking lot in the vicinity of the handicap space located closest to Cedar Avenue to confirm the parking lot setback complies with the required 4.9 feet setback from the proposed Cedar Avenue right-of-way.

*The applicant confirmed 5 feet.*

3. The applicant shall provide testimony and revise the plans accordingly to provide electric vehicle charging parking spaces and make-ready parking spaces in accordance with P.L. 2021, c. 171, which was signed into law on July 9, 2021, and the DCA Model Electric Vehicle Ordinance, released on September 8, 2021.

Pursuant to the law and the model ordinance, the applicant is required to provide a minimum of 7 electric vehicle/make-ready charging stations (at least 15% of the required off-street parking spaces). One of the EV stations shall be accessible for people with disabilities (at least 5%).

The applicant shall also provide testimony indicating whether or not the installation of EV/make-ready charging spaces will be phased as permitted by the law.

*The applicant confirmed they will provide a charging station.*

4. The applicant is proposing to use a galvanized chain link gate with PVC slats for the gates of the trash enclosure. We recommend the applicant use a more decorative gate for the trash enclosure that doesn't utilize chain link.

*The applicant said they would work with the Planner on a more decorative upgrade.*

5. The applicant shall provide the specifications pertaining to the gooseneck light fixtures shown on the architectural plans, which shall include the make/model and lumens.

*The applicant will provide the cut sheets.*

6. The applicant shall provide testimony with respect to whether or not the free-standing sign will be externally illuminated. If the sign is proposed to be externally illuminated, details shall be provided.

*The same gooseneck lights will be used for the free-standing sign.*

7. The applicant shall provide testimony confirming compliance with Borough's window sign ordinance in accordance with Section 30-7.24 of the Borough's code.

*The applicant will comply.*

8. The applicant shall provide testimony to address the lighting standards pursuant to §30-5.5.i.5.

*The applicant said they will comply. Mr. Aulenbach stated that there are provisions in the ordinance.*

*Mr. Gardella reviewed the process for review of the site plan for lighting prior to building. The lighting plan is on page 9 of the site plan. Mr. Aulenbach stated there are not lights on the East side. There are lights to the west of the dumpster. Mr. Aulenbach reviewed the lighting plan.*

9. The applicant shall provide testimony pertaining to potential future interconnections to adjacent sites.

*Mr. Aulenbach stated that it is not anticipated, and they are not proposing a roadway connection to the South.*

10. The applicant shall provide testimony pertaining to how snow removal will be handled.

*Mr. Aulenbach stated they maintain the property and remove snow from the site.*

11. We defer to the Board Engineer regarding stormwater management, utilities, and satisfaction with the requirements of Borough's Active Transportation Plan.

*This will be discussed in Mr. Gardella's report.*

## Architectural

12. The applicant shall provide testimony confirming the materials and provide testimony clarifying the colors proposed for the structure. Is it anticipated that the colors and materials will match the colorized renderings of the structure?

*Mr. Aulenbach deferred to his previous testimony.*

13. It is unclear where the Cedar Avenue front façade meets the glazing provisions required by the ordinance. 60% of the ground floor of this façade is required to be glazed, and 20% of the upper-story front façade is required to be glazed. The applicant shall submit these calculations to determine whether or not waiver relief is required.

*Mr. Aulenbach confirmed they will comply to the 60% and 20% as stated.*

14. The applicant is proposing a window on the Cedar Avenue first floor façade that is approximately 2.5 feet above grade. The applicant shall provide testimony and details to confirm whether or not this window complies with §30-5.5.i.1.(h), which states, “the maximum sill height above sidewalk grade shall be 30 inches.”

*Mr. Aulenbach confirmed they will comply.*

15. The applicant shall provide testimony pertaining to whether or not the Cedar Avenue façade is designed as a front façade. a. We note the applicant added a horizontal feature between the first floor and the upper floors of the façade facing Cedar Avenue. The applicant shall provide testimony specifying the material and color of this feature and shall add a note to the architectural plans indicating same.

*Mr. Aulenbach confirmed.*

b. Has the applicant considered adding additional architectural features to this façade, similar to what appears on the River Road façade?

*Mr. Aulenbach confirmed they will make the Cedar Avenue side similar.*

c. We note that a portion of this façade, in the vicinity of the elevator shaft and stairwell, do not incorporate windows or architectural elements. Has the applicant considered incorporating windows, or other architectural features?

*This comment was discussed.*

d. We recommend the applicant revise the roofline along Cedar Avenue. The roofline as proposed appears mismatched and includes a portion of the hardy board cornice, which wraps around from River Road, no enhancement along the roofline where the elevator/stairwell is located, and hardy board trim which wraps around to the rear elevation.

*Mr. Lehder requested making the building a foot shorter and Mr. Aulenbach mentioned this would be considered.*

16. The applicant shall provide testimony pertaining to §30-5.5.i.2 Balconies and §30-5.5.i.3 Utilities, to confirm compliance. a. We recommend the applicant submit a roof plan, showing the location of the mechanical equipment if the equipment is proposed to be located on the roof. Further, the applicant shall also provide a testimony, and if necessary, a plan showing the location of any rooftop amenities.

*The elevator shaft, stairwell and mechanicals are on the roof and will not be seen per Mr. Aulenbach. There will not be rooftop amenities.*

17. The architectural renderings indicate that three (3) storefronts are proposed on the ground floor of the building, where the floorplans do not show walls separating the uses. The applicant shall provide testimony pertaining to this condition and shall specify the number of storefronts proposed within this space.

*The applicant provided testimony for maximum of three tenants.*

18. The architectural renderings show signs indicating a farm to table restaurant, coffee shop, and another business. a. Does the applicant have tenants for each of the proposed storefronts? If so, the applicant shall provide testimony addressing the number of employees, hours of operation, trash/recycling pick up, number of deliveries per week and the time-of-day deliveries are proposed to occur, etc.

*The applicant is does not know the tenants yet.*

b. The applicant shall also provide testimony pertaining to whether there will be employees/managers on site for the residential units, and shall provide testimony pertaining to the hours of operation, number of employees, etc.

*No on-site employees. Cleaning crews will be on-site daily.*

The Board asked questions regarding trees. The applicant stated they will trim back the trees from neighboring properties prior to construction. Mr. Aulenbach reviewed the landscaping plan as submitted.

Mr. Lehder asked about the retaining wall with privacy fence.

Mr. Aulenbach confirmed the pavers in the front could be used for outdoor dining.

Ms. Gable commented on bicycle storage. The applicant will be providing a bike rack that will fit 6-8 bikes. It would be for the residents and retail locations.

Ms. Gable asked about the frequency of trash and recycling pick-up. Mr. Aulenbach stated it will be done as needed.

Mr. Lehder asked about the awning and specifically the one at the corner of the building.



Mr. Aulenbach stated that there will be signs on the doors on Cedar Avenue. The awnings will project approximately 3 feet. Ms. Gable said the applicant complies with the ordinance.

Mr. Lehder asked about Habitable Floor Area. Ms. Gable confirmed that the applicant's ratio is .92 where the maximum is .95.

There was discussion regarding the free-standing sign. Mr. Aulenbach confirmed the sign is eight feet tall and stated that the sign conforms with the ordinance.

Board members expressed concern over bikers seeing over the sign. Mr. Aulenbach said he could lower the sign and make it wider while maintaining landscaping around the sign.

Mr. Lehder asked about the balconies. Ms. Gable confirmed the applicant will comply with the ordinance.

Mr. Lehder asked for comments to Board members. Mr. Newell asked about roof access. Mr. Aulenbach stated there were two access points to the roof. Mr. Newell asked about the generator. Mr. Aulenbach stated that the generator is vented to the East and stated he needed to confirm the venting.

Rich Gardella, Borough Engineer addressed his letter dated December 21, 2021 (Exhibit PB5) and responses were based on his previous review letter dated 11/15/2021 (Exhibit PB4). He offered the following based on the applicant's submission on 12/10/21:

1. The Applicant shall coordinate with the Borough Clerk to ensure the proposed accessible parking at the site is incorporated into ordinance section § 7-39.4 Accessible Parking on Private Property Open to the Public and to Which the Public is Invited (Retail Business).

*The Applicant indicated that they are coordinating with the Borough Clerk.*

2. Ordinance Section 30-8.4 requires a landscape plan prepared by a certified landscape architect be submitted with the site plan application. I defer to the Board Planner for a recommendation regarding a waiver for this requirement.

*The Applicant is requesting a waiver.*

3. There is a grease trap shown on the site plan and detail sheet. TRWRA should review to ensure compliance.

*The Applicant will comply.*

4. The traffic sign detail indicates that all signs and sign supports shall be in accordance with section 916 of the NJDOT specifications. However, section 916 is entitled Polymer Structural Members.

*The detail on the plan has been revised from the previous submission.*

5. All curb within the site and municipal ROW shall be 6"x8"x18" concrete vertical curb, with a 6" curb face.

*The detail on the plan has been revised from the previous submission.*

6. The traverse joints (contraction joint) for concrete sidewalks shall be hand troweled and not sawcut.

*A note has been added to the detail on the plan.*

7. All sidewalk along River Road shall be removed and replaced to match the scored pattern consistent with the existing streetscape.

*The Applicant will comply. The plans have been revised accordingly.*

8. The curb along Cedar Avenue shall be removed and replaced.

*The Applicant will comply. The plans have been revised accordingly.*

9. The pavement restoration for Cedar Avenue shall be from the easterly curblin to centerline, along entire frontage of the site.

*The Applicant will comply. The plans have been revised accordingly.*

10. The three (3) existing light fixtures along the frontage on River Road shall be retrofitted with equivalent LED.

*The Applicant will comply. The plans have been revised accordingly.*

11. Detectable warning for ADA curb ramps shall be safety red in color.

*The plans have been revised.*

12. The color shall be specified for all bollards and/or bollard pipe guards.

*The bollard detail has been removed from the plans since none are proposed.*

13. The dumpster pad is indicated as 6" thick, however the detail appears to be a haunched slab.

*The plans have been revised.*

14. The parking stalls indicate a double 4" stripe. The detail shall indicate the spacing and radius of the stripes.

*The detail on the plan has been revised.*

15. The Borough's Active Transportation Plan identifies River Road and Cedar Avenue as a priority intersection for pedestrian improvements. Based on the plan (page 41), I recommend the Applicant address the short-term improvements, which includes:

- a. Installation of high visibility crosswalk striping along the edge of the existing decorative crosswalks.

*The Applicant will comply. The plans have been revised accordingly.*

- b. On the north side of River Road, daylight the intersection by delineating a curb extension by using a gravel epoxy surface (or similar product).

*The Applicant indicated that they do not own the property across the street, therefore will not comply with this request.*

16. The site plan shall be reviewed by the Borough Traffic Safety Officer and Fire Official.

*The Applicant is waiting for review comments.*

17. The Applicant shall provide testimony regarding the potential traffic impact of the proposed mixed-use development, in particular:

- a. Proposed trip generation.
- b. No-build/build level of service (LOS)/capacity analysis.
- c. Site circulation and parking supply.

*Testimony was previously supplied by Matt Seckler.*

18. The Applicant shall provide testimony regarding the proposed stormwater management system and compliance with current NJDEP regulations.

*Final report has not been provided from Monmouth County. For stormwater management, Mr. Aulenbach deferred to his engineer who he will bring to the next meeting.*

19. The Applicant shall provide an update regarding Monmouth County Planning Board approval, in particular their comment:

*"Revise the site plan to eliminate the proposed access from River Road. Section 5.2-3.1B (Alternate Access) of county's development regulations provides that "Access to a county road shall not be permitted if the site plan also abuts a municipal road or adjacent driveway and access to the municipal road or adjacent driveway can be reasonably provided".*

*The Applicant will inform the Board of the decision of the Monmouth County Planning Board at the next meeting.*

20. The applicant shall provide an update on all other outside agency approvals, including but not limited to Freehold Conservation District and Two River Water Reclamation Authority.

*The Applicant confirmed they have submitted Freehold Conservation District but not Two River Reclamation Authority.*

MOTION by Mr. Lehder with second by Mr. Paolo to carry the M&M application to the January 18, 2022 meeting subject to the stipulation of time to act and stipulation of where meeting will take place.

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

Opposed: none

Mr. Lehder commended Mr. Gardella on his hard work on the M&M application. Discussion took place regarding moving the next meeting to a virtual meeting.

MOTION by Mr. Lehder with second by Mrs. Koch to move to remote meetings via Zoom for the January 18, 2022 Planning Board meeting with Public Notice.

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

Opposed: none

The next agenda item discussed was:

Review of RFP submissions – discussion of Board Professionals for 2022

MOTION by Mrs. D'Angelo and second by Mrs. Busch to form a subcommittee (Busch, D'Angelo, Koch and Rolff) for the RFP review process of the Planning Board professionals – attorney, engineer, and planner.

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

Opposed: none

The meeting was opened to the public. Bonnie Torcivia joined the meeting via Zoom. She thanked the Chairman and Board members for having the meeting in this venue.

A motion was made to adjourn by Mr. Lehder that was carried by voice vote. The meeting was adjourned at 10:58 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 was also sent to the Two River Times and the Star Ledger. 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.**

## EXHIBITS LIST

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.

December 21, 2021:

Exhibit A1 - Standard Development Application form, including Land Development Application Checklist

Exhibit A2 - Rider #1 Variances & Submission Waivers, dated July 20, 2021

Exhibit A3 - Rider #2 List of Required Approvals, dated July 14, 2021

Exhibit A4 - Rider #3 Deed Restrictions, Covenants & Restrictions, dated July 15, 2021

Exhibit A5 - Letter from Sean Martin, Development Coordinator of M&M Realty Partners at Fair Haven, LLC, dated July 20, 2021

Exhibit A6 - Draft notice prepared by The Weingarten Law Firm

Exhibit A7 - Fair Haven Escrow Agreement, dated July 12, 2021

Exhibit A8 - Ownership Disclosure, dated July 9, 2021

Exhibit A9 - Certification of Taxes Paid, dated July 15, 2021

Exhibit A10 - Borough of Fair Haven 200-foot List, dated May 27, 2021

Exhibit A11 - Monmouth County Planning Board Site Plan Application Form, dated July 20, 2021

Exhibit A12 - Soil Erosion and Sediment Control Plan Recertification, dated November 1, 2019

Exhibit A13 - Letters from utilities, including New Jersey Natural Gas (November 30, 2015), New Jersey American Water (October 7, 2015), Jersey Central Power and Light (December 29, 2015), Two Rivers Water Reclamation Authority (October 23, 2015)

Exhibit A14 - Environmental Impact Assessment for Preliminary and Final Major Site Plan Approval, prepared by ACT Engineers, dated July, 2021

Exhibit A15 - Traffic Impact Study Proposed Mixed-Use Development, prepared by Stonefield Engineering & Design, dated June 18, 2021

Exhibit A16 - Existing Site Photo Locations map and photographs, prepared by EP Design Services, dated November 18, 2015

Exhibit A17 - Stormwater Management Report, prepared by EP Design Services, LLC, dated July 16, 2021/Revised to December 7, 2021

Exhibit A18 - 5-sheet set of architectural plans entitled, "Proposed Mixed Use Building at Fair Haven," prepared by EP Design Services, dated July 15, 2021/Revised December 9, 2021

Exhibit A19 - 3-pages of color renderings of building elevations, no preparer, no date to include "gooseneck" lighting and Architectural details

Exhibit A20 - 1-sheet copy of Boundary and Topographic Survey, prepared by Solstice Surveying, dated July 21, 2021

Exhibit A21 - 17-sheet of Site Plans entitled, "Preliminary and Final Major Site Plan M&M Realty at Fair Haven, Block 31 Lot 1," prepared by EP Design Services, dated July 15, 2021/revised to December 7, 2021

Exhibit A22 - Settlement Agreement between the Borough of Fair Haven and M&M Realty Partners, executed by M&M Properties, LLC on January 24, 2020 and the Borough of Fair Haven on February 12, 2020

Exhibit A23 - First Amendment to the Settlement Agreement between the Borough of Fair Haven and M&M Realty Partners, executed M&M Realty Partners on April 20, 2021 and the Borough of Fair Haven on April 14, 2021

Exhibit A24 - 6-page response memorandum to Borough Engineering Review & HGA Planning Review, prepared by Paul Latham, PE of EP Design Services, LLC, dated December 9, 2021

Exhibit A25 - Memorandum from David Schmetterer, PP, AICP, on behalf of the Monmouth County Planning Board Development Review Committee, dated August 9, 2021

Exhibit A26 - Letter from Stephen Grosch of Freehold Soil Conservation District, dated September 1, 2021

Exhibit A27 - Memorandum from David Schmetterer, PP, AICP, on behalf of the Monmouth County Planning Board Development Review Committee, dated December 13, 2021

Exhibit A28 – New rendering, not dated, 3 pages.

Exhibit PB1 - Email correspondence between Rich Gardella, Borough Engineer and John Taikina, M&M Realty Partners, dated June 29-30, 2021

Exhibit PB2 - October 27, 2021 writing of HGA over the signature of Elena Gable P.P.AICP,CFM/Susan Gruel,P.P Consistency with Settlement Agreement & AH Zone

Exhibit PB3 - November 12, 2021 writing of HGA over the signature of Elena Gable

Exhibit PB 4 - November 15, 2021 writing of Rich Gardella, Borough Engineer

Exhibit PB5 - December 20, 2021 writing of HGA over the signature of Elena Gable P.P.AICP,CFM/Susan Gruel,P.P Preliminary and Final Site Plan-Revised Materials