

Meeting called to order by Vice Waterbury @ 7:30 pm

All saluted the flag & the Presiding Officers Statement was read.

Roll Call:

Present: Martinelly, Burden, Derasadourian, Collins, Teller, Carroll, Eddy  
Betesh, McDonald  
Attorney: Donato  
Engineer: Cranmer  
Absent: Waterbury, Moran, Betesh, McDonald

**Minutes:**

A motion was made by Mr. Teller, seconded by Mr. Collins to approve the minutes of the March 19, 2014 meeting minutes as submitted. All approved.

**Correspondence:**

- Letter received from Mr. Edward Rosen, Esq requesting to carry the application of M/M Michael Carpiniello to the May 21, 2014 meeting without further notice.  
**A motion was made by Mr. Burden, seconded by Ms. Derasadourian to approve the request to carry the application of M/M Carpiniello to 5/21/2014 without further notice, as requested. All approved.**

**Ms. Donato announced that this matter has been carried to the May 21, 2014 without further notice.**

**PB Business:**

**Contract Ms. M Donato, Attorney:**

A motion was made by Ms. Derasadourian, seconded by Mr. Collins to approve the Contract as presented for Ms. M Donato, Attorney for 2014 with the change of adding "reasonable" to page 1, Ms. Donato agreed.

Roll Call:

Affirmative: Martinelly, Burden, Derasadourian, Collins, Teller, Carroll, Eddy  
Negative: None

A motion was made by Mr. Burden, seconded by Ms. Derasadourian to open the meeting to the public for any items not on tonight's agenda. All approved.

No comments/no questions.

A motion was made by Mr. Teller, seconded by Ms. Derasadourian to close the meeting to the public. All approved.

**Unfinished Business:**

**M/M P. Borriello**

Bl: 60, Lot: 2.02

**Adoption of Resolution**

A motion was made by Ms. Derasadourian, seconded by Mr. Eddy to adopt & memorialize the resolution of approval for M/M P Borriello for modification of conditions of approval as submitted.

Roll Call:

Affirmative: Martinelly, Burden, Derasadourian, Collins, Teller, Carroll, Eddy

Negative: None

**471-475 Shrewsbury Ave, LLC:**

Bl: 2, Lot: 10

**Approval & Adoption of  
Resolution**

Ms. Donato explained the changes made to the resolution since board members did not have resolution prior to tonight's meeting with respect to the contributions to the roadway improvements and the storm water. The applicant has indicated that he has accepted the contributions which were calculated by Mr. Cranmer. During the preparation of the "final version" the sequencing was knocked out and she had to revise the resolution a 3<sup>rd</sup> time, which is being adopted tonight.

Ms. Donato referred to the "landscape buffer", which is in Mr. Cranmer's review letter of March 14, 2014 #4.5, the applicant has to include a landscape buffer with the minimum of a 50' width where parking and loading areas abut residential uses (94-21D-9).

Ms. Donato doesn't feel that they are providing a 50' wide buffer, this would be **a design waiver** and not a condition, and she will move this into the design waiver section of the resolution. Mr. Cranmer said that is correct, they did add additional buffering.

Mr. Collins asked Mr. Cranmer, at the last meeting there was discussion on the contributions. Mr. Cranmer explained that the applicant was shown his rationale that he implemented and how he arrived at the amounts, and he advised that he would not be in position to negotiate any amounts on behalf of the board or the Borough, and if they felt that would be warranted that would require discussions at the Planning Board, after discussions the applicant has agreed to the amounts as indicated in his reports.

Mr. Cranmer indicated that Mr. Moran have discussed the environmental issue, and they have agreed that on paragraph 5.1 of Mr. Cranmer's review letter, Paragraph 20 add "prior to the issuance of a C.O." a letter of No Further Interest.

Ms. Donato asked Mr. Cranmer what is the history on the environmental issues.

Mr. Cranmer explained that there is a letter from 1980's that states that the site did not show signs of contamination. But it is believed that once the building demolished, it is likely that there will be some contamination or some type of environmental issues.

Mr. Cranmer explained what the D.E.P. has done is that they let an L.S.R.P. on site (Licensed Site Remediation Professional) may certify, which speeds up the process, he explained that this is the same step that they used with K Hovnanian, they have to provide the certification that all the environmental remediation associated with a building is in fact, and is signed by the L.S.R.P.

Ms. Donato said that she knows about that, but she also knows that the D.E.P., depending upon the site, and we don't know if you are dealing with a blank here, that they won't put in a plan which calls for future monitoring, and they don't clear up the whole situation. Mr. Cranmer said to take out the N.F.A. and include "compliance with any D.E.P. approved remedial action work plan has to be demonstrated, and that will satisfy the exact same rule.

Ms. Donato summarized by saying the applicant has to have a Letter of No Further Action, or Action before a C.O. is issued.

Mr. Burden asked if a Temporary C.O. could be issued? Mr. Cranmer said that the Construction Official will not issue a T.C.O.

Mr. Cranmer feels that Ms. Donato is right, the N.F.A. could take 10 years. The clean-up will have to be ongoing and they will have to certify before they get a C.O. that the Remedial Action Work ...inaudible.. is in place and the clean-up is going along, they will have to certify that they are compliant with that.

Ms. Donato said as long as Mr. Cranmer is comfortable, they have to go one way or the other, in either event they need to have the document from the D.E.P. prior to a Certificate of Occupancy.

Mr. Cranmer said that the N.F.A. could take 10 years, they are going to construct the improvements and petition for a Certificate of Occupancy once the building is constructed and the site work is done. If they are in compliance with their Remedial Action Plan they would have the ability to get their C.O. With the N.F.A. 10 years out we no longer have any type of jurisdiction that will hold.

Ms. Martinelly asked if we received a N.F.A. for Hovnanian. Mr. Cranmer said no, we have their Remedial Action Work Plan an L.S.R.P. who certifies that they are in compliance.

A motion was made by Ms. Derasadourian, seconded by Mr. Collins to **correct, approve the application for Preliminary & Final Site Plan Approval & memorialize** the resolution with the amendment to paragraph A-17, to change the Landscape Buffer a waiver and not a condition of approval, for 471-475 Shrewsbury LLC.....

A motion was made by Mr. Teller, seconded by Mr. Burden to open the meeting to the public for comments on the resolution. All approve

Mr. Sal Izzo, Patterson Ave., gave his concerns with the traffic & safety with the additional uses on the proposed property. He is concerned with the speed of the cars coming off of Shrewsbury Ave. He is also concerned as to where the construction vehicles are going to park, he doesn't want his business blocked with trucks.

Mr. Cranmer stated that there will be construction truck and he will try and make sure that they don't park in front of his home/business, if there are trucks parked on Patterson Ave, it will be a Police matter since it is a 1 hour parking only.

Ms. Derasadourian suggested that the applicant be contacted, since he has been so cooperative, maybe he work it out that the spaces Mr. Izzo needs will not be used, and keep them close to the construction site.

Mr. Stuart Minnis, Thomas Ave gave his concerns with pedestrian safety along Shrewsbury Ave, he asked how wide the sidewalk would be? Mr. Cranmer explained that there is a strip of grass between Shrewsbury Ave and the project and the sidewalk is 4 ½' wide.

A motion was made by Mr. Teller, seconded by Ms. Derasadourian to close the meeting to the public. All approved.

**Approval:**

A motion was made by Mr. Collins, seconded by Ms. Derasadourian to approve the application of 471-475 Shrewsbury LLC for Preliminary Approval, variances & design waivers and conditions as noted.

Roll Call:

Affirmative: Martinelly, Burden, Derasadourian, Collins, Teller, Carroll, Eddy

Negative: None

**Adoption of Resolution:**

A motion was made by Mr. Carroll, seconded by Ms. Derasadourian to adopt & memorialize the resolution of approval for 471-475 Shrewsbury for Preliminary & Final Site Plan Approval, with conditions, variances & design waivers, as amended.

Roll Call:

Affirmative: Martinelly, Burden, Derasadourian, Collins, Teller, Carroll, Eddy

Negative: None

**New Business:**

**The Arc of Monmouth:**

929 Broad St  
Bl: 60, Lot: 35

**Certificate of Appropriateness**

generator

Mr. Alex Varga, Facilities Director, The Arc, he advised the board that they have several residents with disabilities in their residence at this time. During Super Storm Sandy they lost power for several days and it was extremely difficult for the residents. They received grant money from H.U.D. for the generator. He advised that the generator will be hidden from public view.

A motion was made by Mr. Burden, seconded by Ms. Derasadourian to approve the application of The Arc of Monmouth, 929 Broad Street for the placement of a generator in the Historic District.

Roll Call:

Affirmative: Martinelly, Burden, Derasadourian, Collins, Teller, Carroll, Eddy

Negative: None

**Resolution 5/21/2014.....**

A motion was made by Ms. Derasadourian, seconded by Mr. Carroll to instruct the Board Secretary to advise the Construction Department of the approval for The Arc of Monmouth for a generator. All approved.

A motion was made by Ms. Derasadourian, seconded by Mr. Teller to open the meeting to the public. All approved.

No comments/no questions.

A motion was made by Ms. Derasadourian, seconded by Mr. Teller to close the meeting to the public. All approved.

A motion was made by Ms. Derasadourian, seconded by Mr. Teller to adjourn the meeting at 8:17 pm. All approved.