

CAUCUS SESSION: 7:00 P.M. Council Chambers
Deal and Monmouth Roads
Oakhurst

DISCUSSION: **Minor Site Plan Subcommittee Application**

Waste Management

Block 141, Lot 20
3418 Sunset Avenue
Wanamassa

Planning Administrator Marianne Wilensky explained that this minor site plan subcommittee application cannot proceed because more information is needed. She will notify the applicant.

DISCUSSION: **Ordinance #2111**

Planning Administrator Marianne Wilensky explained what this ordinance deals with: The Board of Adjustment hears interpretations and appeals of the Zoning Officer's decisions. They are not required to make public notice for these applications. The Land Use Law has changed and they are now required to make public notice. Our ordinance needs to be updated to be the same as the Municipal Land Use Law.

In addition, the section in the ordinance dealing with flags is mis-numbered. This ordinance corrects the numbering.

The Planning Board Members recommended approval of Ordinance #2111 to the Township Council.

DISCUSSION: **Lighting Ordinance Revisions:** Progress Report

Board Engineer William Fitzgerald explained that the lighting ordinance needs to be updated. He has reviewed the Eatontown ordinance on lighting and there are some good recommendations in it. He also reviewed lighting ordinances from other towns. Mr. Fitzgerald said that he is preparing an outline to send to the Board Members in the upcoming weeks.

REGULAR MEETING: 7:30 P.M. Public Meeting Room
Deal and Monmouth Roads
Oakhurst

MEMBERS Anthony Andrisano
PRESENT: Fred Brody, Alternate I
Carlo Gallelo
William Garofalo
Estelle Klose
Stephen Levy, Alternate II
Thomas Means, Chair
Joanne Nadell
John Verrilli

MEMBERS Warren Goode, Vice Chair
ABSENT: George Sarios

OTHERS PRESENT: Sanford Brown, Esquire, Board Attorney
James Higgins, Board Planner
William Fitzgerald, Board Engineer
Marianne Wilensky, Planning Administrator
Margo Simpson, Planning Board Secretary
Recording Secretary

Chairman Thomas Means announced that the notice requirements for the Open Public Meetings Act have been satisfied, a copy of the notice having been sent to the Asbury Park Press, the Coaster, and the Atlanticville, posted in the Township Hall, and filed in the Office of the Township Clerk on July 14, 2008.

MINUTES FOR APPROVAL

A motion was made by Fred Brody and seconded by Estelle Klose to approve the **minutes from the meeting of January 26, 2009.**

Planning Board
Township of Ocean

23 February 2008
Page 2.

MOVED: Brody SECOND: Klose
FAVOR: Brody, Gallelo, Klose, Levy, Nadell, Verrilli, Garofalo
OPPOSED: None
INELIGIBLE: Andrisano, Means
ABSENT: Goode, Sariosis

RESOLUTION MEMORIALIZATIONS

Middlebrook Shopping Center
Block 182, Lots 72, 73, 74, 75, 78
1502 Highway 35
Wayside
Minor Subdivision Approval

MOVED: Brody SECOND: Nadell
FAVOR: Brody, Gallelo, Garofalo, Klose, Levy,
 Nadell, Verrilli
OPPOSED: None
INELIGIBLE: Andrisano, Means
ABSENT: Goode, Sariosis

Omnipoint Communications, Inc.
Block 1.05, Lot 2
2108 Kings Highway
Wayside
Minor Site Plan Approval

MOVED: Klose SECOND: Brody
FAVOR: Brody, Gallelo, Garofalo, Klose, Levy,
 Nadell, Verrilli
OPPOSED: None
INELIGIBLE: Andrisano, Means
ABSENT: Goode, Sariosis

APPLICATION CARRIED to March 23, 2009

Seaview Square, LLC
Block 141, Lots 1, 23
Highway 35 and Route 66
Wanamassa

1800 Acquisitions, L.L.C.
Block 34, Lot 15
1800 Highway 35
Oakhurst

Martelli at Wayside L.L.C.
Block 37.16, Lots 34, 36, 46, 47
Bowne Road and Deal Road
Wayside

CONTINUED CASES

Seaview Square, LLC
Block 141, Lots 1, 23
Highway 35 and Route 66
Wanamassa
Zone C-4

This is an application for minor site plan approval with variances in order to locate signs.

Attorney for the applicant: Rick Brodsky, Esquire

The first thing addressed at this hearing was the reading of the report from Board Planner James Higgins. The first half of this reading was not recorded.

Chairman Thomas Means stated that he listened to the recording of the previous hearing on this application in order to be eligible to vote.

The Board's information packet was marked as **evidence B-2**. This packet contained the reports of the Board's professionals and in-house departments, which were read into the record.

Board Engineer William Fitzgerald noted that the applicant needs to show how the sign at Sunset Avenue will be serviced with electric. The plan shows four of the proposed signs to be in the sight triangles. They need to be moved back.

Rick Brodsky, Esquire, representing the applicant, said that a landscaping plan will be provided and the applicant will work with the Board Planner in regards to the plantings. One of the directional signs is on the Sears property and has to be moved. Any directional signs that are in sight triangles will be adjusted.

Mr. Brodsky presented Dave Beesley, who explained that the sign noted as D-02 has been moved catty-corner and it will be about three-feet from the property line. The

AASHTO guide for sight triangles states that a sign needs to be set back so that a car, 15' back from the curblineline has an unobstructed view. Some of the proposed signs will have to be moved back.

Mr. Beesley explained that the sign at Sunset Avenue should be on the east side of the road because that is the best location for driver visibility. On the west side the sign is blocked by vegetation that is not under the control of the applicant. The proposed sign will be 200' from the Chevrolet dealership sign, which is about 40' high. The proposed sign will not block the visibility of the Chevy sign.

Mr. Beesley said that he is not sure how the electric will be fed to the sign on Sunset Avenue. Construction details will be supplied for the permits. All the other signs will use the existing electric. Page C-2 of the plans states that all the current directory signs will be removed. There are eight directory signs, four monument signs and one sign on the Sears property that needs to be removed.

Board Planner James Higgins pointed out that Sears is advertised on the sign that needs to be moved. He noted that perhaps Sears might object to the sign being moved.

Mr. Brodsky presented Bob Shankel, from Lincoln Management, who explained that there should be no issue with removing the sign because all the signs are being upgraded in the center. Every effort will be made to remove that sign in question.

Chairman Thomas Means pointed out that there is an existing sign on Route 66 that is proposed to remain. He asked if it can be upgraded. Mr. Shankel said that no alterations to that sign are proposed because that building, which is known as the jughandle building, stands alone. The sign fits in with the tenants in that building. That sign is far away from the others and the architecture is different. A design firm was hired to design the signs and the applicant stands behind the designs.

Mr. Shankel said that he was asked to upgrade the signage to give the center some 'branding'. None of the signs say Seaview Center on them and the owners of the center want to give it an aesthetic punch with new signs. They hired Real Estate Arts from Manhattan and put a lot of thought into the signs with the intent for a soft look in neutral colors. They designed a wave on the top to make them light and airy with columns floating upward. There are dots on the background to give it a soft gray look. The dots are not seen from a distance, they are only there to create a soft look. A plan revised through February 5, 2009, was marked as **evidence A-3** and a sign rendering showing the soft background was marked as **evidence A-4**.

Mr. Brodsky presented John Lindholm, from Berger Signs. Mr. Lindholm said that they wanted to avoid the hard look of a white background, so they chose the soft gray background created by the dots. The gray is also translucent.

Chairman Means noted that there will be a maximum of 18 panels and asked if there will be more than the name and logo on each. Mr. Brodsky said that there will be nothing more on the signs. Mr. Means questioned the location of the sign on Sunset Avenue.

Mr. Shankel said that the applicant wants visibility of the sign on Sunset Avenue, which is blocked by the trees. The green leaves will camouflage the green sign. It will be better located on the east side of the street.

Mr. Beesley said the sign will be three feet from the Sunset Avenue property line, which is about 18' from the curblineline of Sunset Avenue and 4' from North Mall Drive. It will be 24' from the east property line. There is a utility easement there with a pad, a manhole, and a pump station. The sign might be able to be moved east a couple feet.

Mr. Shankel noted that piles have to be installed to support the sign.

Chairman Means felt that the approval of this sign and landscaping must be subject to the approval of the Board Planner. Mr. Higgins pointed out that the landscaping at the sign on Route 66 is good and they should plant something comparable at the other locations.

Planning Administrator Marianne Wilensky explained that this applicant is before the Board to upgrade the signs. The existing directory signs are there illegally and there should be a date that they have to institute the new signage and when the directory signs will be removed.

After discussion by the Board, their professionals, and the applicant's attorney, it was decided that the directory signs should be replaced by July 31, 2009, and the pylon signs should be replaced by October 31, 2009.

Chairman Means asked if there are any other violations on this site. Ms. Wilensky said that there are trash enclosure issues on the entire site.

Mr. Beesley said that they are working on a trash plan that will soon be submitted. Ms. Wilensky noted that there are certain types of trash plans that she can approval administratively. Any plan that needs Board approval should be submitted by July 31, 2009. If they do not need Board approval, the trash enclosures should be in place no later than October 31, 2009.

A motion to close the public hearing was made by Thomas Means and seconded by Fred Brody.

IN FAVOR: Brody, Gallelo, Klose, Levy, Nadell, Verrilli, Garofalo, Means
OPPOSED: None

A motion of approval was made by Thomas Means and seconded by Joanne Nadell with the condition that the directory signs will be replaced by July 31, 2009, and the pylon signs will be replaced by October 31, 2009. In addition, trash enclosures that require Board approval must be submitted by July 31, 2009, and any trash enclosure that does not require Board approval must be in place no later than October 31, 2009.

IN FAVOR: Brody, Gallelo, Klose, Levy, Nadell, Verrilli, Garofalo, Means
OPPOSED: None
INELIGIBLE: Andrisano
ABSENT: Goode, Sarios

Memorialization will take place on March 23, 2009.

CARRIED CASES

<u>R & S Realties, LLC</u> Block 1.05, Lots 8, 9 40 Cindy Lane 18 Cindy Lane Wayside Zone I-1	This is an application for a minor subdivision and minor site plan approval. Attorney for the applicant: Gerald Sonnenblick, Esquire
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The Board's information packet was marked as **evidence B-1**. This packet contained the reports of the Board's professionals and in-house departments, which were read into the record.

Board Planner James Higgins explained that the applicant is seeking to subdivide along a parking area, which would move the lot line from a portion of Atlas Self Storage. This area is currently being used by the applicant to park cars. None of the physical characteristics of the properties will change.

Gerald Sonnenblick, Esquire, representing the applicant, presented James Kennedy, Engineer for the project. Mr. Kennedy explained that Ray Catena rents a portion of property on the Atlas 86 lot. They want to move the property line so that Mr. Catena may purchase that portion of the lot. The striping will be changed.

The subject area has been well maintained and taken care of by Mr. Catena.

Mr. Higgins noted that the rear of building 'C' on the Atlas property shows a five-foot setback. He felt that there should be a five-foot easement in this area. He noted

that the applicant is also going to eliminate doors and add doors. He felt that there should be a ten-foot easement on the eastern building side.

Board Engineer William Fitzgerald agreed with the Board Planner and pointed out that all easements need to be shown on a plan. There is fencing with gates that also needs to be on the plan.

Mr. Kennedy said that the fence was erected after the last approval. It will be put on the current plan along with the easements.

A motion to close the public hearing was made by Thomas Means and seconded by Anthony Andrisano.

IN FAVOR: Andrisano, Brody, Gallelo, Klose, Levy, Nadell, Verrilli, Garofalo, Means
OPPOSED: None

IN FAVOR: Andrisano, Brody, Gallelo, Klose, Levy, Nadell, Verrilli, Garofalo, Means
OPPOSED: None
INELIGIBLE: None
ABSENT: Goode, Sarios

Memorialization will take place on March 23, 2009.

Meeting Adjourned 8:38 P.M.

Margo Simpson
Board Secretary
Recording Secretary