

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

DISCUSSION: **Lighting Ordinance**

Planning Administrator Marianne Wilensky had previously emailed the Board Members a copy of the proposed lighting ordinance, prepared by Board Engineer William Fitzgerald. Mr. Fitzgerald explained that he started by reviewing Eatontown's lighting ordinance and realized that he had to expand the focus to deal with site plans to make it a complete ordinance.

The Board Members were asked to review the proposed ordinance. It will be placed on the September 14, 2009, agenda for discussion prior to sending it to Council for approval.

REGULAR MEETING: 7:31 P.M. Public Meeting Room  
Deal and Monmouth Roads  
Oakhurst

MEMBERS PRESENT: Anthony Andrisano  
William Garofalo  
Warren Goode, Vice Chair  
Estelle Klose  
Stephen Levy, Alternate II  
Thomas Means, Chair  
Joanne Nadell  
John Verrilli

MEMBERS ABSENT: Fred Brody, Alternate I  
Carlo Gallelo  
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 28, 2009.

**MINUTES for APPROVAL** The approval of the minutes from the meeting of July 27, 2009, was moved by Thomas Means and seconded by Anthony Andrisano.

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

**RESOLUTION MEMORIALIZATIONS**

**Michael Basso**  
Block 63, Lot 11  
610 Palmer Avenue  
West Allenhurst  
**Minor Subdivision  
Approval**

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

**APPLICATION CARRIED to September 14, 2009**

**Moutis, L.L.C.**  
Block 33.34, Lot 7  
Talmadge Ave. at Bellmore St.  
Oakhurst  
**Site Plan**

**APPLICATIONS CARRIED  
to October 26, 2009**

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

**Seaview Square, L.L.C.**  
Block 141, Lots 1, 23  
Highway 35 and Route 66  
Wanamassa  
**Signs**

**NEW CASES**

**Anthony and Barbara D'Esposito**  
Block 33.08, Lots 6.01, 7.01  
Vernon Street and Van Note Parkway  
Oakhurst  
Zone R-4

This is an application for a minor subdivision with variances.

Attorney for the applicant: Peter S. Falvo, Jr.

Vice Chairman Warren Goode disqualified himself from this application.

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 had a previous approval to subdivide a two lot parcel into three lots. Lot 6.01 was significantly irregular in shape due to the applicant's desire to have conforming lot area for all three lots. The applicant is now seeking to reconfigure lots 6.01 and 7.01 to create more regularly shaped lots.

Board Engineer William Fitzgerald said that he had no engineering concerns with this application.

Peter S. Falvo, Jr., Esquire, representing the applicant, presented David Boesch, Project Manager, who gave an overview of the lots and placed the following into evidence:

**Evidence A-1** - An aerial photograph of the area of the subdivision, taken from MSN Maps, dated 2006-2007

**Evidence A-2** - A colored version of the subdivision map, dated July, 1, 2009, showing the area that will be added to lot 7.01.

Mr. Boesch explained that the property in question is on Vernon Street and Van Note Parkway. The applicant is proposing to remove a wedge from lot 6.01 and consolidate it into lot 7.01.

Mr. Fitzgerald explained that the lot numbers will have to be verified by the Tax Assessor prior to filing the subdivision.

The Board found no problem with the subdivision request.

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

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

A motion of approval was made by Thomas Means and seconded by Estelle Klose.

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

Memorialization will take place on September 14, 2009.

**Brian and Rosemarie Patterson**  
Block 1.02, Lot 60  
5 Cindy Lane  
Wayside  
Zone I-1

This is an application for preliminary and final site plan approval with variances to construct an addition.

Attorney for the applicant: Jennifer S. Krimko, Esquire

Chairman Thomas Means noted that the Board's information packet contained a number of violation notices. Peter S. Falvo, Jr., Esquire, representing the applicant, said that the violations have been adjudicated.

Planning Administrator Marianne Wilensky noted that there are a number of violations that are still outstanding. It was her understanding that the Zoning Officer is withholding the violations until there is an outcome of the Board hearings.

Mr. Falvo placed the following into evidence:

- Evidence A-1** - An MSN aerial map of the project site, dated 2006-2007.
- Evidence A-2** - A colored rendering of the Boundary and Topo Survey, dated November 26, 2008.
- Evidence A-3** - A colored version of the site plan landscape plan, dated February 18, 2009
- Evidence A-4** - The site plan, nine pages, revised through February 18, 2009.

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 Engineer William Fitzgerald read his report, Dated August 22, 2009, into the record. He made some suggestions as to the issues on the site regarding the size of parking stalls and attached two sketches showing both 10' X 18' and 9' X 18' parking stalls.

Mr. Falvo presented David Boesch, Project Manager for the applicant. Mr. Boesch referred to the aerial photograph of the site showing Cobblestone Village across the street, additional offices to the north, retail stores to the south and residents to the west.

Mr. Falvo noted that there is a line of trees behind the property abutting the residential lots to the west. Mr. Boesch said that the survey indicates that the trees are on the residential property. The trees to the north are on the subject property.

The property currently has unregimented parking, a circulation area around the building, and both open and closed storage to the rear. A chain link fence encloses the yard area from the parking area in the front. There is some pavement and some compacted stone, which is hard to delineate on the photograph. There is also limited vegetation on the edges of the property.

Currently, there is a one-story building on the site with a 27' rear setback and a 49.8' front yard setback. The applicant started to put in improvements, but was stopped because they had to go to the Board. The proposed landscape plan shows a more regimented plan and better visual parking layout.

Mr. Boesch pointed out that the sidewalk in front of the building is narrow with parking stalls abutting it. Concrete buffers are proposed in this area. The entire perimeter vegetation will remain and a row of evergreen trees will be placed along the entire perimeter of the site.

Mr. Fitzgerald noted that the landscaping in the front area is in the right of way. Mr. Boesch agreed that it will be in the right of way and said that it will be mounded ground cover. The right of way is the responsibility of the applicant to maintain.

Mr. Falvo noted that the Board Planner's report recommended angled parking in order to get more landscaping in the front. Mr. Boesch said that angled parking would require one-way traffic with the entrance on the north and exit on the south side of the property.

Mr. Boesch said that there is an area in the rear where the access is only six-feet wide. This is a maintenance area for foot traffic, not for vehicles.

Mr. Falvo said that the warehouse addition will be for storage of items that are currently stored in trailers in the rear of the site. After construction, the trailers will be removed.

Mr. Falvo noted that the Board Engineer suggested 'flipping' the parking spaces in the rear so that they abut the building rather than the residential lots to the west. This would gain more landscaped area in the rear.

Ms. Wilensky explained that this applicant received approval in 1998 for a stockade fence, but the approval was never perfected.

Mr. Falvo said that the site is proposed to be fenced. Mr. Boesch concurred that the site will be fenced on the north, west, and south sides and the fence will attach to the building to secure the rear area. The two-story addition will be on the north side of the building. There will be a new second floor addition built over the existing building. There is an existing one-story addition on the rear that will not have a second story above it.

Mr. Fitzgerald noted that the noise from the gravel should be taken into consideration in regards to the neighbors to the west.

Mr. Boesch said that the trees will be 6' to 8' high at planting. They will be Norway Spruce and Douglas Firs. The fence will be on the property line with the plantings on the inside. There are existing trees on the outside of the fence.

Board Member Estelle Klose questioned why the trees cannot be planted on the outside of the fence. Mr. Fitzgerald said that there is a maintenance issue with trees and they are better on the applicant's property.

Mr. Falvo presented Anthony Ercolino, Architect for the applicant. Mr. Ercolino had the architectural plans, two sheets, marked as **evidence A-5**. He explained that the existing structure is a one-story masonry building with a car port and storage area in the rear. There is a proposed addition on the north side and a second floor addition over the current building, excluding the carport and storage area. The first floor addition will be for warehouse and the second story addition will be for office space.

The warehouse addition will be taller than the rest of the building for more ceiling height on the interior. The height will be 25'4" to the top of the parapet for the southern portion of the building and 27'4" for the northern addition. There will be stair towers and projections over the doors to break up the look of the front of the building.

The treatment of the rear of the building will be stucco on the top and painted block on the bottom. The roof will be flat and the color has not been determined.

Chairman Means questioned the number of rental units. Mr. Ercolino said that there will most likely be three units.

Mr. Higgins asked how the carport was calculated. Mr. Ercolino said that he calculated it as warehouse. Mr. Higgins pointed out that the carport is an open structure that is not permitted and it is in a location where no cars can get to it. He felt that this is the type of building where tractor trailers might make deliveries and they would have to back into the site from Cindy Lane, which does not seem safe.

Mr. Ercolino said that the site has been designed for the owner and he does not have tractor trailer deliveries. Mr. Higgins pointed out that the Board must look at the whole picture and consider the future use of the site.

Vice Chairman Warren Goode asked about the location of the HVAC units. Mr. Ercolino explained that there will be three or four units on the roof, 4' to 5' high, and they can be shielded.

Mr. Goode noted that there is an overhead door in the rear. He asked if there will be a loading dock. Mr. Ercolino said the applicant has a plumbing business and the trucks will pull right up to the door. Mr. Falvo added that most of the material is delivered directly to worksites. The warehouse is for storage of excess.

Ms. Wilensky pointed out that there are two warehouse units, but only one overhead door. Mr. Ercolino said that he was instructed to design it with only one door.

Mr. Fitzgerald suggested moving the door to the north side of the building.

Chairman Means said that he had a serious problem with adding a second story to the existing building because of the proximity of the residential houses behind it. He felt that the Board needs to focus on discussions about the second story. This lot has no where near the required buffer from the residential lots. He agreed with Mr. Higgins that there might be tractor trailers making deliveries to this site in the future.

Mr. Falvo suggested that the applicant have a meeting with the professionals to resolve the issues that concern the Board.

Chairman Means carried this application to the meeting of October 26, 2009.

Meeting Adjourned 9:00 P.M.

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Margo Simpson  
Board Secretary  
Recording Secretary