

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

DISCUSSION: Minor Site Plan Subcommittee application for **Wegmans**.

Planning Administrator Marianne Wilensky explained that there is an application by Wegmans to change the front of the liquor store area to add a canopy and change the façade. After the applicant received the report of the Board Engineer, she received a call from Wegmans and Gary Vialonga of Stavola, who owns the property. They were concerned with the conditions that the Board Engineer requested in his report.

Ms. Wilensky noted that the applicant needs to provide information on what the canopy will match, there is outside storage that needs to be removed. It either needs to be placed in the storage areas or an application must be made to add storage enclosures.

Stavola disagreed about the comments in regard to the repair of the pavement cracks in the parking lot because they feel it is part of regular maintenance of the site. They felt that the request for the STOP signs at the intersections of the drive aisles was not necessary because there was no requirement for STOP signs in the original approval.

Board Engineer William Fitzgerald said that he felt the traffic on the site justifies having STOP signs.

Board Planner James Higgins suggested that there be a condition of approval that the applicant will have to abide by the original approval regarding any STOP signage.

Ms. Wilensky continued to explain that the applicant does not want to post a bond for the improvements. She reviewed the history of the site and found that the municipality is currently holding a \$724,000 maintenance bond on the site, which should be sufficient without further bonds being posted.

Vice Chairman Warren Goode felt that the exit from the shopping center on to Sunset Avenue should be widened so that cars can turn left and right when exiting. The Board agreed with Mr. Goode, but felt that it is not Wegman's responsibility. It was decided to put a 'recommendation' for future consideration of this matter in the resolution.

Considering all the information discussed, the Minor Site Plan Subcommittee unanimously agreed to recommend approval of this application to the full Planning Board.

CONCEPTUAL: **Shlomo Abitbul**
Block 137, Lot 33
815 Highway 35
Site plan with variances

Planning Administrator Marianne Wilensky explained that the applicant would like to purchase the property on Highway 35 to put in a custom audio business. They will only have about three customers per day.

Board Planner James Higgins said that it would be a good low-volume business. He asked how the cars will access the building.

Mr. Shlomo Abitbul explained that there are garage doors on the rear of the building. There has been an oil leak on the property that an Environmental Company is involved with cleaning up. The access will be one-way around the building. Currently, there are nine or ten parking spaces on the site. The building will be renovated and made smaller.

Board Engineer William Fitzgerald suggested that the building be removed and

replaced with a new building that could be moved to the side of the property for a better design. The applicant was receptive to the suggestion.

Chairman Thomas Means noted that the current site is an eyesore and any improvement to the site is welcome. The Board will be happy to look at any submittal as long as the building is not larger than the current building.

DISCUSSION: **COAH** and **Manolakis**
RESOLUTION

WHEREAS, the Planning Board of the Township of Ocean, pursuant to the Open Public Meetings Act of 1975, intends to exclude the public from a portion of this meeting for the purpose of discussing COAH litigation;

WHEREAS, during this closed session appropriate minutes will be maintained, and

WHEREAS, no formal action will be taken by the Planning Board during this closed session,

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the exceptions contained in the Open Public Meetings Act of 1975, the Planning Board will now go into closed session for the purpose of discussing litigation.

BE IT FURTHER RESOLVED that the appropriate minutes shall be taken and at such time as the confidentiality of these minutes is no longer necessary they will be released to the public.

BE IT FURTHER RESOLVED that no formal action will be taken by the Planning Board during this closed session.

Motion to enter into closed session was made by Thomas Means and seconded by Warren Goode. All Board Members present were in favor.

REGULAR MEETING: 7:47 P.M. Public Meeting Room
Deal and Monmouth Roads
Oakhurst

MEMBERS PRESENT: Anthony Andrisano
Fred Brody, Alternate I
William Garofalo
Warren Goode, Vice Chair
Stephen Levy, Alternate II
Thomas Means, Chair
John Verrilli

MEMBERS ABSENT: Carlo Gallello
Christopher Healy
Estelle Klose
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 August 3, 2010.

A motion to approve the **minutes from the meeting of August 23, 2010**, was made by Thomas Means and seconded by Warren Goode.

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

RESOLUTION MEMORIALIZATION

<u>Seaview Square, LLC</u> Block 141, Lots 1, 23 Highway 35 and Route 66 Wanamassa Minor Subdivision approval	MOVED: Means SECOND: Goode FAVOR: Goode, Levy, Verrilli, Means OPPOSED: None INELIGIBLE: Andrisano, Brody, Garofalo ABSENT: Gallelo, Healy, Klose, Sariosotis
---	--

<u>RSC Realties, LLC</u> Block 3, Lots 5 2127 Highway 35 Oakhurst Site Plan Approval	MOVED: Means SECOND: Goode FAVOR: Goode, Verrilli, Means OPPOSED: None INELIGIBLE: Andrisano, Brody, Garofalo ABSENT: Gallelo, Healy, Klose, Sariosotis
--	--

CARRIED to
October 25, 2010

Alphonso and Antonetta Silvestri
Block 25.01, Lots 3, 15
139 Whalepond Road
Oakhurst

Mona Benun
Block 60, Lot 8
80 Wickapecko Drive
Wanamassa

NEW CASES

<u>Ocean 733 Associates</u> Block 140, Lots 105, 106, 107, 109 733 Highway 35 Wanamassa Zone C-3	This is an application for preliminary and final site plan approval with a variance. Attorney for the applicant: Rick Brodsky, Esquire
---	---

The Board's information packet, containing the reports of both the Board's professionals and in-house departments, was marked into **evidence B-1**.

Rick Brodsky, Esquire, representing the applicant, had the following placed into evidence:

Evidence A-1 - The site plan dated May 4, 2010, revised through August 2, 2010. The architectural plans, dated May 27, 2010, were bound with the site plan.

Evidence A-2 - Colored rendering of the site.

Board Planner James Higgins read his report, dated September 25, 2010, into the record. Mr. Higgins explained that the application is for two properties, side-by-side. They are the former Ritz property and the former Imaging property. The development will be on the north property, which is the old Imaging property, where there is an architect's office and a proposed tenant who is an accountant.

The application is for an interconnection of the two sites which will allow the north property access through the southern property for the benefit of keeping cars out of the intersection of Sunset Avenue and the Highway or the Logan Road area.

Mr. Higgins noted that there is a proposed sign that says Ocean 733, which is not permitted. The only signs that are allowed are for businesses in the building.

Mr. Brodsky presented the applicant, James Monteforte. Mr. Monteforte felt that the building needs to have its own identity because it is easy to be missed and there is a long drive to the back of the building.

Planning Administrator Marianne Wilensky noted that there is green banked parking from the previous approval. If it is to be removed, a new plan is necessary. Chairman Thomas Means said that he would like to see the green banked parking removed.

Board Engineer William Fitzgerald said that the site was approved in 1992. The site lighting that was approved at that time needs to be updated. There should also be a sight easement on the north side of the Highway access because the site to the north has a driveway close to the property line and needs a better sight distance.

Mr. Monteforte said that there are proposed architectural improvements to the building. Currently, his office, which is the Monteforte Architectural Firm, occupies the building. He has an agreement with an accounting firm to rent the rest of the building. The building was previously approved for a medical use. The current parking is 38 spaces. No changes are proposed to the site other than to the building. The site will be kept ADA compliant, but some of the handicapped parking spaces can be removed. The green banked parking is on tax lot 106 and it is for eight spaces. Mr. Monteforte explained that it is his intention to make an environmentally friendly building, using all environmentally friendly products in the building.

Mr. Brodsky said that it is a seven-minute turn-around to go north on the Highway to the jughandle at Sunset Avenue and return to the circle. The entrance to the site is on the north side and the parking in the back is landlocked. The applicant is proposing a cut-through to the site to the south lot to be able to access Highway 35 in order to get to Route 18.

A monument sign is proposed and will be out of the sight triangle. There are three parking spaces in the front for the executive offices. This area will be replanted and there is shrubbery on the south side that needs to be replaced.

From the audience: Dan Moore, 600 Lakeview Avenue, said that he lives two lots away from the subject property and he was concerned with the elimination of parking spaces and if there would be any drainage issues. He asked if there should be curbing to direct the water to the brook.

Mr. Monteforte said that there is a depressed curb that will keep the water from running into the direction of Mr. Moore's property. Mr. Fitzgerald said that there is curbing everywhere except in the back. The applicant would have to get DEP Stormwater Permits to change it. Currently, it is the way DEP originally approved it. The DEP is not likely to approve any system that does not have strainers.

Mr. Moore said he is concerned with the volume of water that goes into the creek. He would like to see the water slowed down to stop it from rushing into the creek because in fifteen minutes, six inches of water can become five feet deep.

From the audience: John Cummings, 311 Belmont Avenue, asked how much will change on the old Ritz Diner site to the south of the subject property. He felt that putting more cars on to the Highway from the site is not a good idea.

Mr. Higgins said that the only solution would be to allow access to Colonial Terrace in the rear and nobody wants to see that happen.

Mr. Fitzgerald explained that the NJ State Department of Transportation has approved the ingress/egress on the southern site. This is not the type of use that is 9:00 AM to 5:00 PM when it would impact the busiest traffic time. There are not regular hours for the proposed uses.

Mr. Monteforte explained that the palette of colors for the building will be natural tones. There will be a wood rain screen on the bottom. The top will be shielded by a 30" overhang. On the main building there will be a wood trellis attached to the roof that will be constantly changing in shape as the cars pass around it. The metal roof will be gray. The accents will be bluish gray, the wood will be stained cedar, and the walls will be a putty color. The entrance to the accounting firm will have a trellis to box the entrance which will visually bring the look downward. There will be a sign over the door, mounted on the cross beams.

The pylon sign will mimic the look of the building. There will be an AZEK panel with wording in bluish gray that will be ground illuminated.

Mr. Monteforte said that in relation to the necessity for parking, he has eight people in his firm. The accounting firm has fifteen employees except during their 'season' when they have twenty employees.

From the audience: William Feinberg, 218 Belmont Avenue, said that he has lived in his home for forty years and he has environmental concerns regarding the parking lot because there was a specialized use on the site and now there will be thirty people in the building and the intensity of the parking will be greater than in the past. He was concerned about Deal Lake because the water drains to Deal Lake. He requested that the Board require a detention basin on the property to catch the water before it goes into the lake.

Mr. Brodsky said that there will be nothing added and no site improvements made to the parking lot. The intensity of use on the site will not change. It is unreasonable to ask for a detention basin if there is no increase in intensity. There will be little or no detriment and no construction on the site.

Mr. Fitzgerald said that he did not think a detention basin could be added to the site because the water drains from the northeast corner of the building and flows to a low point on the site and then to Deal Lake. A wooded area would have to be removed to put in a basin.

From the audience: Dennis Galvin 201 Lakeview Avenue, felt that there has not been enough testimony to grant the variances. He felt that there is no need for a cross easement. The two properties have separate uses and have been used that way for many years. He also felt that the green bank parking should be eliminated.

Mr. Brodsky felt that the testimony of Mr. Monteforte has established the benefits of the application. The testimony is consistent with the Board's professionals and there is no detriment to attaching the two sites.

From the audience: Dennis Wombough, 310 Belmont Avenue, was concerned that if these two properties are joined it might open the door for joining the hotel property to the north.

Mr. Higgins said that the hotel is on the other side of the brook and could not be crossed to join to this property.

Mr. Brodsky noted that there is a dumpster enclosure for recycling with cans that are picked up by the Township. The applicant wants to reduce the size of the dumpster enclosure.

A motion to close the public hearing was made by Thomas Means and seconded by Warren Goode.

IN FAVOR: Andrisano, Brody, Garofalo, Goode, Levy, Verrilli, Means
OPPOSED: None

A motion of approval was made by Thomas Means and seconded by Warren Goode.

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

Memorialization will take place on September 27, 2010.

Wegmans Food Markets

Block 187, Lots 1
1104 Highway 35
Wanamassa
Zone C-2

This is an application for Minor Site Plan
Subcommittee approval in order to erect a canopy.

The Minor Site Plan Subcommittee recommended approval of the application for Wegman's Food Markets to erect a canopy with the following conditions:

1. Revised plans will be submitted showing the color of the canopy.
2. The salt storage on the northwest side of the building will be removed.
3. Trash areas will be cleaned up.
4. Cracks in the pavement will be sealed.
5. Reflectors will be added to the guard rail of the detention basin.
6. The applicant will comply with the original approval in regard to stop bars/signs.
7. Completion of all items within ninety days of the date of the resolution.
8. A recommendation should be made to review the exit on to Sunset Avenue to create a turning lane.

A motion of approval was made by Thomas Means and seconded by Anthony Andrisano.

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

Memorialization took place in the same vote.

Meeting Adjourned 9:07 P.M.

Margo Simpson
Board Secretary
Recording Secretary