

CAUCUS SESSION: 6:30 P.M. Council Chambers
Deal and Monmouth Roads
Oakhurst

DISCUSSION: Planning Administrator Marianne Wilensky explained that the resolution memorialization for Ocean 733 Associates will be memorialized at the meeting, but there was an oversight in granting a variance for the sign. They will be returning with an application for a variance for the sign and will ask Council to waive the fees.

DISCUSSION: **Master Plan Re-Examination dated October 6, 2010**

Board Member Stephen Levy disqualified himself from this discussion.

Board Planner James Higgins explained that the Planning Board discussed the old Oakhurst Country Day School property a number of months ago. The applicant has requested rezoning to allow smaller lots on a portion of the site. There is also one lot fronting on West Lincoln Avenue.

The applicant is requesting a minimum lot size of 6,000 square feet with 50' widths. Mr. Higgins said that he suggested that the minimum lot size should be 7,000 square feet with 60' widths, which will total 18 lots.

Mr. Higgins felt that the request to build houses there is much better than the use that is currently on the property. It would also take the site out of the Mt. Laurel discussions that are going on in other places. They would have to pay towards a fund for affordable housing, but the situation seems to change daily. They will have to comply with the regulations at the time of development. The density will be 5.3 per acre. It was determined that the 5.3 density in the report was a typographical error and the number is actually 3.4. The minimum side yard will be 7.5' and the rear yard setback will be 15' for a single story with it stepping back to 25' for the second story. There will be a prohibition on any accessory buildings on the property.

Chairman Thomas Means felt that the homes must have two-car garages.

Mr. Higgins said that the paved road will be 30' wide. On-street parking would reduce the widths. The Planning Board members felt that the roadways should be wider. Chairman Means felt that there should be as many cars as possible in the driveways so that parking does not expand out on to West Lincoln Avenue.

Mr. Higgins said that in his estimation, the proposal is a good solution for the site.

Chairman Means was concerned with setting a precedent. He recommended that the zone should be limited in acreage in case someone wants the same zoning in another location. There should be a maximum density of 3.3 per acre. He felt that the property size should be limited to five acres and 18 units.

Planning Administrator Marianne Wilensky said that she previously considered Mr. Means' concern and researched the property across the street from the subject site. It was her understanding that a title search on Camp Oakhurst on Monmouth Road found that the property was obtained through a donation and is restricted to the current use as a camp.

Board Attorney Sanford Brown asked if the applicant provided any figures indicating that they would not be able to make the site economically viable unless they develop it this way. The R-3 zoning would be three units per acre.

Mr. Higgins felt that it cannot be built, as zoned, economically. Under the affordable housing rules it would be able to be built into a multi-family development.

Mr. Higgins said that the proposal will have front yard setbacks of 20' and the garages have to be setback 25'.

Ms. Wilensky noted that the applicant is asking for perimeter solid fencing for the entire site. She did not think that would be a good idea because the houses outside the perimeter might feel like it is a fortress. She suggested a Jerroth style fence with landscape screening. That would be discussed during the development of the zoning ordinance.

Mr. Higgins recommended that the lot that faces West Lincoln Avenue should remain zoned as R-3.

Chairman Means said he would like to see more street trees. Ms. Wilensky said that the applicant will have to apply for site plan approval in addition to subdivision approval because there will be open space lots that will have screening. After a brief discussion, it was decided that there should be one street tree every thirty feet. The Master Plan Re-examination will have a revised date of October 25, 2010 to correct information.

Board Member Christopher Healy noted that there is an island in the road at the entrance. He felt it might be a concern with the fire and emergency vehicles. Islands are mostly in private developments.

Mr. Higgins said that they will be prototype homes that they have built in other places.

Ms. Wilensky explained that after the Master Plan Re-examination is adopted, it goes to Township Council to develop a zoning ordinance for it. The Planning Board will have a chance for input into the zoning ordinance.

DISCUSSION: Minor Site Plan Subcommittee Review
The Provident Bank
Block 182, Lots 73, 74, 75, 78
1502 Highway 35

Planning Administrator Marianne Wilensky explained that The Provident Bank wants to build a bridge between the building and the drive-thru lanes to run pneumatic tubes. The Minor Site Plan Subcommittee reviewed the application and recommended approval to the full Planning Board.

DISCUSSION: Minor Site Plan Subcommittee Review
Children of America
Block 33, Lots 20, 21
1621 Highway 35

Board Planner James Higgins explained that the applicant has a free-standing sign that they want to replace. At the time of their original application they wanted to keep the old free-standing sign. Subsequently, they returned with a plan to move the sign to the south side of the driveway, but that location did not work. They now want to remove the free-standing sign and replace it with a smaller and lower sign in the same location. It will be 32 square feet.

The Minor Site Plan Subcommittee reviewed the application and recommended approval to the full Planning Board.

CLOSED SESSION

DISCUSSION: **COAH**

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.

Closed session minutes are on page 7

REGULAR MEETING: 7:33 P.M. Public Meeting Room
Deal and Monmouth Roads
Oakhurst

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| MEMBERS PRESENT: | Anthony Andrisano Fred Brody, Alternate I William Garofalo Warren Goode, Vice Chair Christopher Healy Estelle Klose Stephen Levy, Alternate II Thomas Means, Chair John Verrilli | MEMBERS ABSENT: | Carlo Gallelo George Sarios |
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| OTHERS PRESENT: | Sanford Brown, Esquire, James Higgins, William Fitzgerald, Marianne Wilensky, Margo Simpson, | Board Attorney Board Planner Board Engineer Planning Administrator Planning Board Secretary Recording Secretary |
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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.

RESOLUTION MEMORIALIZATIONS

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|---|--|---------------|
| <u>Ocean 733 Associates</u> Block 140, Lots 105, 106, 107, 109 733 Highway 35 Wanamassa | MOVED: Means FAVOR: Andrisano, Brody, Garofalo, Goode, Klose, Levy, Verrilli, Means OPPOSED: None INELIGIBLE: Healy ABSENT: Gallelo, Sarios | SECOND: Goode |
| Approval Preliminary and Final Site Plan | | |

PUBLIC HEARING: Master Plan Re-Examination

Board Member Stephen Levy disqualified himself from this discussion.

Board Planner James Higgins explained that the property involved in the Master Plan Re-Examination is the old Oakhurst Country Day School property on Monmouth Road and West Lincoln Avenue. It is 5.7 acres that will be subdivided into 18 interior lots with one

lot on West Lincoln Avenue that will remain in the R-3 zone. The houses will be required to have a 15' rear yard setback for the first floor and 25' setback for the second story.

Board Attorney Sanford Brown explained that the maximum density shall be 3.4 units per acre. There will be a total minimum of five (5) acres for the tract. There will be one street tree for each thirty (30) feet of linear frontage along all streets. The driveways shall be located in a manner which maximizes on-street parking within the development.

A motion to recommend adoption of the Master Plan Re-Examination, adopted on October 25, 2010, was made by Thomas Means and seconded by Warren Goode.

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

APPLICATION CARRIED to November 22, 2010

Seaview Square, LLC

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

Mona Benun

Block 60, Lot 8
80 Wickapecko Drive
Wanamassa

Woodland Farm

Block 60, Lots 3, 4
60 Wickapecko Drive
Wanamassa

CARRIED CASE

Alphonso and Antonetta Silvestri

Block 25.01, Lots 3, 15
139 Whalepond Road
Oakhurst
Zone R-4

This is an application for a minor subdivision to create two lots with variances.

Attorney for the applicant: Peter B. Bass, 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** and the reports were read into the record.

Board Planner James Higgins said that he attended a technical meeting with the applicant. They made changes to the plan after the meeting. The applicant is seeking to subdivide a through-lot into two lots. A lot on Idlewood Avenue will be 12,000 square feet and a lot on Whalepond Road will be 8,000 square feet. The common property line for the two proposed lots is off-set. There was a subdivision approved for this property in 1988, but it was not perfected.

Variances will be required for the pool and pool deck on the lot with the existing house. There are four sheds that will be removed. For the new lot on Whalepond Road, variances will be necessary for lot area and lot width.

Board Engineer William Fitzgerald said that he met with the applicant at the same technical meeting. There is a drainage pipe on the south side and rear of the property that minimized the usable back yard. They have submitted an alternative plan that is better. All the engineering issues can be met. The Department of Public Works does not want the drainage pipe dedicated to them.

The subject lot is in a sump and receives drainage from the other properties. The drainage system is not necessary for the neighborhood, but it is necessary for the lot. The ownership of the easement should be placed on the property owner.

Peter B. Bass, Esquire, representing the applicant, presented Charles Surmonte, Engineer for the application. Mr. Surmonte had the subdivision plan marked as **evidence A-1**. The map shows a 12,000 square foot lot facing Idlewood Avenue and an 8,000 square foot lot on Whalepond Road. There will be a number of improvements on the Idlewood Avenue lot. The back of the existing house faces Idlewood Avenue. A porch will be added to make it look like the front of the house. The chain link fence along the

pool will be replaced by a 4' solid fence and four feet of concrete will be removed. Street Trees will be planted and there will be landscaping along the fence. Curbing will also be added along Idlewood Avenue.

Mr. Surmonte said that a driveway will be added to the Idlewood Avenue lot. The lot on Whalepond Road receives water runoff from the property to the northeast. That water will be conveyed to the Whalepond Road system. Mr. Surmonte referred to a photograph of the existing house, which was marked into **evidence A-2** and a sketch of the proposed porch on Idlewood Avenue, marked as **evidence A-3**.

Mr. Fitzgerald felt that the porch needed to look more like the front of the house. He suggested replacing the sliding doors with French doors. Mr. Higgins felt that the landscaping needed to be better defined.

Board Attorney Sanford Brown asked if there were any differences between the current application and what was previously approved. Mr. Fitzgerald noted that the drainage system should work and there should be a filed drainage easement to enter the property if necessary.

Planning Administrator Marianne Wilensky felt that if the Board would be inclined to approve this application, there must be timing included. The requirement for filing a subdivision is within 190 days. There are issues with the improvements that have to be made. They might have to sell the new lot in order to have the money to put the improvements on the lot with the home. Ms. Wilensky suggested a deed restriction with a requirement that no building permit could be issued for a new house until the improvements are done.

At this point, there was a five-minute break so that the professionals could discuss options. After the break, Mr. Brown said that the applicant can perfect the subdivision within 190 days without putting in the improvements on the Idlewood Avenue lot. If there is a closing of title or transfer of deed before the closing, all the improvements must be completed and approved by the Township. In lieu thereof, a bond by the Township Engineer has to be posted by the purchaser of the property. Any improvements required on either lot have to be complete. Bonds must be posted for both lots prior to closing.

Chairman Thomas Means felt that they should not be allowed to close title until they post a cash bond. Mr. Brown noted that there will also be a deed restriction which will be a notice to a prospective buyer.

Ms. Wilensky wanted to make sure the applicant's attorney understood all the conditions the Board was presenting to him. He said that he understood and agreed to the conditions.

Mr. Means noted that the landscape plan for proposed lot 15.01 needs to be revised and a revised plan of the front porch showing French doors needs to be submitted.

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

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

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

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

Memorialization will take place on November 22, 2010.

NEW CASES

The Provident Bank

Block 182, Lots 73, 74, 75, 78
1502 Highway 35
Wayside
Zone C-2

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

This is an application to erect a canopy in order to add overhead pneumatic tubes from the building to the drive through aisles.

The Minor Site Plan Subcommittee reviewed this application and recommended approval to the full Planning Board.

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

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

Memorialization took place in the same vote.

Children of America

Block 33, Lots 20, 21
1621 Highway 35
Oakhurst
Zone C-3

This is an application for Minor Site Plan Subcommittee review in order to erect a sign.

This is an application to replace a free-standing sign with a smaller sign.

The Minor Site Plan Subcommittee reviewed this application and recommended approval to the full Planning Board.

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

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

Memorialization took place in the same vote.

Meeting Adjourned 8:30 P.M.

Margo Simpson
Board Secretary
Recording Secretary