

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

DISCUSSION:        Ordinance #2163

Township Planner James Higgins explained that Ordinance #2163 is a follow-up to the re-zoning of the land on Monmouth Road and West Lincoln Avenue. It is almost exactly the same as the re-zoning.

Chairman Thomas Means felt that there should be two-car garages on all the homes. Planning Administrator Marianne Wilensky said that they are required in the ordinance to have 1.5 parking spaces. The concept plan that the applicant provided showed two-car garages. The ordinance does forbid garages to be converted into living space.

After considerable discussion regarding parking, the Board Members recommended adoption of Ordinance #2163, noting that it is in conformance with the Master Plan. However, they also suggested to Council that they might consider adding a requirement for two-car garages.

DISCUSSION:        Minor Site Plan Subcommittee Applications

Planning Administrator Marianne Wilensky explained that **JGJ Associates** in the Wayside industrial park wants to add solar panels to their building. They will not be visible in the front, but will overhang the roof slightly in the rear. Only the building behind them will be able to see them.

Board Planner James Higgins said that they will not be able to be seen by anyone offsite other than the building behind. Solar energy is described in the Municipal Land Use Law as a good use.

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

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  
Warren Goode, Vice Chair  
Christopher Healy  
Estelle Klose  
Stephen Levy, Alternate II  
Thomas Means, Chair  
John Verrilli

MEMBERS        George Sariofis  
ABSENT:

**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.

**MINUTES FOR APPROVAL:** A motion was made by Thomas Means and seconded by Warren Goode to approve the **minutes from the meeting of December 13, 2010.**

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

**RESOLUTION MEMORIALIZATION**

**Marcelo Gruberg**

Block 33.33, Lot 6  
1806 Bellmore Street  
Oakhurst

**Approval Preliminary and Final Site Plan with variances**

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

**CARRIED to February 28, 2011**

**Mona Benun**

Block 60, Lot 8  
80 Wickapecko Drive  
Wanamassa

**Ocean 733 Associates, LLC**

Block 140, Lots 105, 106, 107  
733 Highway 35  
Colonial Terrace

**CONTINUED CASES**

**Woodland Farm**

Block 60, Lots 3, 4  
60 Wickapecko Drive  
Wanamassa  
Zone R-1

This is an application for a conditional use and preliminary and final site plan approval with a variance in order to operate as a farm.

Attorney for the applicant: Jennifer S. Krimko, Esquire

The Board's information packet, containing the reports of both the Board's professionals and in-house departments, was marked into **evidence B-3** and the reports were read into the record. Board Engineer William Fitzgerald, in his report dated December 11, 2010, particularly noted that the following items need addressing:

- The repair and/or rehabilitation of existing structures which are to remain.
- How the existing driveway pavement will be brought to conformance.
- Maintenance of lawn and yard areas within the homestead.
- Schedules for reforestation.

Mr. Fitzgerald asked the applicant to provide dedication and slope easements even though no work will be done in that area now.

Board Planner James Higgins noted that the house is proposed to be removed and the garage will remain and be turned into a barn.

Representing the applicant, Jennifer S. Krimko, Esquire, said that the applicant took into consideration a lot of the suggestions from the last hearing. The home would have to be brought up to code, so it was decided to take down the house. Anything on the site has to be approved by the Department of Environmental Protection. Currently, the site is approved as a 1.4 acre homestead. With the removal of the house, it will have to be re-submitted to DEP for approval. The applicant will come back to the Board after they go back to the DEP.

The Garage structure will have the kitchen removed and be kept as a barn storage structure on the property.

Mr. Higgins noted that the plan needs to be amended to call it a barn.

Ms. Krimko said that the plan will be revised and that she will also provide a floor plan of the barn. The applicant will remove the slash piles and debris and has agreed to supplement the existing hedges and with evergreens. The 25' buffer around the property can have the border delineated.

Mr. Fitzgerald noted that if the hedges are to remain, they require a variance. They should be maintained at a height of no more than 10'.

Ms. Krimko said that the applicant has agreed to provide slope easements. There are old lights on the property that will be removed. The wood storage areas were added because the Board asked for them, but now Mr. Fitzgerald feels that they are not necessary, so two of them will be removed.

The Board held a discussion on a time limit for the approval. It was decided that the applicant's approval will expire in 36 months and they must re-file prior to that time.

Ms. Krimko noted that there is a rollback provision. If the property is sold, two years back taxes have to be paid. If the Woodland Management Plan is altered, the applicant will have to return to the Board.

Board Member William Garofalo felt that the proposed use will have no impact on the neighborhood.

Planning Administrator Marianne Wilensky noted that there was a memo from the Tax Assessor asking if the two lots will be merged. Ms. Krimko said that they will not be merged.

Board Attorney Sanford Brown felt that there needs to be a time set for the converting of the garage to a barn and the satisfying of other conditions. There can be no farmland assessment until those issues are completed.

Ms. Krimko placed the following into evidence: **Evidence A-6**; a copy of the site plan revised through January 10, 2011; and **Evidence A-7**; the Woodland Management Plan revised December 8, 2010.

Chairman Thomas Means noted that the applicant must submit revised plans.

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

In Favor: Andrisano, Brody, Gallelo, Goode, Klose, Verrilli, Garofalo, Healy, Means  
Opposed: None

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

In Favor: Andrisano, Brody, Gallelo, Klose, Verrilli, Garofalo, Healy, Means  
Opposed: None  
Ineligible: Levy  
Absent: Sarios

Memorialization will take place on February 28, 2011

### **NEW CASES**

#### **JGJ Associates**

Block 152, lot 3  
1 Centre Street  
Wayside  
O-1/20

This is an application for minor site plan approval in order to erect solar panel racking.

The application is for Minor Site Plan Subcommittee approval in order to erect solar panels. The Subcommittee recommended approval to the full Planning Board.

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

In Favor: Andrisano, Brody, Gallelo, Klose, Verrilli, Garofalo, Healy, Means  
Opposed: None  
Ineligible: Levy  
Absent: Sariosis

**Seaview Orthopaedics**  
Block 182, Lots 81, 82, 83  
1200 Eagle Avenue  
Wanamassa  
O-1/20

This is an application for Minor Site Plan Subcommittee approval in order to install a generator.

This application was not heard at this meeting. Additional information has been requested by the Minor Site Plan Subcommittee.

### **CARRIED CASES**

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

This is an application for amended minor subdivision approval.

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 explained that the applicant has received approval for a subdivision to remove one lot from Seaview Square. Now they want to amend that subdivision to move the lot line four-feet to the south. No variances are required. Mr. Higgins had no problem with the request.

Board Engineer William Fitzgerald said that he had no problem with the request, but noted that the applicant will need minor site plan subcommittee approval for any improvements. All sheets of the plan should have the same revision date.

From the audience: Edward Stokes, Esquire, representing Burke Construction explained that his client has a judgment and mechanics lien on the property for unpaid snow plowing expenses.

Jennifer S. Krimko, Esquire, representing the applicant, told Mr. Stokes that the Planning Board does not have jurisdiction for that matter and he should call her at her office.

Ms. Krimko presented Joseph Colao, who represented the purchasers. He said that there will be an elimination of the cross-easement. They do not have a contract as of this date because of some issues that may affect the approval.

Ms. Krimko had the plans, revised through January 13, 2011, placed into **evidence A-1**.

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

In Favor: Andrisano, Brody, Gallelo, Goode, Klose, Verrilli, Garofalo, Healy, Means  
Opposed: None

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

In Favor: Andrisano, Brody, Gallelo, Klose, Verrilli, Garofalo, Healy, Means  
Opposed: None  
Ineligible: Levy  
Absent: Sarios

Memorialization will take place on February 28, 2011

**Brian and Rosemarie Patterson** This is an application for amended site plan approval in order to change a condition of a previous approval.  
Block 1.02, Lot 60  
5 Cindy Lane  
Wayside  
Zone I-1  
Attorney for the applicant: Peter S. Falvo, Jr., Esquire

Chairman Thomas Means disqualified himself from this application. Vice Chair Goode chaired the hearing.

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.

Peter S. Falvo, Jr., Esquire, representing the applicant, explained that he had a technical meeting with the Board Planner and Board Engineer and they agreed on the conditions of approval.

Mr. Falvo introduced David Boesch, Project Engineer, and had the plans, revised through September 28, 2010, marked into **evidence A-1**. Mr. Boesch explained that there was a restriction in the previous resolution of approval that no equipment would be stored outdoors. The applicant is asked to be able to keep some equipment outdoors that does not fit in the building.

Mr. Boesch pointed to an area on the plan in the northwest part of the property where there are five remote parking spaces. He noted that the Board Engineer suggested that this area can be used to store equipment only. This is the equipment that is normally on-site when working on a project, but needs to be stored in between jobs.

Mr. Falvo explained that the applicant has a pickup truck, back hoe and trailer that can be kept in those parking stalls when not on-site. The other equipment can be kept inside the building.

Vice Chairman Warren Goode asked if the landscaping will be changed and if utilizing the parking spaces for equipment would cause a parking problem.

Board Planner James Higgins explained that the landscaping will remain the same as the original approval. Mr. Falvo said that with the number of employees, there will be no parking problem. Board Member John Verrilli noted that there is rental space in the building, which might alter the parking.

Planning Administrator Marianne Wilensky pointed out that the applicant has been before the Board because there are site violations on this property and they have done things that they do not have approvals for, such as the storage trailers and stones in the front of the property.

Mr. Falvo said that the storage trailers need to remain until the addition is completed.

Ms. Wilensky explained that the trailers would be okay for they were under construction. The original condition 'c' of this approved was subject to revisions no later than sixty days of March 22, 2010. The resolution was supposed to be adopted, but it was

put off and not adopted at that time. The dates were never changed in the resolution. It was supposed to be memorialized on March 22, 2010, but was not memorialized until August 23, 2010 without change in the dates in the resolution.

Ms. Wilensky emphasized to the Board that they need to have firm dates for timing.

Mr. Falvo asked to respectfully amend the application to amend the dates. The applicant has approvals from Freehold Soil Conservation District and utility approvals, but there is no anticipated starting date.

Ms. Wilensky noted that the application was filed in November of 2007 and the applicant has been given a lot of leeway for three years and the violations remain. The Board needs to know when the violations will be gone.

Mr. Falvo said that the applicant is having the construction drawings done now for the building permits. They would like to start construction by June.

Ms. Wilensky pointed out that the plan needs revisions and then they get sent for bonding. She suggested August 1, 2011, as the date to obtain permits.

Mr. Falvo presented the applicant Brian Patterson, who said that the only violation he is aware of is the trailers on the property and he needs them for storage during construction. He would like to have a temporary fence during construction for security and safety.

Mr. Patterson felt that if he gets his building permits in August, he should be able to complete the project in six to eight months.

The Board held a lengthy discussion on the timing and decided that the building permits must be obtained by August 1, 2011; the building shell should be enclosed by December 15, 2011; and the site improvements must be completed by June 1, 2012.

A motion to close the public hearing was made by Anthony Andrisano and seconded by William Garofalo.

In Favor: Andrisano, Brody, Gallelo, Goode, Klose, Levy, Verrilli, Garofalo, Healy  
Opposed: None

A motion of approval was made by Warren Goode and seconded by Christopher Healy.

In Favor: Andrisano, Brody, Gallelo, Klose, Levy, Verrilli, Garofalo, Healy  
Opposed: None  
Ineligible: (Disqualified) Means  
Absent: Sariosis

Memorialization will take place on February 28, 2011

Meeting Adjourned 9:00 P.M.

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Margo Simpson  
Board Secretary  
Recording Secretary