

CAUCUS SESSION: 7:00 P.M. Second Floor Conference Room
Deal and Monmouth Roads
Oakhurst

DISCUSSION: Planning Administrator Marianne Wilensky explained that the April 25th Planning Board **meeting date has to be changed** to the normal Workshop date of **April 11, 2011**.

DISCUSSION: **Disqualifications** - Board Attorney Sanford Brown, Esquire, explained that if there is a Board Member who is a member of an organization with an application before the Board, the Board Member who is a member of the organization should disqualify him or herself from the application. In the past, only officers of the organization would be disqualified, but in being conservative, it has been decided that anyone who is a member of the organization should be disqualified.

DISCUSSION: Minor Site Plan Subcommittee Application
Board Planner James Higgins disqualified himself from this discussion.
Daniel Betesh
Block 141, Lot 17
1 North Mall Drive
Wanamassa

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

Planning Administrator Marianne Wilensky explained that Daniel Betesh wants to add Goodwill Industries as a new tenant to his building on North Mall Drive.

Board Engineer William Fitzgerald explained that he found the site to be very unkempt with trash and debris. The retaining wall needs repair and the landscaping does not seem to be in conformance with the original approval. The applicant has a number of land-banked parking stalls on the south side of the property. He wants to construct some of the spaces and use one for an HVAC unit.

Planning Administrator Marianne Wilensky said that the applicant has agreed to comply with all the recommendations in Mr. Fitzgerald's report. They have restriped the parking area and it is in compliance with the original plan with the right number of stalls.

The Board agreed that a condition of approval should include the posting of a Performance Guarantee to insure that the site improvements will be completed. They also agreed that no Certificate of Occupancy should be issued until all the work is completed.

Vice Chairman Warren Goode wanted the south parking area to be striped to show that it will have two-way circulation.

DISCUSSION: **Ordinance #2169**
Planning Administrator Marianne Wilensky had mailed Ordinance #2169 to the Board Members for review several times during the development of this lighting ordinance for their review and input. The Board unanimously recommended adoption of the ordinance to Township Council. They noted that while it is not in conformance with the Master Plan, it is consistent with the intent and purpose of the plan.

REGULAR MEETING: 7:34 P.M. Public Meeting Room
Deal and Monmouth Roads
Oakhurst

MEMBERS
PRESENT: Anthony Andrisano
Fred Brody, Alternate I
William Garofalo
Warren Goode, Vice Chair
Christopher Healy
Estelle Klose
John Verrilli

MEMBERS
ABSENT: Carlo Gallello
Stephen Levy, Alternate II
George Sarios
Thomas Means, Chair

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

In the absence of Chairman Thomas Means, Vice Chairman Warren Goode chaired the meeting this evening. Vice Chairman Warren Goode 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 February 28, 2011**, was made by Warren Goode and seconded by Anthony Andrisano.

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

RESOLUTION MEMORIALIZATIONS

Ocean 733 Associates, LLC

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

Approval

Minor Site Plan with a Variance

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

APPLICATION CARRIED to April 11, 2011

Maurice and Michelle Zekaria

Block 10, Lots 15, 18
4 Saxony Drive
271 Maplewood Avenue
Oakhurst

APPLICATION CARRIED to May 23, 2011

Ocean 35 Developers, LLC **Ocean 733 Associates, LLC**

Block 140, Lots 105, 106, 107, 109
731 and 733 Highway 35
Colonial Terrace

CONTINUED CASES

Mona Benun

Block 60, Lot 8
80 Wickapecko Drive
Wanamassa
Zone R-1

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

Attorney for the applicant: Rick Brodsky, Esquire

No one appeared to represent this application. A motion to dismiss the application of Mona Benun without prejudice was made by Warren Goode and seconded by Anthony Andrisano.

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

Memorialization will take place on April 11, 2011.

NEW CASES

Clearwire US, LLC

Block 189, Lots 6, 9
1110 Highway 35
Wanamassa
Zone C-3

This is an application to locate antennas on an existing telecommunications monopole with associated equipment.

Attorney for the applicant: Eric S. Goldberg, Esquire

In the absence of Chairman Thomas Means, Vice Chairman Warren Goode chaired the meeting. Board Member William Garofalo disqualified himself from this application.

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 wants to add antennas to an existing monopole and add an equipment box. No variances are necessary. Board Engineer William Fitzgerald had no problem with this application.

Delores Kelly, Esquire, representing the applicant, explained that they are seeking a conditional use and minor site plan approval to install three panel antennas to an existing monopole at the height of 119', topping at 121'. They will also add equipment to the base of the monopole. She placed into evidence the following:

- Evidence A-1** - The radio frequency plot maps, three sheets.
- Evidence A-2** - The set of plans, sheets T-1, S-1, and A-1 thru A-6.
- Evidence A-3** - Structural Analysis Report

Board Attorney Sanford Brown, Esquire, explained that the Board can rely on the reports of the Board's Professionals regarding the items marked into evidence.

Mr. Higgins noted that most of the conditions were addressed at the time of the original monopole application. No additional conditions need to be added.

Mr. Fitzgerald said that there is no additional impact on the site and no issues from a site engineering point of view.

Board Member Christopher Healy asked if during the original hearings it was envisioned that there would be additional antennas and equipment added to the monopole. Mr. Higgins said that the issue was addressed during the original hearings.

A motion to close the public hearing was made by Warren Goode and seconded by Fred Brody.

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

A motion of approval was made by Warren Goode and seconded by Anthony Andrisano.

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

The memorialization will take place on April 11, 2011.

Daniel Betesh

Block 141, Lot 17
1 North Mall Drive
Wanamassa
Zone C-5

This is an application for Minor Site Plan Subcommittee approval in order to change some circulation details.

The Minor Site Plan Subcommittee recommended approval of this application to the full Planning Board with the following conditions:

1. All Performance Guarantee / Inspection Fees must be posted as required by the Township Engineer and accepted by the Township Council.
2. All site improvements / repairs as required by the Planning Board Engineer as outlined in his report dated March 23, 2011, must be completed and inspected prior to the issuance of a Certificate of Occupancy of any type.
3. Pavement striping will be revised to the satisfaction of the Board Engineer.

A motion of approval was made by Warren Goode and seconded by Anthony Andrisano.

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

The memorialization took place in the same vote.

Wanamassa Woods Estates, LLC

Block 140, Lots 65.01, 67.02
Dorset Road
Wanamassa
Zone R-4

This is an application for amended preliminary and final major subdivision to add a phasing plan.

Attorney for the applicant:
Richard W. Hogan, Esquire

In the absence of the Chairman, Vice Chair Warren Goode chaired this application.

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 received approval many years ago for a subdivision along Dorset Road with a cul-de-sac at the end and another cul-de-sac on the north side. There is an existing house at the end of Dorset Road. The applicant wants to phase the construction with nine lots being constructed in Phase I. It would include a temporary cul-de-sac that would be replaced in Phase II with a permanent cul-de-sac.

Board Engineer William Fitzgerald noted that the temporary cul-de-sac must be increased to a radius of 43' in order to accommodate fire apparatus. Since there will be no curbing, he recommended that the sub-base be extended beyond the pavement. He also noted that the Freshwater Wetlands Averaging Plan does not have a five-year term; therefore it will not expire after five years. They need to meet the Township of Ocean Sewerage Authority requirements for the treatment works approval.

Mr. Fitzgerald explained that the subdivision approval has not expired because the Municipal Land Use Law permits extensions that protect the developer from changes in the zoning. The zoning on the subject property has not changed. The applicant only wants to put phasing lines on the approval. They will need to bond for the temporary cul-de-sac.

Planning Administrator Marianne Wilensky explained that the applicant has applied for preliminary and final approval for Phase I and preliminary only for Phase II. She asked what the mechanism would be that would get the curbing installed. Mr. Fitzgerald said that the curbing could be in the Phase I bonding.

Vice Chairman Goode asked why the applicant is seeking the phasing plan.

Richard Hogan, Esquire, representing the applicant, explained that some land was involved in the sale of the golf course and the location of the cul-de-sac has been in

question. The project has 'gotten stuck' because of this issue.

From the audience: Don Brockel, 710 Laurel Avenue, explained that he lives on Deal Lake and is a member of the Deal Lake Commission. He said that the proposed development sounds like a great project, but he was concerned with the soil and the water going to Deal Lake. He questioned the stormwater runoff requirements to eliminate potential soil problems in Deal Lake and asked if a stormwater basin can be added to the site.

Mr. Fitzgerald explained that this subdivision was approved in 1999. At that time the State stormwater regulations were different. The Residential Site Improvement Standards were not in affect and no stormwater basin was required. The increase in impervious surface should not be a problem. The stormwater runoff goes about 900' through the golf course before it gets to the lake. A sediment plan during construction is necessary. They are protected by their original approval.

Mr. Brockel felt that there should be stormwater management with a detention basin before the water goes to the lake. He felt it will impact the lake in Colonial Terrace.

Mr. Hogan noted that although they are protected by the approval protection act, they meet the current standards in terms of permits for today's practices. They have clearance from the DEP, which would not have been issued if they felt there was a problem.

Mr. Hogan presented Charles Surmonte, engineer for the applicant. Mr. Surmonte said that the State agencies took a look at the stormwater management and the applicant meets the requirements. There are some things that can be done, but they are not upgrading to a new plan.

Mr. Brockel felt that the rules today are different to minimize the runoff to Deal Lake and the silt control. He felt that the applicant should minimize runoff.

Mr. Surmonte pointed out that the north side lots drain to the north and the south side lots drain towards the golf course.

From the audience, Jerry Mauer, 11 Wanamassa Point Road, explained that he belongs to the Friends of Deal Lake and he is concerned with the sediment traveling downstream. He noted that the current land holds water. When the homes are constructed there will be grassed areas that do not hold water as well and will increase runoff. The runoff will feed into Deal Lake and the silt will be carried downstream. He asked the Board to consider postponing their decision on this application.

From the audience, Ken Lutz, 1100 Brookside Avenue, explained that he is a representative of the Township Environmental Commission. Mr. Lutz said that he understands the situation with the approvals, but he wanted to appeal to the Board. The situation has changed from what was approved twelve years ago, but if they brought in their plans today the water situation would be addressed differently. There is the issue of approvals standing for years while the laws change.

A motion to close the public hearing was made by Warren Goode and seconded by Estelle Klose.

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

Vice Chairman Goode pointed out that this application was approved many years ago and is grandfathered. In the current application they are only asking to phase the project and the Board does not have the authority to change the approval.

A motion of approval was made by Warren Goode and seconded by Anthony Andrisano.

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

The memorialization will take place on April 11, 2011.

GMRI, Inc.

Block 1.02, Lot 36
2200 Highway 35
Oakhurst
Zone C-2

This is an application for Minor Site Plan Subcommittee approval in order to change the façade, signage, and some site details.

This application was not yet ready to proceed.

Meeting Adjourned 8:30 P.M.

Margo Simpson
Board Secretary
Recording Secretary