

REGULAR MEETING: 5:30 P.M. Public Meeting Room
Deal and Monmouth Roads
Oakhurst

MEMBERS PRESENT: Fred Brody, Alternate I
Carlo Gallelo
Christopher Healy
Estelle Klose
Stephen Levy, Alternate II
Thomas Means, Chair
John Verrilli

MEMBERS ABSENT: Anthony Andrisano
William Garofalo
Warren Goode, Vice Chair
George Sariosotis

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 March 30, 2011.

MINUTES FOR APPROVAL: Motion was made by Estelle Klose and seconded by John Verrilli to approve the **minutes from the meeting of March 28, 2011.**

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

RESOLUTION MEMORIALIZATIONS

Clearwire US, LLC

Block 189, Lots 6, 9
1110 Highway 35
Wanamassa

Conditional Use Approval

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

Wanamassa Woods Estates, LLC

Block 140, Lots 65.01, 67.02
Dorset Road
Wanamassa

Amended Preliminary and Final Major Subdivision Approval

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

Mona Benun

Block 60, Lot 8
80 Wickapecko Drive
Wanamassa

Dismissed without Prejudice

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

NEW CASE

Congregation Magen David of West Deal, Inc.

Block 25, Lot 33
395 Deal Road
Oakhurst
Zone R-2

This is an application for preliminary and final site plan approval with a variance

Attorney for the applicant: Jennifer S. Krimko, Esquire

Board Member Stephen Levy 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**. Board Planner James Higgins read his report, dated April 8, 2011, into the record. Board Engineer William Fitzgerald read his report, dated April 8, 2011, into the record. Mr. Fitzgerald said that he had no concerns with the addition, but noted that the site needs to be cleaned up.

Jennifer S. Krimko, Esquire, representing the applicant, stipulated that her client agreed to comply with the recommendations of the Board Planner and the Board Engineer as stated in their reports.

Ms. Krimko had the plans, dated February 14, 2011, marked into **evidence A-1** and the architectural plan, dated January 20, 2011, marked as **evidence A-2**. She also handed out a copy of the revised elevation showing that the window layout will be a little different than what is on the architectural plans submitted. The revision was marked as **evidence A-3**.

Planning Administrator Marianne Wilensky explained that there are a number of maintenance items noted in the reports. Typically, the resolution of approval and the approved plans would be sent to the Township Engineer for a bonding estimate. However, this applicant is currently under construction and has bonding in place of approximately \$30,000. The items in this approval can be added under that bonding. The resolution should state that no Certificate of Occupancy may be issued until the items are complied with.

Board Attorney Sanford Brown, Esquire, noted that there was a memo in the Board's information packet indicating that fees were due from the applicant. Ms. Krimko said that she handed Ms. Wilensky a check for the fees prior to the meeting this evening.

A motion to close the public hearing was made by Thomas Means and seconded by Christopher Healy.

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

Board Attorney Sanford Brown read a prepared resolution of approval into the record. A motion of approval was made by Thomas Means and seconded by Fred Brody.

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

Memorialization took place in the same vote.

CARRIED CASE

Maurice and Michelle Zekaria

Block 10, Lots 15, 18
4 Saxony Drive
271 Maplewood Avenue
Oakhurst
Zone R-1

This is an application for a two-lot subdivision to transfer a portion of lot 15 to lot 18. Variances are required.

Attorney for the applicant: Rick Brodsky, Esquire

Board Members Stephen Levy and Christopher Healy disqualified themselves 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.

Rick Brodsky, Esquire, representing the applicants, placed an enlarged copy of the tax map into **evidence A-1**.

Board Planner James Higgins explained that the applicant is seeking to take two irregularly shaped lots and make them more in conformance. Lot 15, which is 33,500 square feet will have 6,022 square feet removed from the back and add it to lot 18, which is behind it. This will make lot 15 the smallest lot in the area, but more in conformance with shape. The applicant will provide more trees than are required.

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

Mr. Brodsky explained that lot 18 faces Saxony Drive and has a new home currently under construction. Lot 15 faces Maplewood Avenue. The applicant is proposing to move a lot line to give a better line to both lot 15 and lot 18 to give them a more regular shape. The existing shrubs will remain. There was an old garage on the rear of lot 15 that has been removed. There are five Zekaria family homes on lots that are connected. The area is fully developed.

Board Member John Verrilli noted that there is a red barn in an unlikely location on the map. He asked about the use of it.

Mr. Brodsky placed a photo board with four photographs of the property into **evidence A-2** and presented Maurice Zekaria, who explained that the red barn belongs to Mr. Anzarouth on the property to the west of him and is used as a cabana for their pool. It is located very close to the property line.

Mr. Brodsky placed a copy of the subdivision plan, revised through January 19, 2011, into **evidence A-3**.

A motion to close the public hearing was made by Thomas Means and seconded by Fred Brody.

In Favor: Brody, Gallelo, Klose, Verrilli, Means
Opposed: None

A motion of approval was made by Thomas Means and seconded by Fred Brody.

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

The Memorialization will take place on May 23, 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.

Chairman Thomas Means noted that this is an application for the Red Lobster site and will be a good improvement to the property.

Planning Administrator Marianne Wilensky explained that they want to change the façade and move signs. Board Planner James Higgins said that they will reduce the number of signs to bring the site more into conformance.

Board Member Estelle Klose felt that the applicant should be asked to trim the bushes around the exit on to the Highway for better visibility when exiting the parking lot. Board Engineer William Fitzgerald agreed, adding that a satisfactory sight triangle easement should be filed as part of the approval. He also felt that both his reports should be referenced in the resolution of approval.

The Board discussed the timing of completion of the improvements and decided that the project should be completed no later than July 31, 2011.

A motion to close the public hearing was made by Thomas Means and seconded by Fred Brody.

In Favor: Brody, Gallelo, Klose, Levy, Verrilli, Means
Opposed: None

A motion of approval was made by Thomas Means and seconded by Fred Brody with the following conditions:

1. The approval will be conditioned on satisfactory compliance with all conditions and details outlined in the Board Engineer's reports dated March 24, 2011, and April 7, 2011.
2. All site plan improvements and repairs shall be installed to the satisfaction of the Township Engineer no later than July 31, 2011.

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

The Memorialization took place in the same vote.

Meeting Adjourned 6:05 P.M.

Margo Simpson
Board Secretary
Recording Secretary