

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

DISCUSSION: Minor Site Plan Subcommittee Applications

1. **Lee Hoffman**

Block 1.05, Lot 7
42 Cindy Lane

Planning Administrator Marianne Wilensky explained that the applicant is seeking to utilize a portion of the parking lot to store equipment.

The Minor Site Plan Subcommittee had reviewed the application and recommended approval with the condition that the building will be utilized as per the plan submitted.

2. **Hollywood Golf Course**

Block 40, Lot 1, 2, 34, 111
510 Roseld Avenue

Planning Administrator Marianne Wilensky explained that the applicant is seeking to locate temporary facilities on the property because a portion of the building collapsed during a storm.

The Minor Site Plan Subcommittee had reviewed the application and recommended approval with the condition that the location of the temporary facilities should be approved by the Fire Marshal.

3. **Kane Brewing Company, LLC**

Block 176, Lot 2
1750 Bloomsbury Avenue

Planning Administrator Marianne Wilensky explained that the applicant is seeking to locate an exterior chiller unit.

The Minor Site Plan Subcommittee had reviewed the application and recommended approval with the condition that the chiller will be protected by bollards.

REGULAR MEETING: 7:30 P.M. Public Meeting Room
Deal and Monmouth Roads
Oakhurst

MEMBERS Anthony Andrisano
PRESENT: Fred Brody, Alternate I
Christopher Healy
Estelle Klose
Thomas Means, Chair
John Verrilli

MEMBERS Carlo Gallelo
ABSENT: William Garofalo
Stephen Levy, Alternate II
George Sarios
Warren Goode, Vice 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

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 and the Coaster, posted in the Township Hall, and filed in the Office of the Township Clerk on May 10, 2011.

MINUTES FOR APPROVAL: Motion was made by Thomas Means and seconded by Estelle Klose to approve the **minutes from the meeting of April 11, 2011.**

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

RESOLUTION MEMORIALIZATIONS

Maurice and Michelle Zekaria

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

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

Minor Subdivision approval

NEW CASE

R & S Realties, LLC

Block 1.05, Lot 9.01
18 Cindy Lane
Wayside
Zone I-1

This is an application for preliminary and final site plan approval with variances.

Attorney for the applicant: Gerald Sonnenblick, 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.**

Board Planner James Higgins read his report into the record. He explained that the applicant is seeking to construct a 40' X 7'4" addition to an existing building to use as an accessory car wash. He noted that the applicant has put a gate and walkway in a fence between their property and Cobblestone Village and some employees park in the Cobblestone parking lot.

Board Engineer William Fitzgerald said that the lighting needs to be brought up to Township standards.

Gerald Sonnenblick, Esquire, representing the applicant, said that they will submit an as-built survey that will include the fence and the gate. New lights will be installed to meet the standards. Old lights will remain as they are now.

Mr. Sonnenblick presented James Kennedy, Engineer for the applicant, who had a colored rendering of the site plan, sheet 2 of the site plan dated June 8, 2011, marked as **evidence A-1.** It showed a 293 square foot addition to the existing building on the east side of the site. This building will be for the detail center. **Evidence A-2** was a detail view of the proposed improvements, which was page 3 of 4 of the layout plan. He explained that there will be restriping to provide access to the building with small modifications. The recharge trench will have a minor relocation.

Mr. Kennedy said that the lighting is proposed to be glass packs with fixtures that meet the ordinance requirements. The old lights will remain as they are.

Mr. Fitzgerald noted that the existing glass packs that were installed in 1996 do not comply and the glass packs on the walls were not approved. They need to be conforming. Mr. Kennedy said that the lights on the south and north side of the building can be replaced.

Mr. Kennedy said that ten to twenty employees park in the Cobblestone parking lot. There is a gravel walkway between the two sites for them to walk through. Mr. Higgins noted that the Board cannot approve parking on an adjacent lot. It is a landlord issue.

Mr. Kennedy said that the front structure abuts the detention basin on lot 6 and the rear building abuts the detention basin on lot 8. Parking spaces number 181. After the lot is re-stripped there will be 169 spaces remaining. Mr. Higgins felt that 169 spaces will be adequate.

Mr. Kennedy pointed out that there are fuel pumps on the property that are inspected by the Fire Marshal and are licensed by the State.

A motion to close the public hearing was made by Thomas Means and seconded by Anthony Andrisano.

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

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

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

To be memorialized on July 14, 2011.

CARRIED CASE

Ocean 35 Developers, LLC
Ocean 733 Associates, LLC
Block 140, Lots 105, 106, 107, 109
731 and 733 Highway 35
Colonial Terrace
Zone C-3

This is an application for preliminary and final site plan approval to permit a change of use and to erect a free-standing sign with variances.

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** and the reports were read into the record.

Board Planner James Higgins explained that the applicant wants to modify the building to allow a restaurant use that will require additional parking.

Board Engineer William Fitzgerald noted that restaurant uses are generally busiest during lunch times. The office next door is also busy at that time. Parking enforcement might be a problem. A loading area would have to be added for a restaurant use and trash pickup for a restaurant should be every-day-pickup.

Rick Brodsky, Esquire, representing the applicant, said that they do not yet have a restaurant tenant, but the landlord has been approached by a number of restaurants. It would be a smaller type of restaurant.

Mr. Brodsky presented Jon Buletza, Engineer for the applicant. The set of plans was marked as **evidence A-1**. He referred to a colored rendering of landscape sheet 4 of 10, revised through April 1, 2011. Mr. Buletza explained that the site has been approved for retail space that requires 78 spaces, 66 of which were built and 12 were to be green banked.

Currently, the property is under construction. The applicant is requesting to have up to half the building approved for restaurant use based on requests from potential renters. The ordinance requires 92 parking spaces. The applicant is proposing to add six spaces in the northeast area of the site and will make an agreement with the property owner to the north for shared parking of up to 8 spaces for certain hours.

The dumpster is 16' X 8' and is sufficient for restaurant use if it is picked up every day. The landlord has found a company that picks up seven days a week. There is a loading
Planning Board

area in the rear with doors for the units to access it. Along Berkeley Avenue there is a double staggered row of evergreen trees and a solid 6' fence. There should be a parking deficiency of 8 spaces.

The parking lot is connected to the parking lot to the north by an access aisle with a cross-easement. There will be a 4' wide walkway along the fence on 732 Highway 35 leading to a 4' wide concrete walk between the two sites. There will be a 'STOP for Pedestrian' sign at the walkway. There will also be a sign to direct the overflow parking to marked parking spaces. Mr. Fitzgerald recommended a striped cross walk.

Chairman Thomas Means said that he was not pleased with the 6 new parking spaces that go into the buffer area that is adjacent to a residential area.

Mr. Higgins noted that the area proposed for a double row of evergreens is not wide enough. Two of the parking spaces would have to be removed. He was concerned that there cannot be a spillage of light. He asked how many dumpsters will fit in the enclosure.

Mr. Buletza said they would have to talk to the hauler to see about the dumpster numbers.

Mr. Brodsky presented Rudy Samandarov, owner of the shopping center. Mr. Samandarov explained that he owns a number of sites, but Circle Plaza is the first in New Jersey. He started marketing the shopping center before it was built. He was not aware that retail did not allow restaurants and several small restaurants have approached him. He would like to lay out the space with 1500 to 2000 square feet for restaurant use. There are two leases signed; one for a coffee shop and one for a nail salon in addition to being in negotiations with a hair salon.

Chairman Means carried this application to the meeting of June 27, 2011.

NEW CASES

Martelli at Wayside, LLC

Block 37.16, Lots 33, 33.01, 34, 35, 36, 46, 47
Bowne Road and Deal Road
Wayside
Zone R-2/HD and R-1

This is an application for preliminary and final major subdivision approval with variances.

Attorney for the applicant: Craig M. Gianetti, 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**.

Craig Gianetti, Esquire, representing the applicant, explained that the application is for preliminary and final major subdivision approval for 30 single family homes; 29 on the main tract and one on Deal Road. The property is 15+ acres. The history of the property includes an approval in 2008 or 2009 for 12 single family lots.

This 30-lot subdivision is based on a settlement in regards to an affordable housing law suit. The agreement is that the applicant will build two affordable units off-site.

Mr. Gianetti presented A.J. Garrito, Engineer for the applicant, who placed a colored rendering of the development plan, sheet 1 of 1, revised through April 29, 2011, into **evidence A-1**.

Board Planner James Higgins read his report, dated June 4, 2011, into the record. He explained that the subject site is 15.28 acres and there are 30 proposed lots. There is 800' of frontage on Bowne Road and 100' of frontage on Deal Road. Since the first approval, the applicant has purchased two additional lots with homes on them that will be razed. There will be 29 residential lots and 2 common parcels. One will be a detention basin and one will be for a buffer area.

Board Engineer William Fitzgerald read his report, dated June 8, 2011, into the record. He felt that it would be of the best interest to have a technical meeting with the applicant's engineer to discuss small engineering details. Mr. Garrito agreed.

Mr. Garrito explained that the plan includes more lots than the original plan. There will be thirty houses and a loop road. There will be three homes accessing Bowne Road, one home will access Deal Road and the rest will be on a loop road. There will be a 'wet pond' in the center of the site for better storm water management that will outflow into the Deal Road system. Water will be kept onsite. The existing vegetation will be left around the perimeter of the site with a 25' buffer of trees. The sanitary sewer and storm sewer will be directed to Deal Road. The loop road will be a public road with a 30' wide roadway and sidewalks. New curbing will be added on Bowne Road and tie into the curbing that is there.

There will be two entrance signs; street trees will be planted; and there will be landscaping around the pond. There will be a 10' wide, landscaped, open space lot along Bowne Road where the houses back up to Bowne Road.

Mr. Garrito said that four styles of homes of similar architectural style will be built. They will be 4,000 square foot homes and the footprints shown on the plan are 50' X 50' for grading purposes. Three lot depth variances are necessary. Two of the lots on the loop road need variances because they are on a curve. The third lot is on the south side of the property with a jut that requires a variances.

Mr. Garrito had a concept layout plan marked as **evidence A-2**. This plan showed how the site could be designed without any variances, showing square lots rather than curved lots. The existing lot on Deal Road needs a lot width variance. Another lot needs a variance because of the seasonal high water table and a partly exposed basement.

Board Member Christopher Healy noted that the Environmental Commission asked if any of the older trees on the property will remain. Mr. Garrito said that the plan indicated that the only trees saved will be the perimeter trees because the site needs to be engineered. Any trees that can be saved will be saved.

From the audience: Andrew Zazzaly, 4 Pilgrim Hollow Road, asked about the height variance for one lot and if there are any restrictions for the homes that back up to Bowne Road. Mr. Higgins explained that if the first floor is higher than three feet above finished grade, it is considered a second floor. He said that the homes that back up to Bowne Road will have 15' of back yard that they can use and then there will be a 10' buffer.

Mr. Zazzaly complained about the speed of traffic on Bowne Road. Mr. Fitzgerald said that the Board must make sure that the sight distances are safe. Speed limits are not the jurisdiction of the Planning Board and that he should contact Township Council regarding that matter.

From the audience: Anthony Ercolino, 1231 Deal Road, questioned the grade above curb for the house on Deal Road and suggested moving the proposed house back so that it lines up with the existing homes on Deal Road. Mr. Garrito said the finished grade will be 125, which is 5' above the curb.

From the audience: Mike Conte, 3 Mahoras Drive, asked about adding a berm along Bowne Road. Mr. Garrito said that no berm is shown. It can be discussed at the technical meeting. Mr. Fitzgerald noted that the houses along Bowne Road drain towards Deal Road and a berm might not work.

From the audience: Joe Richter, 1226 Deal Road, agreed with a previous comment that the house on Deal Road should be moved back.

From the audience: Mike Recchia, 11 Clicwood Court, asked if there will be a buffer between the subject site and Clicwood Court. Mr. Fitzgerald explained that buffers are not required between residential developments, but there is a 25' buffer around the perimeter of the subject site.

From the audience: Mr. Zazzaly questioned how many lots the settlement included. Chairman Means explained that the settlement was for 31 lots. The original Planning Board approval was for 12 lots. Subsequent to that there was litigation and a settlement was reached.

From the audience: Donna Arvello, Grove Avenue, said that she is concerned with over-development. She asked if the site could be scaled down to remove the variances. Mr. Higgins said that the variances requested are technical in nature. It would be very different if they were substantial.

From the audience: Ferris Ginsberg, 34 Ascot, noted that the 25' buffer is sparse with vegetation. He also voiced concern that he might get water in his basement. Mr. Higgins said that the buffer can be supplemented. Mr. Fitzgerald noted that often landscaping is better off dealt with in the field rather than on paper.

From the audience, Zeek Lopes, 1236 Deal Road, said that he lives next door to the proposed house on Deal Road. He would like to see the roof drains on the proposed house tied into the street so that he does not get any additional water on his property. He asked how deep the pond will be.

Mr. Fitzgerald explained that the pond is proposed at 6' deep. This is so that it does not turn into a weed bed.

Chairman Means carried this application to the meeting of June 27, 2011.

Kane Brewing Company, LLC

Block 176, Lot 2
1750 Bloomsbury Avenue
Wanamassa
Zone I-1

This is an application for minor site plan approval in order to locate a chiller unit.

The Minor Site Plan Subcommittee had reviewed this application to locate a chiller unit on the subject property and recommended approval to the full Planning Board.

A motion of approval was made by Thomas Means and seconded by Fred Brody with the condition that the plans will be revised to show the unit satisfactorily protected by bollards or a letter shall be submitted, signed and sealed by a design professional, certifying that the existing bollards are satisfactory.

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

Memorialization took place in the same vote.

Lee Hoffman

Block 1.05, Lot 7
42 Cindy Lane
Wayside
Zone I-1

This is an application for minor site plan approval in order to store equipment in a rear parking lot.

The Minor Site Plan Subcommittee had reviewed this application to store equipment in a parking lot and recommended approval to the full Planning Board.

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

1. Approval is conditioned upon the utilization of the building floor area as depicted on the plan prepared by Robert A. Hazelrigg, dated April 26, 2011, with no revisions. Four signed and sealed copies of this plan must be submitted.

- 2. The applicant agrees to vacate any/all prior approvals for usage of the building floor area.
- 3. All requirements of the Board Engineer as outlined in the report dated June 8, 2011, (attached) should be completed no later than October 15, 2011.

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

Memorialization took place in the same vote.

Hollywood Golf Course

Block 40, Lot 1, 2, 34, 111
 510 Roseld Avenue
 West Deal
 Zone R-1

This is an application for minor site plan approval to locate temporary facilities for use as locker rooms, shower, and restrooms.

The Minor Site Plan Subcommittee had reviewed this application to locate temporary facilities on their property.

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

- 1. The plans must be revised to reflect the correct lot numbers.
- 2. In addition to obtaining any construction permits for the temporary locker rooms, showers, restrooms, and decks, the applicant shall apply for any required permits for the tenting and PODs. The PODs already located onsite are subject to possible relocation as required by the Fire Marshal. These requirements must be completed no later than July 1, 2011.
- 3. All temporary facilities will be removed no later than June 7, 2012.
- 4. All grass areas to be re-seeded shall be completed no later than September 30, 2012.

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

Memorialization took place in the same vote.

Meeting Adjourned 10:25 P.M.

Margo Simpson
 Board Secretary
 Recording Secretary