

**CAUCUS SESSION:**            7:00 P.M.            Public Meeting Room  
Deal and Monmouth Roads  
Oakhurst

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

MEMBERS     Anthony Andrisano  
PRESENT:     Fred Brody  
                 Carlo Gallelo  
                 William Garofalo  
                 Warren Goode, V Chair  
                 Christopher Healy  
                 John Verrilli  
                 Thomas Means, Chairman

MEMBERS     Estelle Klose  
ABSENT:      Stephen Levy, Alt I  
                 Ray Menell, Alt II

OTHERS PRESENT:            Sanford Brown, Esquire,            Board Attorney  
   James Higgins, P.P.,                Board Planner  
   Bill Fitzgerald, P.E.,                Board Engineer  
   Marianne Wilensky,                Planning Administrator  
   Rachel Goncharko,                 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 September 18, 2012.

**CASE CARRIED until October 22, 2012**

**The White House in Oakhurst, LLC**

Block 8 Lot 20  
45 Monmouth Road  
Oakhurst

**CASE CARRIED until further notice**

**CoCo Pari / Kimberly Lindau**

Block 22 Lot 83  
270 Norwood Avenue  
Oakhurst

**MINUTES FOR APPROVAL:**

A motion was made by Thomas Means and seconded by Warren Goode to approve the closed session minutes from the meeting of August 22, 2011.

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

A motion was made by Warren Goode and seconded by William Garofalo to approve the closed session minutes from the meeting of February 27, 2012.

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

A motion was made by Thomas Means and seconded by Warren Goode to approve the minutes from the meeting of July 23, 2012.

In Favor:     Andrisano, Goode, Healy, Verrilli, Means  
Opposed:     None

Ineligible: Brody, Gallelo, Garofalo  
Absent: Klose, Levy, Menell

A motion was made by Thomas Means and seconded by Christopher Healy to approve the minutes from the meeting of August 27, 2012.

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

### **CONTINUED CASE**

**Seaview Square, LLC by Rent  
Receiver Grubb & Ellis  
Management Services, Inc.  
d/b/a Newmark Grubb Knight  
Frank**

Block 141 Lots 1 & 23  
Route 35 & 66  
Ocean  
Zone C-4

This is an application for amended site plan approval in order to change conditions of a previous approval in regard to signage and to change some traffic controls.

Attorney for the applicant: Peter S. Falvo, Jr., Esquire

The Board's information packet, containing the proposed Ring Road Easement and proposed Stormwater Management Easement and Escrow Fund Agreement was marked into evidence B-4.

Attorney for the applicant, Peter S. Falvo, Jr., Esquire described the improvements made to the traffic patterns on the ring road and Route 66. Mr. Fitzgerald noted that they want to have dedicated right and left turn lanes on East Mall Drive.

Mr. Falvo said that at the last meeting the Ring Road Easement and Stormwater Management Easement and Escrow Fund Agreements needed to be worked out. The Board professionals had no issues with the Ring Road Easement.

The Board Professionals discussed the Stormwater Management Easement and Escrow Fund Agreement. Mr. Fitzgerald explained the purpose of the agreement, saying that he drafted it when new stormwater regulations came into effect. The agreement states that if the owner does not maintain the system, the town has the right to maintain it. A years worth of escrow is kept and renewed yearly in the event that the town must do work on the system. Mr. Fitzgerald said that the intent of the agreement was for it to be the same for everyone in town.

The Board Professionals and Mr. Falvo discussed the terms of the agreement. Mr. Falvo said that the applicant would like to change the agreement so that after ten years, the escrow is not to be replenished and the amount that is in there will remain. Mr. Falvo said that \$16,000 will be deposited now and will gain interest each year for ten years. Mr. Falvo said that the money will not be touched as the applicant performs the maintenance. The Board had no problems with this.

The Board discussed the timeframe for completing maintenance. Mr. Falvo suggested that the applicant has thirty days from the start of the work to complete it. The Board agreed that the applicant must begin work within 15 days of the notice and must complete the work within 45 days.

Mr. Falvo asked for an extension of time in order to complete the signs and foundation plantings by June 1, 2013. Mr. Fitzgerald had no issue with this.

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

In Favor: Brody, Goode, Healy, Verrilli, Means  
Opposed: None

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

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

To be memorialized October 22, 2012.

Meeting adjourned at 8:30 P.M.

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Rachel Goncharko  
Board Secretary  
Recording Secretary