

SPECIAL MEETING: 7:25 P.M. Public Meeting Room
Deal and Monmouth Roads
Oakhurst

MEMBERS

PRESENT: Anthony Andrisano
Carlo Gallelo
Warren Goode, V Chair
Stephen Levy (arriv. At 7:30 PM)
John Verrilli
Thomas Means, Chair

MEMBERS

ABSENT: Fred Brody
Joseph DiBenedetto, Alt II
William Garofalo
Estelle Klose
Ray Menell, Alt I

OTHERS PRESENT:

Sanford Brown, Esquire,
James Higgins, P.P.,
William Fitzgerald, P.E.,
Marianne Wilensky,
Rachel Goncharko,

Board Attorney
Board Planner
Board Engineer
Planning Administrator
Planning Board Secretary
Recording Secretary

Chairman 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 20, 2013.

APPOINTMENT of Board Professional

A motion to appoint **William Fitzgerald, P.E. as Planning Board Engineer** for the period running July 1, 2013, through June 30, 2014, was made by Thomas Means and seconded by Anthony Andrisano.

In Favor: Andrisano, Gallelo, Goode, Verrilli, Means
Opposed: None
Abstained: None
Absent: DiBenedetto, Gallelo, Garofalo, Klose, Levy, Menell

Board Member Stephen Levy arrived at 7:30 PM.

CARRIED CASE

1910 Investments, LLC

Block 34 Lot 22
1912 State Highway 35
Ocean
Zone C-2

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

Attorney for the applicant: Meryl Gonchar., Esquire

The Board's information packet was marked B-1. Board Planner James Higgins, P.P. read his report. Board Engineer William Fitzgerald, P.E. summarized his most recent report dated October 8, 2013. Mr. Fitzgerald said that there is confusion with approvals from the Department of Transportation regarding access to the jughandle onto West Park Avenue and Route 35 and asked for a copy of the permit to be submitted.

Attorney for the applicant, Meryl Gonchar, Esquire said that there are three units on the site which are under condominium ownership. The applicant is proposing to expand the footprint of the previously approved building. The applicant is also proposing to use a greater portion of the building for medical use.

Quirino Salvati, managing partner and owner, said that he wants to take the lead on the maintenance of the site. He explained that property maintenance has been an issue on the site for a long time and he wants to clean it up. He explained that he uses an

ownership model called fractional ownership that is used in 60 other high-end medical facilities. Board Attorney Sanford Brown, Esquire inquired as to Mr. Salvati's responsibility to maintain the property. Ms. Gonchar explained that all the owners are responsible to maintain the property and the portions of the common areas that they own. Mr. Brown asked if they are expanding the footprint of the building into the common areas. Ms. Gonchar said that they are not expanding the footprint, but filling it in. Mr. Salvati said that they are squaring off the building.

Mr. Brown asked the applicant to define the specialty practices that will be occupying the building. Mr. Salvati said that family medical practices have different parking needs than specialty doctors who are not all at the practice at the same time. Ms. Gonchar said that they have a witness who will discuss the mix of uses in the building.

The engineer for the applicant, John Buletza, PE of Nelson Engineering said that Mr. Salvati owns 23,100 square feet of property which accounts for 63.3% common ownership.

The architect for the applicant, William H. Cohen, of Cohen Design Building Association, PC in Cherry Hill, NJ marked the following items into evidence for ID-only.

- A-1 Architectural plans, sheets A-3 through A-6 dated 7/29/13 with no revisions.
- A-2 Rendered exhibit labeled 'Sheet A-2' of the proposed second floor plan dated 9/20/13 which is Sheet A-4 of the set marked A-1.
- A-3 Rendered exhibit labeled 'Sheet A-1' of the proposed first floor dated 9/20/13 which is Sheet A-3 of the set marked A-1.
- A-4 'Sheet A-1' of the previously approved first floor plan by Salvatore A. Louro Assoc. dated 12/08/03.
- A-5 'Sheet A-3' of the previously approved exterior elevations by Salvatore A. Louro Assoc. dated 12/08/03.
- A-6 'Sheet A-5' dated 10/03/13 of the Front and Rear Elevations.
- A-7 'Sheet A-6' of the Building Elevations which is Sheet A-7 in the set of architectural plans.

Mr. Cohen referred to A-6 to describe the proposed building which will be 23,000 square feet with two stories. The building will be slab on grade construction. The exterior of the building will be made of glass and pre-cast stone panels. Mr. Cohen referred to A-7 which shows that the side elevations also have the same materials and design as the front and back elevations.

Mr. Cohen referred to A-5 to compare the originally approved building with what is proposed. He said that the massing and height of the building will be the same. He referred to A-4 to compare the floor plans. The additional square footage of the building will be in the lobby and common space areas. No leasable space will be added. He referred to A-3 and A-4 to show that the core and common space will be much larger. He described the common areas as including the egress stall towers, elevators, bathrooms, staircases, lunch and break areas, hallways, fire stair towers and the main entrance. Mr. Cohen said that there is a nominal difference in the approved common areas versus the proposed common areas. Mr. Goode asked if the increase was aesthetic or necessary for the common elements? Mr. Cohen said that the patients will be able to enter the building under a covered canopy.

Planning Administrator Marianne Wilensky asked if any space was being taken away from allocated tenant spaces for the increase in common areas. Mr. Cohen said that all the common elements are the same. The Board discussed the calculation of the square footage.

Victor Angelin, an equity partner in medical buildings and developer, was presented as a fact witness. Mr. Angelin said that he has developed similar buildings and helped Mr. Salvati in creating the model of equity owners. He explained that each tenant is a stockholder in the building, which is more stable and keeps the tenants in the building longer. He said that there would be a mix of specialty practices where the doctors

practice in multiple locations such as hospitals and surgery centers, therefore, not having the same parking needs as a general practitioner. The Board discussed specialty versus general medical uses and how changes in tenants would be enforced by the Township. Mr. Angelin described the equity ownership model. Mr. Higgins said that in the future there is no guarantee that this building will always be under this financial structure.

The Board took a break between 9:30 PM and 9:40 PM.

John Buletza, PE of Nelson Engineering, submitted the following items into evidence:

- A-8 Site plan set revised through 9/25/13
- A-9 Sheet 2 of the site plan rendered to include landscaping
- A-10 Plan of the site showing 10'x18' parking spaces, dated 10/9/13
- A-11 Drainage Study, revised 7/21/03
- A-12 Parking Analysis, dated 8/28/13
- A-13 NJDOT Major Access permit, dated 4/26/05
- A-14 Access Permit Plan, revised 3/30/05

Mr. Buletza described the site and the variances being requested. He outlined a history of the NJDOT permits issued for the property. Originally there was only access to Route 35 until the BJ's store and the jughandle were built in 1999. The original plan proposed ingress and egress to the jughandle and got an access permit from the NJDOT. The alternative access rule indicates that if alternative access is available on a property with state highway frontage, than alternative access should be taken wherever possible. The terms of the major access permit are that they remove the egress to Route 35 and have two-way access to the jughandle. Mr. Buletza said that it makes sense to have the access to the jughandle since the proposed building is close to it and it will eliminate people driving through the site to get to Route 35.

The Board discussed the sight triangle at the drive aisle to the jughandle and the maintenance of the area, which Mr. Fitzgerald said is part of the BJ's detention basin. Mr. Fitzgerald said that he is concerned about the safety of the left turn and there needs to be a study or document to show traffic on the jughandle. Mr. Buletza said that the sight triangle conforms to ASHTO regulations and so the left turn is safe.

The ownership of the jughandle was discussed. Mr. Buletza said that he was told that the DOT took jurisdiction as a jughandle for Route 35. Mr. Fitzgerald wanted to know who is responsible for maintaining the wooded area of the detention basin. Ms. Wilensky referred to the site plan and said that the jughandle is part of a lot. Mr. Brown requested that Mr. Buletza return to the Board with information as to who owns that lot.

Mr. Fitzgerald said that he would like to see queue studies of the jughandle onto West Park Avenue on the site between 4:30 PM and 5:30 PM.

Mr. Buletza said that they are required to provide 213 parking spaces, where 198 are being provided. He referred to A-9 where 198 9'x18' spaces are shown and A-10 which shows 10'x'18 spaces. The Board discussed the options for the number of parking spaces and landscaped areas. Mr. Buletza said that the positive benefits outweigh the negative of granting the parking variance for less spaces because there would be more landscaped area, eliminating the landscaped area variance. Mr. Fitzgerald suggested areas by the bank which could be converted for more parking. Mr. Buletza said that they will consider that. Mr. Goode said that he is uncomfortable with changing the parking requirement for medical uses, but that if spaces can be added from other areas, then it may be considered.

Chairman Means carried this application to October 28, 2013.

Meeting adjourned at 10:37 P.M.

Rachel Goncharko
Board Secretary
Recording Secretary

