

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

DISCUSSION: Minor Site Plan Subcommittee Application

Helios Realty, LLC
Block 204 Lot 2

Planning Administrator Marianne Wilensky explained that the Board Planner's report indicated that variances are required and the applicant could not proceed tonight.

DISCUSSION: Borbely
Block 119 Lot 2

Ms. Wilensky explained that the Environmental Commission had contacted the applicant directly. The Board agreed that they wanted Ms. Wilensky to contact the Environmental Commission and explain that they should not be contacting the applicants directly as they are an advisory committee to the Planning Board in which their comments are considered by the Board Professionals in their reports.

DISCUSSION: 1910 Investments, LLC
Block 34 Lot 22

The attorney for the applicant, Meryl Gonchar, Esquire appeared to discuss the resolution which is on the agenda for memorialization. Board Attorney Sanford Brown, Esquire explained that there is a difference of opinions on the language of the resolution and what was discussed at the hearing. The first issue concerns the definition of the general use offices. The Board decided that the definition in the ordinance of "general" and "medical" uses would suffice. The second issue concerned the ingress and egress on Highway 35 and the DOT approval. The Board decided that whatever is approved by the DOT would be what the applicant must do.

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

MEMBERS

PRESENT: Fred Brody
Joseph DiBenedetto, Alt II
Carlo Gallelo
William Garofalo
Warren Goode, V Chair
Estelle Klose
Stephen Levy
Ray Menell
John Verrilli
Thomas Means, Chair

MEMBERS

ABSENT: Anthony Andrisano

OTHERS PRESENT: Sanford Brown, Esquire, Board Attorney
James Higgins, P.P., Board Planner
William Fitzgerald, P.E., Board Engineer
Marianne Wilensky, Planning Administrator
Rachel Goncharko, 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 November 18, 2013.

CONTINUED HEARING ON MASTER PLAN RE-EXAMINATION

The new date for the continued hearing on the Master Plan Re-Examination which was begun on October 28, 2013 has not yet been determined. At this time, we have not been able to establish a date where a quorum of eligible Planning Board Members, the Board Professionals and the room are available. The new date will be announced at the regular Planning Board meeting of December 9, 2013 at 7:30 p.m. No hearing will be held on that matter before that date or on that date. On December 9, 2013, the only action on the Master Plan Re-examination will be an announcement of the future hearing date.

RESOLUTION MEMORIALIZATION

Board Attorney Sanford Brown, Esquire explained the changes to the resolution that were agreed upon. He said that general office use will not be specifically defined in the resolution, but will be defined by the ordinance. The egress and ingress to Highway 35 and the jughandle will be dependent on the DOT approvals.

1910 Investments, LLC

Block 34 Lot 22
1912 State Highway 35
Ocean

Preliminary and Final Site Plan

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

CASE CARRIED to December 9, 2013

Scott Borbely

Block 119 Lot 2
1503 Sunset Avenue
Wanamassa

CONTINUED CASE

Seaview Acquisition, LLC

Block 141 Lots 1, 23
2301 Route 66
Ocean
Zone C-4

This is an application for minor site plan approval with variances.

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

Board Member Stephen Levy left the dais as he is disqualified on this application.

Jennifer S. Krimko, Esquire announced that she will be filling in for Peter Falvo, Esquire.

The Board's information packet containing the reports of the Board's professionals and in-house departments was marked B-2. Board Planner James Higgins, P.P. read his report, explaining that a balloon test was performed on site.

Tom Schneider, of Bergen Signs, submitted a packet of photos of the signs which was marked into evidence A-2. He explained that the pylon signs will have similar color schemes, using red and white colors. Photographs showing the location of the sign on Route 18 at night with a superimposed sign were marked A-3 for ID only. During the frame test, the banner was suspended at 65' with the top of the sign at 70'. He said that the photo is accurate as to where the sign will appear from Route 18. Mr. Schneider said that full engineering plans for the sign will be provided. Revised plans will also be submitted to show the correct size of the sign. Mr. Higgins explained that he drove around the area to see the sign during the test and the only place it was visible was from Cedar Village across Route 66. A photo from that location taken by Mr. Higgins was marked as B-3. Chairman Means asked if the sign will be lit all day. Ms. Krimko said that the lights in the parking lot are brighter than the sign will be. Board Engineer William Fitzgerald, PE said that the

ordinance doesn't regulate hours. Chairman Means suggested that the sign turn off at 11 PM.

Ms. Krimko submitted a plan dated January 4, 2011, revised January 6, 2012 which was marked into evidence A-4. Ms. Krimko said that there was a previous approval for striping and signage of the ring road. She said that the DOT approved the changes but that they are waiting for the end of the holiday season. She asked the Board to grant an extension for the completion of the landscaping. The Board agreed that the landscaping must be installed within a month of the installation of the signs but no later than June 1, 2014. Landscaping plans will be submitted by January 31, 2014. The signs must be installed by May 1, 2014.

Susan Borea, 39 Redwood Drive, asked if the sign will be lit all the time. Ms. Krimko said that it would be limited to what the Board desires.

Mr. Higgins continued his report, going through the variances requested for each sign, including sign area. Ms. Krimko said that the sign on Route 18 is larger than what is permitted so that the traveling public can see it from a distance. Mr. Schneider said that the sign will be designated for the logos of the national tenants. Ms. Krimko said that the sign will draw the national tenants and will also serve as direction for travelers off the highway.

Jose Nieto, operations manager for Guitar Center, appeared to testify as to the bollards proposed in front of the Guitar Center store. A plan dated June 21, 2013 consisting of 3 sheets was marked A-5, the proposed bollard site plan dated October 10, 2013 was marked A-6 and the spec sheet for the proposed bollards was marked A-7. Mr. Nieto explained that the bollards are standard at all their locations. They serve as a safety feature after past experience of cars driving through the glass exterior to steal merchandise. With regard to the proposed signage, Mr. Higgins said that he has no issue with the proposed signage as they are color coordinated and attractive.

Isaac Massry, an owner in Seaview Acquisitions, explained that it is his job to lease the spaces. He said that it is not easy to bring in tenants as it does not look like a typical shopping center. Prospective tenants do not like the lack of visibility from the road and signage. He said that there is room for more anchor stores and they want signs so that people know that they are there. The sign on Route 18 will be attractive to those anchor stores. Mr. Massry agreed to turn the sign off at 11:00 PM.

Susan Borea, 39 Redwood Drive, asked if they have done any studies to show if the sign will attract more people into the center. Mr. Massry said that he has not, but that he knows from experience that tenants ask if they will get space on the pylon signs as they are essential to people knowing those businesses are there. Ms. Borea said that the sign will be visible from their homes in Cedar Village.

Dr. Marwin Meller, 46 Redwood Drive, referred to B-3, and said that the people of Cedar Village would not be happy with the sign for the amount of money and taxes they pay for their homes. Ms. Krimko objected to his speaking on behalf of the community. Chairman Means said that he is part of a liaison committee, and that he does not represent the whole community. Mr. Brown confirmed with Dr. Meller that he attends community meetings but has no authorization to speak on behalf of the community.

Ms. Borea explained that she is on the Board of Directors at Cedar Village and explained the purpose of the committee. She said that if they had known of the sign on Route 18 prior to the hearing they would have alerted the community beforehand.

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

In Favor: Brody, DiBenedetto, Garofalo, Goode, Verrilli
Opposed: None

The items marked A-3 and B-3 for ID only were moved into evidence.

Mr. Garofalo asked if the prospective tenants would be asking for signage on the side of the building that faces Route 18. Mr. Massry said that the new tenant did not ask. Ms. Krimko said that the building faces the ring road rather than Route 18. Ms. Krimko said that they would have to come back before the Board for additional signage anyway. Mr. Higgins suggested that it be a condition of approval that there is no signage on that side of the building.

Chairman Means made a motion to re-open the public hearing.

The Board discussed the placement of the sign on Route 18 in order to alleviate the visibility from Cedar Village. Mr. Schneider said that during the test the crane was positioned 20 ft away from the actual location and that the wind made the banner move slightly. He said that the sign is proposed to be perpendicular to Route 18.

Florence Hauer, Cedar Village, asked if the Board would be voting tonight. Chairman Means said yes. She asked if there was any notice to Cedar Village. It was explained that Cedar Village is not within 200 feet of Seaview Square and notice was not required. Ms. Howard expressed concern that property values would go down.

A motion to close the public hearing was made by Warren Goode and seconded by Joseph DiBenedetto.

In Favor: Brody, DiBenedetto, Garofalo, Goode, Verrilli
Opposed: None

Mr. Brown asked if the Board wanted to impose strict timelines in which the approvals would become void if not completed. The Board discussed the timelines. The landscaping must be completed by June 1, 2014 with a 30 day leeway. The signs must be in by May 1, 2014. Revised landscaping plans must be submitted by January 31, 2014. If the timelines are not met, the approvals will become void.

A motion of approval was made by William Garofalo and seconded by Joseph DiBenedetto.

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

To be memorialized December 9, 2013.

Mr. Levy returned to the dais.

NEW CASE

3415 Sunset Avenue, LLC
Block 187 Lots 10, 10.01
3415 Sunset Avenue
Ocean
Zone I-1

This is an application for preliminary and final site plan approval to convert an existing print shop to office space. Variances are required.

Attorney for the applicant: Salvatore Alfieri, Esquire

Dustin Glass, Esquire appeared for Salvatore Alfieri, Esquire.

The Board's information packet containing the reports of the Board's professionals and in-house departments was marked B-1. Board Planner James Higgins, P.P. read his report, noting that the applicant submitted revised plans to show the landscaping. Board Engineer William Fitzgerald, PE summarized his report.

Mr. Glass agreed to satisfy all the comments in the reports of the Board professionals.

The engineer for the applicant, AJ Garito, PE referred to an exhibit with photos and a colored site plan showing landscaping. The exhibit was marked into evidence A-1 for ID only. He explained that the building will be used for a professional office with 30 parking spaces. He said that they will adhere to Mr. Fitzgerald's suggestions with regard to parking. Mr. Garito said that they are providing minor drainage improvements and will comply with the lighting ordinance. Mr. Higgins suggested making it a condition of approval that the landscaping plan on the western side be flexible because it is a difficult area. Mr. Garito agreed.

The architect for the applicant, Jeff King, LLA referred to architectural plans marked into evidence A-2 to describe the proposed changes to the building. He said that the brick in the front will remain and the sides will be painted a light brown/earth tone color. The paint color will be indicated on revised plans. Dimensions of the signs will also be shown. He said that the applicant is repairing the existing signs and updating the building. Mr. Fitzgerald said that it is required that the freestanding sign be downlit. Mr. King said that they propose a goose neck light which will conform to the ordinance.

James Jordan, owner of the business, gave an overview of the operations of the real estate and title insurance business. He said that he is now located in Eatontown and has wanted to move to Ocean for many years. There will be 24 employees working 7 am – 6 pm. He said that there are not many clients coming to the site on a daily basis.

A motion to close the public hearing was made by Thomas Means and seconded by Warren Goode.

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

A motion of approval was made by Thomas Means and seconded by Warren Goode.

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

Meeting adjourned at 10:05 P.M.

Rachel Goncharko
Board Secretary
Recording Secretary