

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

CONTINUED HEARING: Master Plan Re-Examination – Void
West Park Avenue and Green Grove Road
Block 35 Lots 6, 7, 8, 10, 11, 13, 14, 46

Chairman Means announced that the continued hearing on the Master Plan Re-Examination has been voided and a new hearing will begin during the regular meeting.

DISCUSSION: Minor Site Plan Subcommittee Application

**3415 Sunset Ave, LLC
Block 187 Lots 10, 10.01**

Planning Administrator Marianne Wilensky explained that the applicant is proposing a generator, landscaping and lighting changes to their original approval. The applicant will have to regrade and topsoil before putting seed or sod down. They will also prepare plans for the sign that meet the lighting ordinance per the Board Engineer's review. The minor site plan subcommittee members unanimously agreed to recommend this application to the full Board for approval.

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

MEMBERS
PRESENT: Anthony Andrisano
Fred Brody
Carlo Gallelo
William Garofalo
Warren Goode, V Ch
Estelle Klose
Stephen Levy
John Verrilli
Thomas Means, Chair

MEMBERS
ABSENT: Joseph DiBenedetto, Alt II
Ray Menell, Alt I

OTHERS PRESENT: Sanford Brown, Esquire, Board Attorney
James Higgins, P.P., Board Planner
William Fitzgerald, P.E., Board Engineer
Marianne Wilensky, Planning Administrator
Rachel Montemarano, 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 August 1, 2014.

MINUTES FOR APPROVAL

A motion was made by Thomas Means and seconded by Stephen Levy to approve the minutes from the meeting of **July 31, 2014.**

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

A motion was made by Thomas Means and seconded by William Garofalo to approve the minutes from the meeting of **August 25, 2014**.

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

RESOLUTION MEMORIALIZATIONS

Selma LLC

Block 34 Lot 14
1710 Highway 35
Ocean

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

Woodland Family Farm

Block 60 Lots 3, 4
60 Wickapecko Drive
Ocean

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

CASE CARRIED to November 24, 2014

BJ's Wholesale Club, Inc.

Block 34 Lots 15.01, 20, 21, 26
1904 Route 35
Ocean

PUBLIC HEARING:

Master Plan Re-Examination

West Park Avenue and Green Grove Road
Block 35 Lots 6, 7, 8, 10, 11, 13, 14, 46

Chairman Means disqualified himself on this hearing and left the dais. Vice Chairman Warren Goode served as chairman.

Mr. Higgins gave a synopsis of the re-examination report. He said that there is a new proposal for 75 detached single family homes that are age restricted. In addition, the developer will make a contribution to the Township's affordable housing trust fund. He noted that compared to the existing R-1 zone standards where up to seven homes could be built with direct access onto West Park Avenue, the proposed plan provides for no direct access to West Park Avenue, with the exception of emergency access.

Vice Chairman Goode said that it sounds like a better plan than what was originally proposed. Mr. Higgins said that it is a better plan and is better than what is currently allowed, and the Town benefits, too.

Vice Chairman Goode said that there would have been more school-aged children without the age-restriction. Mr. Higgins agreed, and noted that no direct access to West Park Avenue is also a benefit.

Vice Chairman Goode commended the Township Council on lowering the number of proposed homes. Mr. Higgins said that the original plan proposed 140 units with the last proposal for 102 units. In addition, affordable housing will be able to move to another site in town using the developer's contribution.

Dr. Scott Delaney, 1205 West Park Avenue, asked about the buffers and if there was a plan that he could see. Mr. Higgins said that there is a small schematic on file. The 75' buffer was probably decided upon so that they could fit all the units. He said that it will be buffered. Dr. Delaney asked if they could negotiate the plantings in the buffer. Mr. Higgins said that the project will go before the Board for site plan approval for those details. Dr.

Delaney asked about land swaps as he had initially been approached by the developers. Mr. Higgins said that he can not answer if that is something they will entertain. Vice Chairman Goode asked if Dr. Delaney's property could be included in the rezoning. Mr. Higgins said that the Board could recommend that and that there is no downside to including his property. Dr. Delaney said that he would be open to that in order to make his property more flexible. Vice Chairman Goode recommended that Dr. Delaney's property at 1205 West Park Avenue be included in the rezoning. Dr. Delaney asked if he could then hook into the sewer system. Board Engineer William Fitzgerald said that the Town is always looking to get properties on sewer. Vice Chairman Goode said to come to the future site plan hearings and request it.

Fenton Hudson, 13 Mahoras Drive, expressed concern that there was confusion as to the agenda and many people did not know that there was a hearing tonight. Board Attorney Sanford Brown explained that there was due process in notification of the voided hearing and notice for the new hearing. Mr. Hudson said that there is an informational gap.

Dr. Delaney agreed with Mr. Hudson's comments saying that no one knew about the new plan. He said that it was not clear on the agenda and the plan should not be voted on tonight.

Vice Chairman Goode said that he believes that this new plan incorporates the desires expressed by the public during previous hearings and includes more benefits to the Township. Mr. Brown read the notice for the hearing, indicating that it gives clear notice that there may be a vote. Mr. Delaney said that more people would be at the meeting if they knew there was going to be a vote. Planning Administrator Marianne Wilensky explained the process again, noting the Board is here to make a recommendation for the Master Plan. Mr. Brown said that the next step is to go back to Council. When the project comes back to the Board, individual notice will be given to property owners within 200'. Mr. Delaney said that he feels that the neighbors need more information before the Master Plan is re-examined.

Mr. Higgins asked if Dr. Delaney would like his property to be included in the rezoning. Dr. Delaney said that he would be agreeable to that.

Barbara Hudson, 13 Mahoras Drive, said that there is a disconnect and that more needs to be done to inform the public, suggesting publishing articles in the newspaper. Mr. Brown said that the Board cannot do that and said that a legal notice was published as required. Mrs. Hudson said that no one reads the legal notice section and that she has a problem with the Board voting tonight. Vice Chairman Goode said that this was the time to get more information and that people would be here if they were interested. Mr. Hudson said that the public was not informed that a new plan was available and that the agenda says nothing about a new plan, saying that the posted agenda had changed from Thursday to Friday.

Jennifer S. Krimko, the attorney for the developer proposing the re-zoning, noted that there are timelines required in order to adopt the new ordinance. The ordinance must be adopted within the same year as the re-examination. Board Attorney Sanford Brown and Councilman William Garofalo agreed that the timelines were correct, noting that there would be at least a 90 day delay if the ordinance is not adopted by December 31, 2014. Ms. Krimko asked the Board to vote on the re-examination in order to meet those deadlines, noting that they were only there to discuss the changes to the Master Plan. She said that neighbors will have an opportunity to speak at the Council hearings for the rezoning.

A motion to close the public hearing was made by Warren Goode and seconded by Anthony Andrisano.

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

After closing the public hearing, Vice Chairman Goode asked the Board members for a consensus on taking a vote.

Steve Levy said that what is now proposed is close to what is already in the Master Plan. He said that it makes no sense to carry the vote to the next meeting and that he is very pleased with the changes.

Tony Andrisano said that this is an improvement.

Carlo Gallelo said that he does not feel that the vote should be carried and that he does not want to jeopardize the developer's ability to develop the property as proposed.

William Garofalo said that this property was the focus of a builders remedy lawsuit that the Township successfully defended. Now there is a builder that wants to develop. He noted that this plan does not protect the Township from another lawsuit should the developer back out. He said that it is time to vote.

A motion to adopt the master plan re-examination report was made by Warren Goode and seconded by Anthony Andrisano.

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

Chairman Means returned to the dais.

DISCUSSION: Capital Review: Board of Education

The Superintendent, Ken Jannarone and the Business Administrator, James Stefankiewicz of the Board of Education approached the Board to present their capital improvement plan. Mr. Stefankiewicz outlined their plans to maintain the facilities, including upgrades to the heating and ventilation systems and upgrades to the classrooms in each school. He said that the vote on the \$28.9 million referendum is on December 9, 2014. Mr. Jannarone said that right now they are in the concept/schematic phase, but if the referendum should be passed, they will come back to present more detailed plans. They are requesting a letter from the Planning Board to be sent to the Department of Education, a draft of which Board Attorney Sanford Brown read, indicating that the Board will do a review of the proposed project and has no exception to the DOE continuing with its review.

A motion to recommend the sending of the letter to the Department of Education for the proposed capital improvement plan was made by Thomas Means and seconded by Warren Goode.

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

NEW CASE

3415 Sunset Ave, LLC

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

This is an application for minor site plan subcommittee approval in order to install a generator and to make landscaping and lighting changes.

Planning Administrator Marianne Wilensky gave an overview of the application for a generator and changes to the landscaping and lighting. The subcommittee members unanimously recommended this application for approval with two conditions including a detailed plan for the lighting of the sign for review by the Board Engineer and that the area must be regraded and topsoiled before seed or sod is installed.

A motion of approval and memorialization was made by Thomas Means and seconded by Carlo Gallelo.

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

Board Planner James Higgins said that he will revise the re-examination report with today's date to send to Monmouth County Planning Board. He asked the Board if he should include Dr. Delaney's property at 1205 West Park Avenue. The Board agreed that it should be included.

Meeting adjourned at 9:25 P.M.

Rachel Montemarano
Board Secretary
Recording Secretary