

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

DISCUSSION: Minor Site Plan Subcommittee Applications

**Foring Dental Holdings, LLC
Block 25.21 Lot 5**

Planning Administrator Marianne Wilensky explained the Board Planner went to look at the site and discovered other issues on-site with regard to fencing and paving that need to be addressed. She sent the applicant the Board Planner's report with a note to call her to discuss but has had no response. The application is not able to proceed at this time and unlikely to be on for the next meeting with little time to resubmit revised plans.

**Bank of America
Block 187 Lot 5**

Ms. Wilensky explained that the lighting requires variances and a public hearing is needed for this application.

DISCUSSION: Ordinance #2234

Chairman Thomas Means and Board member Joseph DiBenedetto are disqualified on this discussion and left the dais.

Nick Falcone, Esquire from the law office of Sanford Brown, Board Attorney, explained that the Board must determine if this proposed ordinance is in conformance with the Master Plan. Board Planner James Higgins gave an overview of the ordinance, which creates an overlay zone of age restricted housing. Vice Chairman Goode said that the proposed ordinance sums up what was discussed at the master plan re-examination hearing.

The Board unanimously agreed to recommend the Ordinance to Council, noting that it is in conformance with the Master Plan.

Chairman Means and Dr. DiBenedetto returned to the dais.

Fenton Hudson, 13 Mahoras Drive, addressed the Board to said that while he felt that the information regarding the master plan re-examination was unclear to the public, he thought that the public would be happy with the outcome.

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

MEMBERS Anthony Andrisano
PRESENT: Fred Brody
 Joseph DiBenedetto, Alt II
 Carlo Gallelo
 Warren Goode, V Ch
 Estelle Klose
 Stephen Levy
 John Verrilli
 Thomas Means, Chair

MEMBERS
ABSENT: William Garofalo
 Ray Menell, Alt I

OTHERS PRESENT:	Nick Falcone, Esquire, James Higgins, P.P., William Fitzgerald, P.E., Marianne Wilensky, Rachel Montemarano,	Board Attorney Board Planner Board Engineer Planning Administrator Planning Board Secretary Recording Secretary
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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.

CARRIED CASE

BJ's Wholesale Club, Inc.
Block 34 Lots 14.01, 20, 21, 26
1904 Route 35
Ocean
Zone C-2

This is an application for minor site plan approval with variances in order to construct a propane gas refill station.

Attorney for the applicant: John A. Giunco, Esquire

The Board's information packet containing the reports of the Board's professionals and in-house departments was marked as B-1. Board Planner James Higgins, PP summarized his report and gave a brief description of the application which proposes a propane filling and loading area on the western end of the building near the tire center. He explained that the applicant has proposed an alternate layout in order to address the concerns in their reports.

Nicholas Falcone, Esquire, serving as Board Attorney in the absence of Sanford Brown, Esquire confirmed that there is no conflict for Board members who are also members of BJ's Wholesale Club.

Board Engineer William Fitzgerald, PE summarized his report. Vice Chairman Goode noted that the parking lot seems dark and asked if Mr. Fitzgerald had looked at the lighting. Mr. Fitzgerald said that since the application was only for minor site plan, he did not look at the lighting for the whole site.

Attorney for the applicant, John Giunco, Esquire explained that the applicant is proposing an area for retail sales of propane. He said that it is located near the tire center because employees in the tire center will be certified to handle the propane.

The project manager for the application, Steve Powers, submitted Sheet PT-1 entitled 'Proposed Propane Site Area' revised through 10/8/14 which was marked into evidence A-1. He said that the sale of this product is a permitted use and listed other BJs locations in New Jersey that offer propane, including North Brunswick and Hamilton. He said that the filling area is on a 18' x 40' concrete pad with one 1,000 gallon tank with a dispenser to fill 20 – 30 lb. grill tanks. The pad will be surrounded by bollards and a chain link fence to protect it from vehicles or people going in. There are two gates that must be opened during filling but then are kept closed all other times. The employees filling the tanks are trained by the Propane Education Research Council. The filling station will have the same hours of operation as the tire center and store, which are open Monday – Saturday from 9 AM to 10 PM and Sunday 9 AM – 8 PM. The dispensing tank is filled 2 -3 times a week by a propane supply truck which takes 10 – 15 minutes.

Mr. Powers explained that the Department of Community Affairs regulates the sale of propane and plans will be submitted to the DCA after Planning Board approvals are granted by the town.

Mr. Powers addressed the Board's professionals' concerns regarding the cart corrals. He said that since there is an excess of parking spaces on the site, they will stripe each side of the corrals to create 10' islands that will not be landscaped to prevent cars from parking next to them.

Mr. Powers said that the location of the filling station meets all DCA and NFPA safety requirements. He said that they chose that location because it is not paved and there is no access.

Sheet PT-4 'Sign Details' revised through 10/8/14 was marked into evidence A-2. He said there are many redundant signs for safety purposes, which is very important to BJs. He said, to date, there have been no accidents at a BJs facility. The largest sign is 2.3' x 3' which displays the price. The signs for the propane station are only located around the fill station.

With regard to the Crime Prevention report, Mr. Powers said that BJs does not have any issue with installing surveillance cameras. Mr. Guinco questioned who would be watching the cameras. Ms. Wilensky said that the Police Department most likely assumed that BJs has other security cameras. Chairman Means suggested tying into that system. Mr. Powers agreed. Mr. Fitzgerald asked if there were new tanks on site. Mr. Powers said that most people bring their own tanks, but that new tanks for sale will be locked up.

With regard to Mr. Fitzgerald's concern about curb maintenance, Mr. Powers agreed that repairs will be done 150' around the main pedestrian entry to the store.

Mr. Powers explained how the filling system will work. There will be a two-way intercom system that a customer will buzz to the tire center. The trained employee will fill the customer's tank and then the customer will go into the tire center to pay. He said that they can also pay before filling.

Mr. Powers described the new plan for the location of the loading area. He said that they are now proposing to shift the facility to leave 3 spaces for customer parking and 6 spaces that will be striped for the propane truck loading area. Chairman Means said that the plan sounds good and noted that that portion of the parking lot does not get much use. Mr. Giunco said that they will amend the application to that plan subject to the satisfaction of the Board's professionals. Revised plans will be submitted. Planning Administrator Marianne Wilensky said that revised plans must be submitted by this Wednesday in order to be heard at the December meeting. Mr. Powers agreed to getting the plans submitted by Wednesday.

A motion to close the public hearing was made by Vice Chairman Goode and seconded by Mr. Levy.

In Favor: Andrisano, Brody, DiBenedetto, Gallelo, Goode, Klose, Verrilli, Means
Opposed: None

Chairman Means asked Mr. Falcone to prepare a positive resolution for the next meeting. Chairman Means carried this application to December 8, 2014.

NEW CASE

Smart Access

Block 33.34 Lots 5, 6
1709 Highway 35
Ocean
Zone C-3

This is an application for minor site plan approval with a variance.

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

The Board's information packet containing the reports of the Board's professionals was marked B-1. Board Planner James Higgins read his report.

The attorney for the applicant, Peter S. Falvo, Jr., Esquire said that they have had a few technical review meetings with the Board's professionals before tonight's hearing. He said that the owner of the property had a partnership with the builder who did the work not according to the approved plans without the owner's knowledge. Mr. Falvo said that what is built is still an asset and is an improvement to what was there before.

Chairman Means referred to the letter from the applicant's architect in the packet marked B-1, in which stated that there were items omitted per the owner's request. Mr. Falvo indicated that the builder was part-owner. Mr. Falvo said that the plans approved by the Board were very specific and that had he been the attorney for the application, he would not have submitted those plans. The color restrictions cause a problem for leasing tenants. Chairman Means said that the Board works hard to attain uniformity on Route 35.

Mr. Falvo said that they will change the sign colors and will have a provision in the lease. They will have to hire an architect to measure the sign. Mr. Higgins said that they will need to submit a plan for the sign. He said that the colors of the freestanding sign and the building signs should be the same.

Rachel Abitbul, one of the owners of the property, said that when they discovered things were going wrong they severed the partnership. Chairman Means said that he does not find the building to be unattractive, but that there needs to be continuity with the signs. Ms. Abitbul agreed.

Vice Chairman Goode said that he is glad to see that stone mulch is not permitted. Chairman Means asked if the stone mulch can be replaced. Ms. Abitbul said that stone mulch is less of a flood hazard and a fire hazard. Mr. Higgins said that wood absorbs more water and Chairman Means said that plants do better in wood mulch. He said that he does not want to set a precedent by allowing them to keep the stone mulch.

The Board discussed the sign colors. Mr. Higgins referred to the sign package for 731 Highway 35 which he said allowed for flexibility yet continuity.

Chairman Means suggested that the applicant meet with Mr. Higgins and submit a plan for the existing freestanding sign and include colors on the architectural plans. Mr. Falvo agreed. The applicant will also replace the stone mulch with natural mulch. Mr. Higgins suggested wood mulch.

Chairman Means carried this application to January 26, 2015.

Meeting adjourned at 8:20 P.M.

Rachel Montemarano
Board Secretary
Recording Secretary