

CAUCUS SESSION: 7:15 P.M. Council Chambers
Deal and Monmouth Roads
Oakhurst

Planning Administrator Marianne Wilensky asked the Board Members if they would be available for a Special Meeting for **Camp Allsport**, who wants to install swimming pools for their summer camp. There were no days available when all the Board's professionals could attend. The Board members instructed Ms. Wilensky to tell the applicant that they could not have a special meeting.

REGULAR MEETING: 7:35 P.M. Public Meeting Room
Deal and Monmouth Roads
Oakhurst

MEMBERS	Tracy Berkowitz, Alt. I	MEMBERS	Mario Delano, Alt. III
PRESENT:	Jane Grabelle	ABSENT:	Henry Schepiga, Vice Chair
	Warren Goode, Chair		
	Brian Lefferson, Alt. IV		
	Jennifer Lombardi		
	Russell Malta		
	David Messer		
	Leon Pflaster, Alt. II		
	Richard Van Wagner, arr. 8:22 P.M.		

OTHERS PRESENT	Mark A. Steinberg,	Zoning Board Attorney
	Marianne Wilensky,	Planning Administrator
	William Fitzgerald,	Board Engineer
	James Higgins,	Board Planner, Left 10:02 P.M.
	Margo Simpson,	Board Secretary
		Recording Secretary

Chairman Warren Goode announced that the notice requirements for the Open Public Meetings Act have been satisfied, a copy of the notice was sent to the Asbury Park Press, the Coaster, and the Atlanticville, posted in the Township Hall, and filed in the Office of the Township Clerk on July 11, 2008.

MINUTES FOR APPROVAL

A motion was made by Warren Goode and seconded by Russell Malta to **approve the minutes from the meeting of April 2, 2009.**

In Favor: Berkowitz, Lefferson, Malta, Goode
Opposed: None
Ineligible: Grabelle, Lombardi, Messer, Pflaster
Absent: Delano, Schepiga, Van Wagner

RESOLUTION MEMORIALIZATIONS

Ramon and Luz Gomez

Block 33.12, Lot 18
614 West Park Avenue
Oakhurst

Bulk Variance Approval

MOVED: Goode SECOND: Berkowitz
FAVOR: Berkowitz, Lefferson, Malta, Goode
OPPOSED: None
INELIGIBLE: Grabelle, Lombardi, Pflaster
ABSENT: Delano, Schepiga, Van Wagner

Steven Grasso

Block 33.23, Lot 8
1904 Vernon Street
Oakhurst

Bulk Variance Approval

MOVED: Goode SECOND: Berkowitz
FAVOR: Berkowitz, Lefferson, Malta, Goode
OPPOSED: None
INELIGIBLE: Grabelle, Lombardi, Pflaster
ABSENT: Delano, Schepiga, Van Wagner

Russell and Betty Williams
Block 5.03, Lot 9
1 Wallace Avenue
Oakhurst
Bulk Variance Approval

MOVED: Goode SECOND: Berkowitz
FAVOR: Berkowitz, Goode, Lefferson, Malta
OPPOSED: None
INELIGIBLE: Grabelle, Lombardi, Pflaster
ABSENT: Delano, Schepiga, Van Wagner

Morten and Susanne Nissov
Block 142, Lot 7.03
6 Mark Place
Wayside
Bulk Variance Approval

MOVED: Goode SECOND: Berkowitz
FAVOR: Berkowitz, Lefferson, Malta, Goode
OPPOSED: None
INELIGIBLE: Grabelle, Lombardi, Pflaster
ABSENT: Delano, Schepiga, Van Wagner

SEARCH Day Program, Inc.
Block 138, Lot 75
73 Wickapecko Drive
Wanamassa
Reaffirm Use Variance

MOVED: Goode SECOND: Berkowitz
FAVOR: Berkowitz, Lefferson, Malta, Goode
OPPOSED: None
INELIGIBLE: Grabelle, Lombardi, Pflaster
ABSENT: Delano, Schepiga, Van Wagner

SEARCH Day Program, Inc.
Block 138, Lot 75
73 Wickapecko Drive
Wanamassa
'c' variance for fence approval

MOVED: Goode SECOND: Berkowitz
FAVOR: Berkowitz, Lefferson, Malta, Goode
OPPOSED: None
INELIGIBLE: Grabelle, Lombardi, Pflaster
ABSENT: Delano, Schepiga, Van Wagner

SEARCH Day Program, Inc.
Block 138, Lot 75
73 Wickapecko Drive
Wanamassa
Amended Site Plan Approval

MOVED: Goode SECOND: Berkowitz
FAVOR: Berkowitz, Lefferson, Malta, Goode
OPPOSED: None
INELIGIBLE: Grabelle, Lombardi, Pflaster
ABSENT: Delano, Schepiga, Van Wagner

CARRIED to the meeting of June 11, 2009

Joseph Vassallo
Block 10, Lot 2.01
104 Norwood Avenue
Elberon Park

Aaron Haleva
Block 26.04, Lot 18
387 Beecroft Place
Oakhurst

Stephen DeLuca
Block 22, Lot 57
244 Roosevelt Ave.
Oakhurst

Lisa Palandrano
Block 133, Lot 4
8 Oak Drive
Wanamassa

Harold Dweck
Block 53, Lot 5
228 Crosby Avenue
Deal Park

Steven Shamie
Block 69, Lot 13
606 Corlies Avenue
West Allenhurst

CONTINUED CASES

Bruce Horn

Block 211, Lot 2
1901 Logan Road
Wanamassa
Zone R-4

This is an application to enclose a carport and add second story additions with variances for front yard setbacks for a porch and two additions and for lot coverage.

The Board's information packet was marked as **evidence B-1**. This packet contained the reports of the Board's professionals and in-house departments.

Planning Administrator Marianne Wilensky explained that the applicant has approached Township Council in regards to purchasing a strip of land next to his lot.

Bruce Horn said that he spoke to the Township Manager and they came to an agreement on the price of the property.

Ms. Wilensky explained that she spoke on this date to the Township Manager and he is amiable to the applicant being granted an approval with the condition that the property will be purchased.

A motion to close the public hearing was made by Warren Goode and seconded by Jane Grabelle.

In Favor: Berkowitz, Grabelle, Lefferson, Lombardi, Malta, Messer, Goode
Opposed: None

A motion of approval was made by Warren Goode and seconded by Russell Malta.

In Favor: Berkowitz, Grabelle, Lefferson, Lombardi, Malta, Messer, Goode
Opposed: None
Ineligible: Pflaster
Absent: Delano, Schepiga, Van Wagner

To be memorialized on June 11, 2009.

Umberto Rescinio

Block 1.15, Lot 6
101 Rolling Meadows Boulevard South
Wayside
Zone R-1/PAC

This is an application to erect a deck over 3' in height with a variance for rear yard setback.

Chairman Warren Goode disqualified himself from this application. Board Member Russell Malta Chaired this application.

The Board's information packet was marked as evidence B-2. Planning Administrator Marianne Wilensky explained that there was concern by the Board at the last hearing because there are neighbors to the rear. The applicant has changed the plans to have a platform outside the sliding doors leading to steps that will go down to a patio in the back of the house.

Mr. Rescinio said that he will have a platform that will be eight feet wide and four feet deep.

Board Engineer William Fitzgerald suggested planting an Arborvitae at the point of each support post for the platform. The applicant agreed.

A motion to close the public hearing was made by Jane Grabelle and seconded by Jennifer Lombardi.

In Favor: Berkowitz, Grabelle, Lefferson, Lombardi, Malta, Messer, Pflaster
Opposed: None

A motion of approval was made by Jennifer Lombardi and seconded by Jane Grabelle.

In Favor: Berkowitz, Grabelle, Lefferson, Lombardi, Malta
Opposed: None
Ineligible: Messer, Pflaster
Disqualified: Goode
Absent: Delano, Schepiga, Van Wagner

To be memorialized on June 11, 2009.

Edward and Linda DeRosa

Block 1.10, Lot 12
29 Rolling Meadows Boulevard South
Wayside
Zone R-1/PAC

This is an application to relocate stairs and construct a paver patio with a variance for rear yard setback.

Chairman Warren Goode disqualified himself from this application. Board Member Russell Malta Chaired this application.

Mr. DeRosa explained that he has changed his proposed plan from a deck to a patio since the last hearing.

The Board's information packet was marked as **evidence B-2**. Planning Administrator Marianne Wilensky explained that the applicant previously was seeking a 12' X 30' deck with stairs. The new plan relocates the stairs to the east side of a platform that will lead to a 12' X 32' patio.

Mr. DeRosa explained that his lot slopes and the patio will be lifted by an eight inch wall at the outside.

A motion to close the public hearing was made by Jennifer Lombardi and seconded by Brian Lefferson.

In Favor: Berkowitz, Grabelle, Lefferson, Lombardi, Malta, Pflaster
Opposed: None

A motion of approval was made by Jennifer Lombardi and seconded by Jane Grabelle.

In Favor: Berkowitz, Grabelle, Lefferson, Lombardi, Malta, Pflaster
Opposed: None
Ineligible: Messer
Disqualified: Goode
Absent: Delano, Schepiga, Van Wagner

To be memorialized on June 11, 2009.

CARRIED CASES

Gold Coast Automotive
Block 3, Lots 7, 8, 9
2123 Highway 35
Oakhurst
Zone C-2

This is an application for a 'd' variance and for preliminary and final site plan approval with variances.

Attorney for the Applicant: Jennifer S. Krimko, Esq.

Chairman Warren Goode disqualified himself from this application. Board Member Russell Malta Chaired this application.

The Board's information packet was marked as **evidence A-1**. Board Planner James Higgins and Board Engineer William Fitzgerald read their reports into the record.

Mr. Fitzgerald felt that the driveway should be widened for a better inside radius for trucks, which is a significant safety issue. In addition, the site lighting is in need of tweaking.

Jennifer S. Krimko, Esquire, representing the applicant, placed the following into evidence:

Evidence A-1 - The site plan, thirteen sheets revised through April 21, 2009.

Evidence A-2 - The architectural elevations, two sheets revised through January 9, 2009.

Evidence A-3 - The architectural floor plan, two sheets revised through September 9, 2008.

Evidence A-4 - Colored rendering of the overall site plan with landscaping, sheet 6 of 13.

Ms. Krimko presented Robert F. Yuro, Engineer for the applicant. Mr. Yuro explained that this property is in the C-2 zone and has existing buildings and a parking field. Another building has recently been demolished. The access to the site is

by a split driveway on the southern portion of the site and a combined driveway on the northern side of the property.

The purpose of the application is for an expansion of the dealership. The building will be expanded and the site cleaned up. There will be an addition to the rear on the south side of the building and an expansion of a 1100 square foot glassed area in the front. There will also be an addition of 2000 square feet on the north side.

Vehicle and new car storage will be on the south side of the building with used car storage in the rear. The drainage will be improved to eliminate ponding. There will be new pavement throughout the site.

Additional trees will be planted to buffer the property to the rear along with additional landscaping around the perimeter of the property. There will be a gap in the landscaping in the front to allow a view of the building.

Mr. Yuro continued to explain the lighting requirements will be met. Mr. Fitzgerald said that the lighting should be no higher than 8.8.

Mr. Higgins noted that the existing pavement in the rear of the building is in the flood plain. Mr. Fitzgerald felt that the applicant should contact the Department of Environmental Protection regarding the rear of the site. Mr. Yuro said that the pavement in the area Mr. Fitzgerald referred to will be replaced at the same elevation.

Mr. Yuro said that there are two existing signs on the property. One is just south of the main driveway and the second sign is in the front of the asphalt area. The main sign will be replaced and will meet the ordinance requirements in size, but will require a variance for location. The ordinance requires that it be downstream from the entrance but it will be upstream.

Mr. Yuro explained that there will be four individual signs. On the front of the primary showroom there will be two signs. One sign will say 'Gold Coast' and the second sign will say 'Cadillac Hummer Saab' and will total 279 square feet. There will be two additional signs on the service building.

Customer parking will be on the north side of the building. Per the recommendation of the Board Planner, the parking spaces on the south side of the building can be changed from 10' to 8' for more inventory storage.

The existing vegetation on the east side of the property will remain. The existing lines of the pavement will be followed for the new pavement. The existing landscaping will be replaced and fencing will be added on the north side of the site. The fence on the east side will be replaced.

Mr. Fitzgerald noted that the Department of Public Works had concerns about the litter and debris in the stream. He recommended a conservation easement to maintain the stream area. The fence is about two feet from the pavement and then there are about eight feet to the property line. The stream is located on the Gold Coast property.

Ms. Krimko said that the applicant agrees to Mr. Fitzgerald's suggestion.

Board Member David Messer questioned why there are two entrances to the property. Mr. Yuro said that the south entrance is for the car carriers. The driveway has been reconfigured and has been approved by the Department of Transportation. The trucks will be isolated to the south parking field.

Ms. Krimko presented John M. Reynolds, Gold Coast Dealer, who explained that they will replace the fence on the north and rear of the property and on part of the south side. They do not want to fence-in the inventory because statistics show that there is more theft when inventory is fenced-in. There will be security cameras on the site.

Mr. Fitzgerald commented that the Police like well lit parking lots for visibility for the patrol cars.

A motion to close the public hearing was made by Jennifer Lombardi and seconded by Tracey Berkowitz.

In Favor: Berkowitz, Grabelle, Lefferson, Lombardi, Malta, Messer, Pflaster
Opposed: None

A motion of approval to reconfirm the 'd' variance was made by Jennifer Lombardi and seconded by Jane Grabelle.

In Favor: Berkowitz, Grabelle, Lefferson, Lombardi, Malta, Messer, Pflaster
Opposed: None
Ineligible: Van Wagner
Disqualified: Goode
Absent: Delano, Schepiga

A motion of approval of the bulk variances was made by Jennifer Lombardi and seconded by Leon Pflaster.

In Favor: Berkowitz, Grabelle, Lefferson, Lombardi, Malta, Messer, Pflaster
Opposed: None
Ineligible: Van Wagner
Disqualified: Goode
Absent: Delano, Schepiga

A motion of approval of the site plan was made by Jennifer Lombardi and seconded by Jane Grabelle.

In Favor: Berkowitz, Grabelle, Lefferson, Lombardi, Malta, Messer, Pflaster
Opposed: None
Ineligible: Van Wagner
Disqualified: Goode
Absent: Delano, Schepiga

To be memorialized on June 11, 2009.

Oakhurst Partners, LLC

Block 33.34, Lots 5, 6
1709 Route 35 North
Oakhurst
Zone C-3

This is an application for a 'd' variance and preliminary and final site plan approval with variances.

Attorney for the applicant: Jennifer Krimko, Esquire

The Board's information packet was marked as **evidence B-1**. This packet contained the reports of the Board's professionals and in-house departments, which were read into the record. Board Planner James Higgins explained that the applicant requires a floor area ration variance because 30% is allowed, 33.2% exists, and 35.4% is proposed. Currently, there is room to park seven cars with no defined parking area. The applicant is asking for a variance for the sign on the front property line.

Mr. Higgins felt that the handicapped parking could be moved to the north side of the parking area, which would allow room for one more parking space. All the parking will be located in the front yard setback. There is no place else to put the parking. The loading will be on the Belmont Avenue side of the building and will also be in the front yard. This property only has one side that is not in the front yard. A donation to the Shade Tree Fund in the amount of \$1,575.00 should be made.

Board Engineer William Fitzgerald explained that he has had a technical meeting with the applicant's engineer. The plan needs to demonstrate that trucks can get into the site without a problem. The subject site is 'L' shaped. The adjacent property within the 'L' also has an application for development before the Planning

Board. Mr. Fitzgerald felt that he should have a joint meeting with both engineers to design proper drainage to benefit everyone.

Jennifer S. Krimko, Esquire, representing the applicant, placed the following into evidence:

- Evidence A-1** Engineering plan revised through March 11, 2009; 8 sheets.
- Evidence A-2** Signage plan revised through September 3, 2008.
- Evidence A-3** Architectural plans revised through June 25, 2008.
- Evidence A-4** Aerial photograph from Virtual Earth.

Ms. Krimko presented Elizabeth M. Waterbury, Engineer and Planner for the applicant. Ms. Waterbury referred to the aerial photograph which was marked as **evidence A-4**, pointing out that the property is 'L' shaped. There are two existing buildings on the property with parking in the front. To the south of the building there is an additional parcel where parking will be added.

The subject site has frontage on three streets. Talmadge Avenue is on a portion of the south side. There is a corner lot on the south side that fills in the 'L', which is the subject of another application.

In regards to the engineering of the site, to the north there is a stream with a wetlands buffer overlapping on to the subject property, which encompasses most of the northern building on the site.

On lot 7 there is an isolated wetlands and a 50' buffer that overlaps on the subject property. The applicant had to work with the Department of Environmental Protection on this issue to see what the DEP would allow.

The property has existing asphalt in the front. There can be no parking in the rear because of the wetlands delineation. There can be a loading zone in the rear area. The proposed 570 square foot addition falls short of the wetlands line.

Ms. Waterbury pointed out that in 2005 the DEP changed the format for stormwater management. One of the things added dealt with water recharge. The applicant will be using permeable pavers that will be installed in a herring bone design. The pavers are placed on top of layers of stone. Ms. Waterbury agreed to meet with Mr. Fitzgerald regarding the drainage.

Ms. Waterbury continued, now providing planning testimony. The use on the site is permitted. The proposed layout significantly increases the parking. The circulation will be one-way in and one-way out. The trash area will be in the front of the property to improve the service to the site and aesthetics to the neighbors in the rear. The architecture will be an improvement over what currently exists on the site.

Mr. Fitzgerald noted that there is a pole-mounted light in the back of the building. He suggested that it be motion activated and pointed away from the properties to the east. Ms. Waterbury agreed, adding that there will also be low security lighting in the rear.

Ms. Krimko said that the parking requirement for retail at 5-per-1000 would require 47 spaces for this building; 7 are existing and 20 are proposed.

Ms. Waterbury said that there is no opportunity for parking any place on the Highway, so there needs to be enough parking on the site. She felt that the parking would self-police in the respect that prospective tenants would see that there are only 20 parking spaces and know if that would be enough for their use.

There will be a fence along lot 7 and a portion of Talmadge Avenue with plantings in the front. In designing the site, the applicant has looked into discouraging parking on Bellmore Street or Talmadge Avenue.

To the south of the subject site is a building with a sign that is much closer to the highway than the subject building and blocks the view of the site coming north on the Highway. The free-standing sign is proposed on the property line to be visible to show that Oakhurst Plaza is there.

Chairman Warren Goode was concerned that there would not be enough parking for a site that is used for retail.

Ms. Waterbury said that the parking lot was designed as one way so that cars coming in can see if there is parking. If the lot is full, they will be able to continue out the exit drive.

Board Member Jennifer Lombardi pointed out that the parking requirement is 47 and the applicant is only proposing 20 spaces. She felt that the Board should not even consider this request.

Board Member Russell Malta questioned the life expectancy of the permeable block. Ms. Waterbury explained that the block needs maintenance, which consists of brushing yearly. After about ten years there is a reduction in permeability and it will need to be water-jetted. It has a fifty-year life expectancy.

Ms. Krimko said that the applicant does not want to limit the use of the site to furniture sales only. They want to expand the uses on the site.

Board Member David Messer said that he had a concern with the type of retail that would utilize the site and how many parking spaces would be taken up by employees before the customer parking begins.

Chairman Goode carried this application to the meeting of June 11, 2009.

NEW CASES

Victor and Joanne Grazi

Block 55, Lot 4
101 Crosby Avenue
Deal Park
Zone R-2

This is an application to maintain a hedge with a variance for hedge height in a front yard.

The Board's information packet was marked as **evidence B-1**. This packet contained the reports of the Board's professionals and in-house departments, which were read into the record. Planning Administrator Marianne Wilensky explained that the applicant is seeking to keep a hedge row. She had no problem with the request.

Board Engineer William Fitzgerald noted that the hedge row is along Washington Drive, which has a 100 foot right of way and the hedge is about 17' from the curb line. He had no problem with the variance request.

Victor Grazi said that he wants the hedge row for privacy. The hedge replaced a previous hedge that was about 10' high. In addition to privacy and buffers it from NJ Transit railroad tracks.

A motion to close the public hearing was made by Jennifer Lombardi and seconded by Jane Grabelle.

In Favor: Berkowitz, Grabelle, Lombardi, Malta, Messer, Van Wagner, Goode
Opposed: None

A motion of approval was made by Jane Grabelle and seconded by Jennifer Lombardi.

In Favor: Berkowitz, Grabelle, Lombardi, Malta, Messer, Van Wagner, Goode
Opposed: None
Ineligible: Lefferson, Pflaster
Absent: Delano, Schepiga

To be memorialized on June 11, 2009.

Daniel O’Gorman
Block 95, Lot 2
62 Park Boulevard
Wanamassa
Zone R-6

The applicant’s lot has street frontage on three sides. This is an application to construct an addition with a variance for front yard setbacks on both Park Boulevard and West Dittmar Drive.

The Board’s information packet was marked as **evidence B-1**. This packet contained the reports of the Board’s professionals and in-house departments, which were read into the record.

Daniel O’Gorman explained that he wants to remove the carport and replace it with a room because he has four children and needs more room.

The Board had no problem with the applicant’s request.

A motion to close the public hearing was made by Russell Malta and seconded by Jane Grabelle.

In Favor: Berkowitz, Grabelle, Lombardi, Malta, Messer, Van Wagner, Goode
Opposed: None

A motion of approval was made by Russell Malta and seconded by Richard Van Wagner.

In Favor: Berkowitz, Grabelle, Lombardi, Malta, Messer, Van Wagner, Goode
Opposed: None
Ineligible: Lefferson, Pflaster
Absent: Delano, Schepiga

To be memorialized on June 11, 2009.

Mayer Chemtob
Block 9, Lot 11
205 Park Avenue
Elberon Park
Zone R-1

This is an application to keep a driveway with a variance for driveway width in a front yard.

The Board’s information packet was marked as **evidence B-1**. This packet contained the reports of the Board’s professionals and in-house departments, which were read into the record. Planning Administrator Marianne Wilensky explained to the Board that the applicant received a previous approval for a driveway on his property and she does not recommend approval of the current application.

Board Engineer William Fitzgerald felt that the previous application the Board approved is the best scenario for the applicant’s driveway and he did not recommend approval of the current application.

Mayer Chemtob explained that after reviewing the functionality of the last approval, he found that it would be a hardship to reduce the size of his driveway. He holds fundraisers in his home and has family affairs there. It is impossible to make a K-turn to exit the property. After the last approval he coned-off the area that was to be removed and someone actually hit a pillar on his house because it was so tight. It will be a major hardship if a portion of the driveway is taken out. Backing into Park Avenue is a detriment to the public good.

Mr. Fitzgerald noted that the applicant can put in a circular driveway that will conform to the ordinance. Mr. Chemtob felt that a circular driveway would be in close proximity to the intersection and that would not be safe. Mr. Fitzgerald disagreed.

Chairman Goode pointed out that the applicant chose to build his house where it is located while he has a very large back yard. Therefore, he created his own hardship.

Chairman Goode felt that there is no hardship according to the law. Board Member Richard Van Wagner felt that the applicant has an alternative and that there is no basis for an approval.

Board Member Russell Malta told the applicant that what was approved last time was at the outer limits of what the application warranted. The paved area that the Board allowed left a lot of room for parking and there is not reason to change it.

Planning Administrator Marianne Wilensky explained that the previous approval has expired and would have to be re-affirmed.

A motion to close the public hearing was made by Jane Grabelle and seconded by Russell Malta.

In Favor: Berkowitz, Grabelle, Lombardi, Malta, Messer, Van Wagner, Goode
Opposed: None

A motion to deny the applicant's current request and reaffirm the previous approval was made by Warren Goode and seconded by Jane Grabelle.

In Favor: Berkowitz, Grabelle, Lombardi, Malta, Messer, Van Wagner, Goode
Opposed: None
Ineligible: Lefferson, Pflaster
Absent: Delano, Schepiga

To be memorialized on June 11, 2009.

Meeting adjourned 10:30 P.M.

Margo Simpson
Board Secretary
Recording Secretary