

CAUCUS SESSION: 7:15 P.M. Municipal Building First Floor Conference Room
Deal and Monmouth Roads
Oakhurst

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

MEMBERS PRESENT: Mario Delano, Alt. III
Jane Grabelle
Warren Goode, Chair
Brian Lefferson, Alt. IV
Russell Malta
David Messer
Leon Pflaster, Alt. II
Henry Schepiga, Vice Chair

MEMBERS ABSENT: Tracy Berkowitz, Alt. I
Richard Van Wagner

OTHERS PRESENT Mark A. Steinberg, Zoning Board Attorney
Marianne Wilensky, Planning Administrator
William Fitzgerald, Board Engineer
James Higgins, Board Planner
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 9, 2010.

MINUTES FOR APPROVAL A motion was made by Henry Schepiga and seconded by Russell Malta to approve the **minutes from the meeting of May 2, 2011**

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

RESOLUTION MEMORIALIZATIONS

Hillel School

Block 34.03, Lots 2, 2.01
1025 Deal Road
Wayside

Preliminary and Final Site Plan Approval

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

Hillel School

Block 34.03, Lots 2, 2.01
1025 Deal Road
Wayside

Conditional Use Approval

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

Hillel School

Block 34.03, Lots 2, 2.01
1025 Deal Road
Wayside

Bulk Variance Approval

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

APPLICATION WITHDRAWN

Beth Medrash of Asbury Park

Block 216, Lot 19
1515 Logan Road
Wanamassa

APPLICATIONS CARRIED TO JUNE 2, 2011

Pamela Larsen

Block 121, Lot 2
2 Wanamassa Point Road
Wanamassa

Carol Gallina

Block 35.02, Lot 14
23 Framingham Road
Wayside

Stefan Betesh

Block 25, Lot 144
426 Brookside Avenue
Oakhurst

CARRIED CASES

Eddie Alavi

Block 1.03, Lot 5
2 Hanley Road
Wayside
Zone AR-3/PRD

This is an application to erect a deck with a variance for rear yard setback.

The Board's information packet, containing the reports of both the Board's professionals and in-house departments, was marked into **evidence B-1** and the reports were read into the record.

Applicant Eddie Alavi said that he speaks little English and introduced his brother in law, Reza Ardakanian, to speak for him.

Planning Administrator Marianne Wilensky explained that the applicant is seeking to construct a second story deck that will be accessed from his kitchen on his bi-level house. A rear yard setback variance is necessary. No bushes will be planted because they would block the light from the first floor room under the kitchen.

Mr. Ardakanian said that the kitchen is on the second floor and Mr. Alavi wants a deck. There is a house behind them and not enough room to build the deck without a variance.

A motion to close the public hearing was made by Henry Schepiga and seconded by Russell Malta.

In Favor: Delano, Grabelle, Malta, Messer, Pflaster, Schepiga, Goode
Opposed: None

A motion of approval was made by Henry Schepiga and seconded by Russell Malta. Mark Steinberg, Esquire, read a prepared resolution of approval into the record.

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

Memorialization took place in the same vote.

T-Mobile Northeast, LLC

Block 1, Lots 30, 31, 32
1215-1229 West Park Avenue
Wayside
Zone R-1/PAC

This is an application for 'c' and 'd' variances with minor site plan approval to erect a monopole and for a sign variance.

Attorney for the applicant: Frank Ferraro, Esquire

Board Member Mario Delano disqualified himself from this application. Chairman Warren Goode read a prepared statement to the audience explaining the hearing process and the procedures that are followed by the Board.

The Board's information packet, containing the reports of both the Board's professionals and in-house departments, was marked into **evidence B-1** and the reports were read into the record. Both the Board Engineer and the Board Planner agreed that the site needs to be updated. Board Engineer William Fitzgerald noted that the Fire District and the Police Department have requested to have presence on the tower if it is approved.

Frank Ferraro, Esquire, representing the applicants, said that the application has two components. First is the existing signage on the site for the Wayside Methodist Church. There are two existing signs and a third new sign in front of the Church. The Church was advised that variances are required.

Mr. Ferraro presented Reverend Jacqueline Burgess, Pastor of the Wayside Methodist Church. Pastor Burgess explained that there are currently three signs on the property that have been there for a long time. The newest sign is on the original I-beam that has been there for over 25 years. This sign lists special events.

Pastor Burgess said that one of the signs advertises that there is a cemetery and the Church wants to utilize more of the 7,000 gravesites that are on the property. Some of them are in the treed area that would have to be cleared.

The oldest sign is advertising the use of the Fellowship Hall. The Church sign, which is hanging on the sign on the I-beam, has been there for over fifty years. It was replaced three or four years ago. The Pastor changes every two years and the sign has to be painted over each time with a new name. The old sign did not meet the needs of the Congregation and it was time to replace it.

The Church has been at this location since February of 1882 and has been a Methodist Congregation since that time. The cemetery is most likely older than the Church because there are graves that date to the Spanish American War.

The sign that was replaced four years ago was ordered by the Trustees of the Church. While the sign was still in the original box, someone came from the Town and put a violation notice on the box. After that time a representative from the Church spoke with the Zoning Officer and was under the impression that the Church was given a verbal approval to put up the sign.

Mr. Ferraro said that they want to legitimize the signs through variance relief. The Church has no plans to change any of the signs.

Board Engineer William Fitzgerald said that he has no concerns about the signs, but he has concerns with the sight triangles for the driveways. The signs should not be in any sight triangles.

Board Planner James Higgins said that the plans need to have more detail on them regarding the sign in front of the Church. The signs never had approvals. The current sign on the I-beam is larger than the previous sign on the I-beam.

Chairman Warren Goode carried this application to the meeting of June 2, 2011.

NEW CASES

Agnaldo Olinski

Block 128, Lot 11
1302 Garven Avenue
Wanamassa
Zone R-6

This is an application to change the location of a tree house using it as a storage shed with a variance for lot coverage of 48.8% where 35% is required.

The Board's information packet, containing the reports of both the Board's professionals and in-house departments, was marked into **evidence B-1** and the reports were read into the record. Planning Administrator Marianne Wilensky explained that the applicant has a tree house that was built without permits and needs to be

removed. He wants to place it on the ground and use it as a shed. Board Engineer William Fitzgerald felt that the applicant's lot is over-built.

Mr. Agnaldo Olinski explained that he needs a shed because his garage is full and he has three children with bicycles and toys. Everything is piled up in the garage.

Chairman Warren Goode explained to the applicant that the Board needs legal reasons to grant a variance for lot coverage. Planning reasons are needed for him to keep the shed. He asked what is inside the tree house now.

Mr. Olinski said that he needs a place that locks for his tools because he lives close to an area where there are a lot of thefts. The tree house has some of his children's toys in it. He said that he sent letters to all his neighbors and on one complained. The shed will be five feet from the fence.

Board Member David Messer voiced concern about the excessive lot coverage. Ms. Wilensky explained that the Zoning Officer calculated the lot coverage for the house at 44.8% and the shed would add another 4%.

Mr. Olinski said that the shed is 8' X 14' and 8' to 9' high. Ms. Wilensky noted that the application shows that the shed is 10' X 15'. She explained to the Board that the tree house is adjacent to a neighbor's tree and overhangs the property line. After he was sent a notice, the applicant decided to take down the tree house and put it in a conforming location. It is a small lot with a large house. There are many sheds in the area, but not many garages.

Board Member Russell Malta said that he reviewed the plan and calculated that the increase in coverage will be 10%. The applicant will have to supply extraordinary evidence why the application should be approved. Board Member Messer agreed and added that the applicant would have to provide information on sheds in the neighborhood.

A motion to close the public hearing was made by Henry Schepiga and seconded by Jane Grabelle.

In Favor: Delano, Grabelle, Malta, Messer, Pflaster, Schepiga, Goode
Opposed: None

A motion to deny the application because it would create excessive lot coverage was made by Warren Goode and seconded by Henry Schepiga.

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

To be memorialized on June 2, 2011.

Fulvio Figliola

Block 26.04, Lot 38
370 West Park Avenue
Oakhurst
Zone R-3

This is an application to replace a driveway with a variance for side yard setback.

The Board's information packet, containing the reports of both the Board's professionals and in-house departments, was marked into **evidence B-1** and the reports were read into the record.

Board Engineer William Fitzgerald explained that the applicant wants to replace his driveway.

Fulvio Figliola applicant explained that he and the neighbor have driveways that connect with the property line in the middle of the two driveways. The houses were built in the 1800's and the driveways have always been there. He wants to pave the driveway because when cars pull into the current driveway they create dust clouds. The neighbor next door also has plans to replace their driveway.

A motion to close the public hearing was made by Henry Schepiga and seconded by Jane Grabelle.

In Favor: Delano, Grabelle, Malta, Messer, Pflaster, Schepiga, Goode
Opposed: None

A motion of approval was made by Warren Goode and seconded by Henry Schepiga.

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

To be memorialized on June 2, 2011.

Glen and Amanda Smyth This is an application to erect a 5' fence with a variance for front yard setback on a corner lot.
Block 25.03, Lot 1
100 Ampere Avenue
Oakhurst
Zone R-4

The Board's information packet, containing the reports of both the Board's professionals and in-house departments, was marked into **evidence B-1** and the reports were read into the record.

Glen Smyth explained that he needs a fence for the safety of his children because West Lincoln Avenue is a busy street. There is an existing fence on the Ampere Avenue side of the lot. He needs a front yard setback because he wants to enclose the deck inside the fence. He also wants to be able to have the garbage behind the fence. There are currently six plantings on the Ampere Avenue side.

There was discussion between the applicant and the Board Engineer about how many plantings should be placed in front of the fence. The applicant wants to plant two flowering trees. The Board Engineer suggested Weeping Cherry trees with six low growing bushes. The applicant agreed.

The fence detail was marked as **evidence A-1**. The applicant was informed that the trees must be planted in the next planting season after the fence is installed.

A motion to close the public hearing was made by Henry Schepiga and seconded by Jane Grabelle.

In Favor: Delano, Grabelle, Malta, Messer, Pflaster, Schepiga, Goode
Opposed: None

A motion of approval was made by Warren Goode and seconded by Henry Schepiga.

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

To be memorialized on June 2, 2011.

RSC Realties

Block 3, Lots 5, 6
2127 Highway 35
Oakhurst
Zone C-2

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

Attorney for the applicant: Gerald N. Sonnenblick, Esquire

The Board's information packet, containing the reports of both the Board's professionals and in-house departments, was marked into **evidence B-1** and the reports were read into the record.

Board Engineer William Fitzgerald said that his main concerns dealt with the driveway and the on-site circulation. The applicant has made some changes and realigned the driveway to make it better. A New Jersey Department of Transportation (DOT) permit is required, as the project is a major development under State requirements.

Mr. Fitzgerald also noted that there are homes downstream that flood and that has to be taken into consideration. The applicant will consolidate the two lots into one lot.

Board Planner James Higgins said that there is no parking requirement for this type of use because of the inventory use. The Board needs to know how many employees they will have and provide testimony as to the number of stalls proposed.

Representing the applicant, Gerald Sonnenblick, Esquire, explained that the applicant appeared before the Planning Board in 2010 for the Mini Cooper dealership. They agreed at that time to restore the back of the property to its original gravel state. That application required variances for three façade signs. Currently, the applicant wants to merge that lot with the lot to the south of it.

Mr. Sonnenblick presented Michael James Monroe, Architect for the applicant and marked a colored rendering into **evidence A-1**. Mr. Monroe explained that the applicant is seeking to create an overall unified design theme for the two buildings. They will be the same design and color and will be a good improvement to the site. There will be a series of additions to both buildings making them typical of overall dealerships. The southerly building will have a two-story showroom in front and a shop area in the back. There will be a glass addition in the front and lower one-story additions on the north side of the building and the south side of the building.

The north building has existing service bays in the back. For the showroom they will add a glass cube and a second story addition. They need a 14' clearance for the lifts. The height of the building will be 32' 10", which will be three-feet lower than the Highway and have no negative impact. There will be a solar array along the northern property line. The signage will be typical for dealerships with an ID sign and a logo.

Three pictures were marked as **evidence A-2**. They showed the Mini building, the DE Jones building, and the Gold Coast building. A site rendering of Phase I was marked as **evidence A-3**.

Mr. Sonnenblick presented John Rea, Traffic Expert for the applicant. Mr. Rea said that he reviewed the site plan and reports and had a technical meeting with the Board's professionals after which changes to the plan were made. The applicant needs a Lot Consolidation Permit from the DOT and a Highway Access Permit for the curb cuts. The existing curb cut will be enlarged slightly to allow access for the trailers to come into the site. There will be a central driveway to service the parking on both sites and bring people to the rear of the site. The two buildings will work as one site. The entrance will be on the south end with the exit on the north end. They will need a waiver from the DOT for the number of entrances, but he did not expect that to be a problem.

Mr. Rea continued to explain that in order to make the internal circulation work better, the two-way circulation aisle on the south side will be changed to a one-way aisle and can be reduced from 26' to 24' to allow more landscaping.

The employee and customer parking will be 9' X 18' and the inventory stalls will be 8' X 18'. The applicant has an off-site location in another town for storage of inventory. There is sufficient parking onsite for employee, customer, and inventory parking.

The parking spaces on the south side in the front will be angled to steer people to exit to the north. There will be a one-way drive aisle. A template was used on the south curb cut to make sure there will be enough room for transportation vehicles to access the site.

Chairman Warren Goode asked how many inventory cars will be held onsite. Mr. Rea said that the requirement per ordinance is four spaces per bay which equals 76 spaces for inventory. There will be a maximum of 70 spaces for employees with additional parking for customers. The number of spaces onsite will be 224.

Chairman Goode carried this application to the meeting of June 2, 2011.

Meeting adjourned 10:10 P.M.

Margo Simpson
Board Secretary
Recording Secretary