



MEETING TIME: 7:00PM

PLACE: Public Meeting Room, Municipal Building,
Deal and Monmouth Road, Oakhurst

The meeting was called to order at 7:02 pm.

SALUTE TO THE FLAG

ROLL CALL WAS TAKEN:

MEMBERS PRESENT: Julia Surmonte, Jack Ades, Councilwoman Gitta Kaplan, Michael Palutis,
Vicechair Ed DiFiglia, Chairman Jeffrey Weinstein

MEMBERS ABSENT: David Bodnovich, Jack Mamiye, Jemal Beale, John Duthie, Eric Menell

OTHERS PRESENT: Board Attorney – Marc Leckstein, Board Planner - Jim Higgins, Board Engineer
– Bennett Matlack, Planning Administrator – Colleen Mayer, Board Secretary-
Claire Vilanova

CHAIRMAN STATEMENT:

Chairman Jeffrey Weinstein 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 and the Coaster, posted in the Township Hall, and filed in the office of the Township Clerk.

EMERGENCY MEETING

There is an emergency exit through the courtroom doors and two exits at the rear of the room

NO SMOKING

BOARD POLICY

No new cases will be started after 10:30pm, and no new testimony taken after 11:00pm

NOTICE

All meetings will be video and audio taped and shown on the Township of Ocean's Community Cable Channel, Channel 22 on Verizon FiOS, and Channel 77 on Cablevision. All cell phones must be turned off, or if you need to make a call, please do so outside of the meeting room

Chairman Weinstein recused himself from the Minor Site Plan Subcommittee application for the Hollywood Golf Club, Block 40 Lots 1, 2, 34, 82, 83, 84, 100 & 101, 510 Roseld Avenue, Ocean, 07712 Zone R-1. Attorney: Jennifer Krimko, Esquire

The applicants seek approval from the Minor Sit Plan Subcommittee to demolish approximately 800 square feet of area from the existing Clubhouse and construct new one-story additions totaling 3,686 square feet to the Clubhouse. He turned it over to Vicechair DiFiglia who stated the subcommittee reviewed the application and is unanimously recommending to the Board to approve it, and he asked

for a motion to accept and approve this Minor Site Plan application. Member Paultis made the motion, and Member Surmonte seconded. Roll Call: Surmonte, Ades, Councilwoman Kaplan, Palutis, Vicechair DiFiglia. Ineligible: Chairman Weinstein. No one opposed

Chairman Weinstein read the correspondence received regarding 720 Corlies Avenue, Block 76.01 Lot 2, regarding Flood Hazard Area verification.

A motion to approval the minutes from August 26, 2024, and September 23, 2024, was made by Chairman Weinstein, and Vicechair DiFiglia seconded. All were in favor. No one opposed.

CONTINUED CASE:

3200 Sunset Commons, LLC, Block 137 Lot 23, 3200 Sunset Avenue, Ocean, 07712, Zone C-3. Chairman Weinstein stated Member Palutis listened to this case from the last hearing and has certified this in writing. He is up-to-date on all the discussions and will be able to vote.

Attorney Leckstein to the Chairman the only issue that we did not finish at the last meeting, where there were concerns about the traffic along Logan.

Attorney Krimko introduced herself on behalf of the applicant. She stated she did not present a planning testimony for the minor variances and wanted to defer to the Board whether or not that was necessary. She stated the variances had nothing to do with the access. She recapped from the last Board meeting she proposed alternative access to Logan Road, and a Board member had suggested limiting it to right-in, right-out only on Logan Road in an effort to avoid any issues from the objecting neighbors who live across the street. A traffic engineer was hired to examine the existing roadways, the traffic patterns on the existing roadways, whether or not adding traffic onto Logan Road is appropriate or whether or not it would become a problem. She stated this is a permitted use and entitled to the access, but since the neighbors were concerned, they wanted to give accident reports, and presented Justin Taylor, who did a traffic impact study. It was entered into evidence as Exhibit A-7. She stated they would agree to a no left turn out onto Sunset Avenue during peak hours which is from 4pm to 7pm which is why they want this alternative exit in the first place.

Attorney Leckstein clarified he did not say that the Board couldn't restrict them from going out on the road, he believed what he said was it's a permitted use and cannot take offsite traffic into consideration, that does not mean that you're automatically allowed onto access onto there. Attorney Krimko agreed and stated they were not responsible to show that the roads can accommodate it, but since they are asking for this access on this lesser roadway, they brought the traffic engineer to speak about restricting Logan Road and to give comfort that Logan Road has the capacity and will not cause a problem for the neighbors across the street.

Justin Taylor was sworn in by Attorney Leckstein. He is a Licensed Engineer in the State of New Jersey specializing in traffic. He had the opportunity to do traffic counts and prepared a report which was moved in as A-7. He summarized his findings and recommendations. He looked at both the existing conditions along both Sunset Avenue and Logan Road, as well as, the potential impact of creating a driveway out to Logan Road. Traffic counts were conducted at peak hours which are 7:00 to 9:00 in the morning and from 4:30 to 6:30 pm. The applicant was questioned what the busiest day they have on their site when all the doctors are there, and it turns out to be Thursdays. There is a queue from the traffic light that went past the driveway. Heading eastbound on Sunset it routinely would back up from the signal past the driveway of the proposed development.

Attorney Leckstein interrupted to state Member Mamiye arrived to the meeting at 7:11 pm. Chairman Weinstein affirmed Member Mamiye signed confirmation of listening to the last meeting and will be able to vote. Attorney Krimko appraised him of the traffic impact study that was introduced and the traffic engineer who explained that he counted the traffic on both roadways, the intersection, as well as, in and out of the driveway and was talking about his findings.

Mr. Taylor picked up testimony looking at the traffic that was currently entering and exiting the site and then who would reroute to this new driveway. The left turn out onto Sunset Avenue is a major component of this because the queues coming on northbound Logan Road do not back up past the driveway. While you potentially wait for people going north / south, you're not waiting for the queue to clear to be able to get out. We ran capacity analyses utilizing the existing volume on Logan Road and then this rerouted traffic. The new driveway is going to operate with levels of service "b" or better during both those peak hours. There is capacity on Logan Road to accommodate this additional traffic. The volume is not that high; we're talking about 18 cars maybe 15 cars during peak hours over the course of an hour. In the morning there are about 35 cars coming into the site. We anticipate about eight of them would reroute to this new driveway. We anticipate eight in and ten out in the morning peak hour and three in and eight out in the evening peak hour that would be on Logan Road. We also analyzed the operation of the signal at Sunset and Logan Road, and none of the levels of service change. None of the delays even change because we're talking about a car every 10 minutes. There were no accidents on Logan Road, but there were three accidents involved left in or left outs on the property. Crash records from the OTPD were obtained from January of 2021 through August of 2024. There were two crashes associated with vehicles exiting the driveway, one left and one right. The other one had nothing to do even though it was westbound on Sunset, it was actually the queue coming back from 35.

Attorney Krimko questioned Mr. Taylor if they were to provide this other driveway and require cars to use it for a left out during the peak afternoon hour, and in his opinion, would that create a safer situation both for Sunset Avenue and for the site and not cause any detrimental impact to the Logan Road traffic, and he agreed. There is no negative impact on Logan Road.

Engineer Matlack agreed with the testimony. He reviewed the report, along with his traffic engineer, and generated his review comments. He was fine with the condition of restricting left turns out of the site onto Sunset during the afternoon peak hours, 4 – 7 pm. He wanted more clarification of traffic backed up on Logan Road that would restrict people from coming out of the new driveway. He asked for the queue length there at the light that is going northbound on Logan.

Attorney Krimko stated if this were to be approved, they would grant title 39 which gives the police the ability to ticket people who are making left turns out during the hours that they are not supposed to.

Mr. Taylor stated they did analyze the queues and determined the 95th percentile queue length. This is approximately 185 feet from the stop bar to where this new driveway would be along Logan Road and with the addition of the traffic that is proposed to be relocated was 178 feet which is just shy of where that driveway is. There would be no impediments coming out of the driveway. Sunset Avenue to the driveway is 140 feet, it is closer to the signal, and the 95th percentile queues we see are 215 or 357 feet in the evening. Even the average queues extend they have – 158 feet where is not extraordinary; it's almost always blocked during the peak hour. On Logan Road the average is about 50 or 60 feet so even during peak time the 95th percentile we're seeing a maximum 178 feet.

Engineer Matlack did not have any other issues. Member Ades wanted to know how drivers would be notified they can't make a left turn on Sunset? Attorney Krimko stated they will put signage up on the site and indicate it will be enforced. Member Palutis asked if they would consider 3 – 7 pm? Mr. Taylor stated if the peak time of the eastbound Sunset was 5 -6pm, and as the went to either side it dropped by 10 to 15%, and when you got to the 3-o'clock hour, you were about 30% lower than what the peak they saw at 5pm. It wasn't necessary to limit it to that point.

Attorney Krimko broke down in layman's terms to Mr. Taylor that he essentially looked at the traffic throughout the year and he analyzed more traffic was on these roadways in the height of summer versus September and found a 36% increase in traffic on those roads during those peak hours, and Mr. Taylor agreed. Ms. Krimko went on and stated the numbers he used are not based on the numbers he actually found out on the roads in September, it's based on the numbers he found out on the run in September plus 36%. Mr. Taylor agreed. He looked at it in the worst-case scenario at the peak of summer.

Chairman Weinstein asked if anyone from the Board wanted to entertain Member Palutis' question regarding moving it from 4pm to 3pm, and no one had a comment. Engineer Matlack stated he did not have an issue with that the applicant is offering – 4 – 7 based on the data. Member Palutis asked what day the study was performed, and the answer was September 19, 2024, which was a Thursday. Chairman Weinstein opened to the public if they had any questions or comments, and the following people came forward:

Nancy Wheary was previously sworn in from the last meeting and was reminded he was still under oath.

Gary Wheary was also previously sworn in from the last meeting, and was reminded he was still under oath.

Nissa Zaubere was also previously sworn in from the last meeting, and was reminded he was still under oath.

Mr. Taylor projected 9 cars in the morning and 8 cars in the evening exiting either left or right out of Logan Road over a period of one hour which is a car every 6 minutes.

There were no other members of the public to make comments or questions, and the public portion was closed. Chairman Weinstein asked if the Board Members had anything further to discuss, and no one did. Attorney Krimko stated she had a Planner to discuss the two variances if need be, and stated the landscaped area is not changing and that a lot of landscaping was being added. It's the number curb cuts and the location; the parking is not changing, and the parking space width is not changing. Attorney Leckstein stated it was not necessary for Ms. Krimko's Planner to testify.

Chairman Weinstein asked for a motion to approve or deny the application, and Member Palutis made the motion to approve the application, and Member Ades seconded. Roll Call: Mamiye, Surmonte, Ades, Councilwoman Kaplan, Palutis, Vicechair DiFiglia, Chairman Weinstein. No one opposed.

NEW CASE:

Maureen Cliff, Trustee, Block 5.02 Lot 27, 465 West Park Avenue, Oakhurst, 07755, Zone R-4.

Attorney: Jennifer Krimko, Esquire

Applicant seeks a minor subdivision to subdivide the existing single-family residential lot into two single-family residential lots.

Attorney Leckstein announced Member Surmonte removed herself from the room at 7:47pm.

Attorney Krimko stated she was here on behalf of the applicant and was filling in for Rick Brodsky. She stated the lot is extraordinarily oversized, almost four times the size that the zone requires. Looking to subdivide it into two lots by drawing a line down the center; because of the size and shape of the lot, in that it's narrower but very, very deep, variances are required as it relates to lot width.

Attorney Leckstein marked in the following exhibits: A-1 will be the application, A-2 is the minor subdivision plan and those are the only exhibits from the applicant. Exhibit B-1 is the Board one will be Board Planner's report, exhibit B-1 is the Board Engineer's original report, B-3 is the Board Engineer's revised report, B-4 is the Crime Prevention report, exhibit B-5 is the Traffic Safety report, B-6 is the Code Enforcement report, exhibit B-7 is the Fire Marshall report, B-8 is the Department of Public Works report.

Chairman Weinstein stated Member Surmonte recused herself from this case. (she had previously exited the room)

Attorney Krimko stated they are not proposing any construction at this time at all; it's purely just to subdivide it. She then turned it over to Chet Surmonte, who was sworn in by Attorney Leckstein as the applicant's licensed professional engineer and licensed professional surveyor.

Mr. Surmonte stated the lot as it presently exists has a frontage of 160 feet and a depth of 260 to 300 feet. It has a total area of 47,116 square feet. The property is in the R-4 zone which requires 10,000 feet of lot area, 90 feet of width and 100 feet of depth. The lots have been proposed to be divided almost equally. Each lot is about 23,500 square feet, but each lot requires a lot width variance. The lot to the east has a width of 81.5 feet, the lot to the west has a width of 80.6 feet. The lot area is more than twice what the ordinance requires, but the lot width does not meet the requirement. Notwithstanding the lot width, a building is represented showing a footprint that fully complies. If the Board approves this application and the lots are developed, it can be done without any variance relief.

Ms. Krimko stated to Mr. Surmonte the Board Planner's report suggested the non-conforming driveway on the east lot be removed and that there is some gravel that goes up to the property line. Ms. Krimko stated they agree to remove it and any new home will have to have a conforming driveway or come back to this board. We ask this be a condition of building permit as opposed to subdivision so we do not get held up in bonding and going to the county. She presented to the Board she ran this by the Planning Administrator and Board Planner before the meeting.

Planner Higgins stated had a comment he missed when he was reviewing the application. The ordinance requires the front setback be measured from the right-of-way that is recommended in the master plan for the type of road. In this case, the recommended right-of-way width for West Park Avenue is 66 feet in the master plan. The existing right-of-way is 50 feet. If you take half of the 16-foot difference, the recommended right-of-way on the north side would be 8 feet in from the front property

line, so the front setback would have to be the 30-foot required setback plus the 8-foot setback which still would fully conform. It just means that 30-foot front setback line should be 38. The frontage can be 65% of the lot width so the frontage conforms.

Engineer Matlack stated he does not have any issues with this application.

Member Ades asked about the driveway placement and was informed there's one hugging the east side of the property line. Attorney Krimko pointed it out to him on the plan he had.

Chairman Weinstein asked if the Board had any questions or concerns and there were none. He asked the public if they had any comment or question, and no one approached. He then closed the comment session. He asked the Board members if anyone wanted to make a motion on the application. Vicechair DiFiglia made a motion for a positive resolution, and Member Mamiye seconded. Roll Call: Mamiye, Ades, Councilwoman Kaplan, Palutis, Vicechair DiFiglia, Chairman Weinstein. Ineligible: Surmonte. No one opposed.

A motion to adjourn the meeting was made by Member Ades, and Vicechair DiFiglia seconded.

The meeting ended at 8:01pm.

Respectfully submitted,

Claire Vilanova
Planning Board Secretary