

**OCEANPORT PLANNING BOARD
MINUTES
September 12, 2017**

Chairman Widdis called the meeting to order at 7:30 p.m. and gave the Statement of Compliance with the Open Public Meetings Act: "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 11, 2017 and by the posting of same on the municipal bulletin board and Borough Web Site."

Chairman Widdis led the flag salute.

MEMBERS PRESENT: Mr. Whitson, Councilwoman Cooper, Mr. Kleiberg, Mr. Foster, Mr. Sullivan, Mr. Kahle, Mr. Savarese, Mr. Widdis

MEMBERS ABSENT: Mr. Fichter, Ms. Halpern

OFFICIALS PRESENT: Jeanne Smith, Board Secretary, Rick DeNoia, Esq., Board Attorney, Board Engineer/Planner William White

BOARD BUSINESS:

1. Minutes of the meeting of July 11, 2017 were approved as corrected on a motion from Mr. Whitson and a second from Mr. Kleiberg and approved by the eligible Board members.

2. Proposed Area in Need of Rehabilitation
Governing Body Referral:
222 Monmouth Boulevard
Block 65, Lot 1

William White, Board Engineer/Planner, was sworn in.

Kendra Lelie of Clarke Caton Hintz, Borough Planners, was sworn in.

Ms. Lelie explained that the Governing Body has referred a proposed resolution to the Planning Board for review. The Governing Body has determined the property to be an area in need of rehabilitation. The Board is to provide recommendations and/or modifications back to the Governing Body. Clarke Caton Hintz prepared a report in accordance with the local housing and redevelopment law, which gives a municipality and Planning Board the authority to deem an area in need of redevelopment/rehabilitation. After which, prepare a redevelopment plan and potentially issuing an RFP for a redeveloper. She explained the differences between an area of redevelopment versus an area of rehabilitations and the authority bestowed to the municipality. She outlined the 6 criteria which would allow a municipality to declare an area in need of rehabilitation. The old Borough Hall was substantially damaged by Superstorm Sandy, is located in a 100 year flood plain, but as a critical building serving the public, the building should follow 500 year flood plain elevations, which the building did not. Different reports outlined the various damages sustained, and those damages provide the criteria to determine the area in need of rehabilitation. Ms. Lelie explained the process for the redevelopment process, including proposed ordinances and another review for consistency with the Master Plan. Mr. White added that under the rehabilitation criteria, Item #6 would also pertain because the utilities are over 50 years old. Chairman Widdis asked Councilwoman Cooper to provide some insight to the Governing Body's intent. Councilwoman Cooper stated the purpose of the designation was to move plans forward for the new municipal complex and have the ability to sell the former Borough Hall. Mr. Foster asked about the 400 page report previously mentioned. Ms. Lelie replied that the report was already completed and will be supporting documentation for the ordinance allowing the rehabilitation designation. The ordinance will provide what can/can't be built on the property, bulk standards and design requirements.

Mr. Whitson made a motion to approve Resolution **PR-17-20** supporting the Governing Body's designation of an Area in Need of Rehabilitation for Block 65, Lot 1 which was seconded by Mr. Foster and received the following roll call:

AYES: Mr. Whitson, Councilwoman Cooper, Mr. Foster, Mr. Kleiberg, Mr. Kahle, Mr. Savarese, Mr. Widdis
NAYES: None
ABSTAIN: Mr. Sullivan
ABSENT: Mr. Fichter, Ms. Halpern

Ms. Smith stated the motion carried.

At 7:52 PM, the Board adjourned for a 4 minute recess. At 7:56 PM, the Board returned to regular session.

CAPITAL PRESENTATION:

3. PB2017-13 Monmouth County Board of Chosen Freeholders
Adult Homeless Shelter
Block 110, Lot 2

A-1 Preliminary and Final Site Plan, 12 Sheets, prepared by Spiezle Architectural Group, undated

A-2 Floor and Reflected Ceiling Plans, 2 Sheets, prepared by Spiezle Architectural Group, undated

Allen Weiss, Monmouth County Special County Council, introduced himself and provided a brief review of the Adult Homeless Shelter. He had previously submitted source materials for the Shelter, including the application from FMERA's predecessor and the HUD approval. Meetings and public hearings have been conducted. He introduced Mr. Steve Leone, Spiezle Architectural Group, was sworn and presented his qualifications, after which the Board accepted him as an expert in the field of architecture. Mr. Leone introduced **A-1**, and stated the footprint of the proposed building is a U shape, set back from Murphy Dr. The existing paved area will remain. Additional parking is proposed, but no other work on the site. Mr. Leone introduced **A-2** and explained the layout of the 2 dorm wings, with the kitchen, laundry, dining, common room, passive recreation, and administrative areas dividing the men's and women's dorms. A security system will be in place.

Chairman Widdis requested information regarding the operation of the shelter. Mr. Weiss introduced Jeffrey Schwartz, Director of Monmouth County Dept. of Human Services, who was sworn. Mr. Schwartz explained that the shelter is designed to provide short term, emergency shelter for homeless residents of Monmouth County. Anyone admitted to the shelter are screened by Social Services. It is not a walk-in shelter. Applicants must be 18 years or older, male or female. The shelter can house 12 men and 4 women at maximum. They must be a Monmouth County resident for 30 days and pass an extensive criminal background check and screening to be eligible for entry. The shelter is staffed 24 hours a day. Affordable Housing Alliance will provide case management, guidance towards permanent housing, employment training, medical screening, and meals. Residents are permitted only a 30 day stay. The original shelter was located on Hazen Ave. in the Oceanport section of Ft. Monmouth property and has been in operation for 25 years. After Superstorm Sandy, the shelter moved to different locations. Transportation is available for residents. Most residents are out of the shelter during the day. There are curfews. Mr. Schwartz testified that the shelter makes a connection with local law enforcement. Affordable Housing Alliance assists the clients with available services.

Chairman Widdis asked for clarification of the previous location. Mr. Schwartz gave a better description of the location and stated it consisted of 2 buildings, completely gated and with buzzers to enter and exit. Chairman Widdis asked Mr. Schwartz to describe the security measures that will be in place at the new facility. Mr. Schwartz replied that after curfew, the building will be closed. All fire exits are alarmed and monitored by video. There will be 2 staff members on duty at night. Morning activities begin with breakfast at 6:30 a.m., lunch is provided, transportation is provided, normally returning to the shelter from mid- to late-afternoon. Men and women are segregated.

Mr. Savarese asked questions about fencing, since nothing was shown on the plan. Mr. Schwartz said he didn't think fences were necessary at this facility, even though the prior shelter was fenced. The fencing at the previous facility was required by the military. Mr. Savarese asked who would be responsible for maintenance of the grounds, mowing/plowing. Mr. Schwartz stated that Monmouth County would be. Mr. Savarese asked who owned the parking lot. Mr. Weiss stated it was the County's. That question will be deferred to the architect.

Mr. Kleiberg asked if there was always 100% occupancy, which Mr. Schwartz said there was not. The daily average of clients is 10 or 11. The average stay is between 10 to 15 days. Mr. Kleiberg asked if veterans have a preference, which Mr. Schwartz said they do. Mr. Kahle asked if visitation was permissible, which Mr. Schwartz said it was not. Mr. Foster asked if medications will be administered or prescribed. Mr. Schwartz said medications will be stored securely, administered as appropriate, but will not be prescribed. Mr. Foster asked if substances such as methadone would be administered. Mr. Schwartz said in the past, methadone has not been. Mr. Foster asked about the referral system. Mr. Schwartz replied that referrals can be submitted from anywhere in the County, but applicants must be processed by Social Services.

Mr. Sullivan asked if minors would be admitted. Mr. Schwartz stated that 18 is the minimum age. This facility is only for single adults. Mr. Whitson asked questions about clients remaining at the shelter during the day. Mr. Schwartz stated most individuals will be out during the day. If for instance, someone works a night job, that individual would be permitted to remain on the premises. But staff will always be on duty. Mr. Whitson asked what happens after the 30 day limit. Mr. Schwartz said that normally, clients are relocated, either with family or friends, if they haven't established a permanent residence elsewhere. The 30 day limit is not firm. Mr. Whitson asked would an individual be simply turned out into the streets of Oceanport. Mr. Schwartz stated clients would be transported back to Social Services in Freehold or Ocean Township for assistance.

Councilwoman Cooper asked how many staff members are on duty during the day. Mr. Schwartz replied that it is 2 or 3. Night staff are not security, but members from Affordable Housing Alliance. Councilwoman Cooper advised that in planning the new municipal complex, the Borough's Police Department will be across the street from the facility, which will add another safety factor. Mr. Weiss noted that FMERA's Reuse Amendment #6 accounted for this facility.

PUBLIC:

Chairman Widdis opened the meeting to the public for questions for this witness only.

Roseann Letson, 37 Morris Place, asked how many other shelters are in Monmouth County. Mr. Schwartz stated that there was a family shelter in Tinton Falls, a private, non-profit shelter in Asbury Park, Jersey Shore Rescue Mission, and a temporary, male only shelter which runs from December 1st through the end of March. Others are provided through faith based organizations. Ms. Letson asked about the disparity between male and female accommodations. Mr. Schwartz stated that historically, there are more homeless men than women. Ms. Letson asked if the purpose of the presentation was informational or if the Shelter needed variances. Mr. Weiss stated that under the Municipal Land Use Law, the Shelter was obligated to make a capital presentation. It is not a site plan or development

application. Mr. DeNoia added that the presentation to the Board is to determine if there are any recommendations or input to allow for a better product.

As there was no one else from the public who appeared to be heard, Chairman Widdis closed that portion of the hearing.

Chairman Widdis asked if there were any other shelter facilities that will operate on former Ft. Monmouth property. Mr. Schwartz was not aware of any. Mr. Weiss stated that a requirement of transferring property from the Army to FMERA was conveyance of this parcel to the County specifically for the Shelter. Mr. Foster asked if DYFS would have a presence. Mr. Schwartz stated that the County works with DCPD regularly, but to his knowledge, they will not have a presence on former Fort property.

Mr. Leone, architect, was previously sworn. He again explained the layout of the building, number of beds and the common area. He stated the design was made to pull the entrance away from Murphy Drive. Chairman Widdis asked for the square footage of each unit. Mr. Leone replied that each is a double bunk area. Vice Chairman Whitson stated they were 11 ft. by 11 ft. Chairman Widdis asked what type of communication would be available for clients. Mr. Schwartz stated there will be phones in the building, and individual cell phones. Mr. Leone discussed the features of the one-story building: brick base, siding, building height.

Councilwoman Cooper asked what would happen to Building 108. Mr. Leone stated it is an existing building, which will remain. Councilwoman Cooper asked what it would be used for. Mr. Leone stated it is essentially a storage facility for the County, unrelated to the Shelter. Councilwoman Cooper asked if the landscaping shown on the drawings would be included. Mr. Leone stated it would be. Mr. Foster asked if there were dressers, which Mr. Leone confirmed. Mr. Kahle noted there were 103 parking spaces and asked if there were plans for another shelter. Mr. Weiss stated that this would be the only Shelter built by the County on this lot and the only one built within former Fort property. There was additional discussion regarding parking. Mr. Kleiberg wanted confirmation that there will not be another building on the site. Mr. Weiss stated he was unaware of any other County shelters. Mr. Savarese expressed similar concerns. Chairman Widdis asked for confirmation that the property is not located in a flood area, which Mr. White confirmed.

PUBLIC:

Chairman Widdis opened the meeting to the public for questions for this witness only. As there was no one from the public who wished to be heard, Chairman Widdis closed that portion of the hearing.

Vice Chairman Whitson stated it was a good presentation, and it was a good use of the area. Mr. DeNoia asked if the Board had any non-binding recommendations for the County to consider.

PUBLIC:

Chairman Widdis opened the meeting to the public for statements on the presentation and hearing none closed that portion of the hearing. As there was no one from the public who appeared to be heard, Chairman Widdis closed that portion of the hearing.

Mr. Foster asked if the County would be willing to use the 103 parking spaces for shared parking for overflow. Mr. Weiss consulted with Mr. Tobia, Director of Monmouth County Dept. of Public Works and Engineering. The Borough and the County have a long-standing working relationship, and the County would consider any requests the Borough would have.

Mr. Foster made a motion offering the Board's acceptance of the County's presentation for the Adult Homeless Shelter. Chairman Widdis asked to add a condition that security measures placed on the record will remain. Mr. DeNoia advised that the Board can provide non-binding recommendations for the County's consideration. Mr. Whitson seconded the motion, which received the following roll call:

AYES: Mr. Whitson, Mr. Sullivan, Councilwoman Cooper, Mr. Foster, Mr. Kleiberg, Mr. Kahle, Mr. Savarese, Mr. Widdis
NAYES: None
ABSTAIN: None
ABSENT: Mr. Fichter, Ms. Halpern

Ms. Smith stated the motion carried.

NEW BUSINESS:

4. PB2017-02 Brown, Peter **CARRIED from July 11, 2017**
93 Main Street
Block 110, Lot 6
Request for Bulk Variances and Expansion of Non-conforming Use

Chairman Widdis advised the public that the first matter would not be heard this evening and would be carried to the October 10, 2017 meeting with no additional notice required as only 5 members of the Board eligible to hear this D-use variance were present and Mr. Witek has requested a full Board.

5. PB2015-17.1 Portman, Jennifer
29 Shore Road
Block 73, Lot 4.01
Request for elevation variance for utility equipment

Jennifer Portman, Owner and Applicant, appeared and was sworn in, gave a description of the reason for the application. She and her husband purchased and demolished a home, which was destroyed by Superstorm Sandy, and built a new residence. She noted the language in Ordinance 217 is ambiguous. Prior to building, the building approval letter from the Borough specified that the generator and A/C units were to be placed at 10 ft., which they did. All inspections were approved. Ms. Portman stated she followed all recommendations and requirements from the Borough and were then found to be in violation of Chapter 229-15. She explained that for compliance, JCP&L would need to re-run all lines from the pole to the box and rip out and re-run the lines in the house, which would cause a financial hardship. There is no adverse impact on anyone else.

Mr. Kahle asked if the Borough would be liable if the Board approved a waiver of the height requirement. Mr. DeNoia stated that if the Board approves the variance, conditions to be added to the resolution are that the applicant is aware of increased flood insurance premiums and the Borough would be held harmless from any responsibility for any damage/loss based on the approval.

PUBLIC:

Chairman Widdis opened the meeting to the public for questions for this witness only. As there was no one from the public who wished to be heard, Chairman Widdis closed that portion of the hearing.

Chairman Widdis opened the meeting to the public for statements on the application. As there was no one from the public who wished to be heard, Chairman Widdis closed that portion of the hearing.

Mr. Kleiberg made a motion to approve the application for relief from the Flood Damage Prevention Ordinance requirement for elevation of mechanical equipment at elevation of 10.7 ft. where 12.4 ft. was required which was seconded by Mr. Savarese and received the following roll call:

AYES: Mr. Whitson, Mr. Sullivan, Councilwoman Cooper, Mr. Foster, Mr. Kleiberg, Mr. Kahle, Mr. Savarese, Mr. Widdis

NAYES: None
ABSTAIN: None
ABSENT: Mr. Fichter, Ms. Halpern

Ms. Smith stated the motion carried.

Vice Chairman Whitson voted in favor because it benefits the Applicant and protects the Borough from liability. Mr. Sullivan, Mr. Foster and Councilwoman Cooper concurred. Mr. Savarese agreed and added that the elevation will soon be legal. Mr. Kleiberg also agreed with Mr. Whitson and Mr. Savarese and added that if JCP&L approved the height, it's fine with him.

RESOLUTIONS:

6. PR-17-19 (PB2017-09 Fiore) - Mr. DeNoia summarized the Resolution after which Mr. Whitson made a motion to approve the resolution which was seconded by Mr. Kleiberg and received the following roll call:

AYES: Mr. Whitson, Mr. Sullivan, Councilwoman Cooper, Mr. Foster, Mr. Kleiberg, Mr. Kahle, Mr. Savarese
NAYES: None
ABSTAIN: None
ABSENT: Mr. Fichter, Ms. Halpern
INELIGIBLE: Mr. Widdis

Ms. Smith stated the motion carried.

PETITIONS FROM THE PUBLIC: Chairman Widdis opened the meeting to Petitions from the Public. As no one from the public wished to be heard, Chairman Widdis closed that portion of the meeting.

ADJOURNMENT: As there was no further business, the meeting was adjourned at 9:10 p.m. on a motion by Mr. Whitson which was seconded by Mr. Savarese and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary