

**OCEANPORT PLANNING BOARD
MINUTES
September 26, 2017**

Chairman Widdis called the meeting to order at 7:31 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.

Ms. Smith advised that the meeting's relocation had been advertised in accordance with law including website, LINK news, municipal bulletin board and signage at Maple Place School.

MEMBERS PRESENT: Mr. Whitson (entered at 7:41pm), Councilwoman Cooper, Mr. Kleiberg, Mr. Foster, Mr. Savarese, Mr. Widdis

MEMBERS ABSENT: Mr. Sullivan, Mr. Kahle, Mr. Fichter, Ms. Halpern

OFFICIALS PRESENT: Jeanne Smith, Board Secretary, Rick DeNoia, Esq., Board Attorney, Board Engineer/Planner William White; Kendra Lelie, Clarke Caton Hintz, Special Board Planner

BOARD BUSINESS:

1. Fort Monmouth Reuse Plan Amendment #8

Chairman Widdis reported that as discussed in Workshop, the Board will be providing feedback to the Governing Body regarding Amendment #8, stating opposition to the height limits, side, rear and front yard setbacks and high-density usage. There was discussion regarding lot size and determining metes and bounds of each parcel. Mr. White will prepare a memo to the Governing Body based on the Board's discussions and recommendations.

2. Borough Hall Site Redevelopment Plan
Governing Body Referral:
222 Monmouth Boulevard
Block 65, Lot 1

Chairman Widdis introduced Kendra Lelie of Clarke Caton Hintz, the Borough's Planner and the Board's Special Planner. Ms. Lelie and William White, Board Engineer/Planner were sworn.

Ms. Lelie explained that the Board's role regarding the proposed ordinance is to review it for consistency with the Master Plan. She outlined the contents of the redevelopment plan: use and conditions, authority of the Governing Body. The property is in the R-3 zone, which requires minimum lot size of 12,000 sq. ft., density 3.7 units per acre. The plan proposes a Residential Overlay (RO) zone, which would allow a developer to build under the R-3 standards, with the condition that the density is preferred to be less than what is permitted under the R-3 zone, meaning 8 to 12 homes would be allowed. Goals of the redevelopment plan include: consistency with the State, County and Borough Master Plans and sensitivity to the scale and character of the surrounding neighborhood to prevent visual intrusion. Councilwoman Cooper stated that the Mayor and Council meeting, she voted against the ordinance. She explained that she didn't agree with building larger houses, but would prefer a blend of types of homes. Mr. Foster asked how many units would be possible under the R-3 standards on this 5.54 acre parcel. Ms. Lelie stated approximately 20 units. Chairman Widdis believed it was closer to 16

units. Mr. Savarese asked the difference in lot sizes for R-2, R-3 and R-4. Mr. White provided the minimum lot sizes for each. There was discussion regarding the “preference” of less density and providing flexibility for the Governing Body. Mr. Savarese recommended changing the language to “no more than 12”. Ms. Smith advised that Board members were provided copies of the proposed amendment prior to the meeting, and if the Board wished to propose changes to the language, the Board should take that action now.

PUBLIC:

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

Councilwoman Cooper asked Mr. DeNoia’s opinion regarding the “preference” language. Mr. DeNoia stated that a “not more than” clause would be stronger. There was discussion regarding the overlay zone, hypothetical requests from developers for more density and the redevelopment approval process. Ms. Smith explained that the declaration of an area in need of rehabilitation allows the Governing Body to issue Requests for Offers to Purchase, which allows the Governing Body to accept offers and choose one, not necessarily the highest offer.

Resolution PR-17-22 (Borough Hall Site Redevelopment Plan) – As the Resolution had previously been made available, Mr. Whitson made a motion to approve the resolution which was seconded by Mr. Kleiberg and received the following roll call:

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

Ms. Smith stated the motion carried.

Chairman Widdis having asked to amend the Agenda to hear the Broege application prior to the old business with no objections, asked Mr. Broege to come forward.

NEW BUSINESS:

- 3. PB2017-14 Broege, Robert
93 Gooseneck Point Road
Block 74, Lot 16
Request for variances for pool house

A-1 Bulk Variance Application, Proposed Pool Cabana, 93 Gooseneck Point Road, Block 61, Lot 10, 1 Sheet, prepared by Matthew T. Cronin, AIA, dated September 12, 2017.

A-2 Elevation Certificate for 93 Gooseneck Point Road, Lot 16, Block 74, prepared by Charles V. Bell Associates, dated February 18, 2011.

Robert Broege, Applicant and Owner, was sworn in and described the application for variance relief to construct a new pool house. He explained the design and shape of the pool house. Mr. DeNoia stated for the record that service had been reviewed, was in order, and the Board accepted jurisdiction. Mr. Broege introduced **A-1**, revised plans show more detail and dimension, but is consistent with what was previously submitted. Mr. Broege introduced **A-2**. Mr. Broege discussed the location of the pool house and the need for a side yard setback variance, 8 ft. where 20 ft. is required. Mr. Broege described the

utilities for the cabana. Mr. Savarese asked if it would include living space. Mr. Broege stated it would not. Mr. Kleiberg asked if there would be a gas fired heater and suggested a tankless water heater. Councilwoman Cooper asked if the 8 ft. measurement was from the property line or the fence. Mr. Broege stated the fence is inside the property line. Vice Chairman Whitson noted that the exact distance needs to be included in the resolution. Mr. Broege confirmed that it was 8 ft. Vice Chairman Whitson also asked if the building was intended to be a rental property. Mr. Broege stated it was not. Chairman Widdis asked Mr. Broege to be considerate of neighbors when installing lighting.

PUBLIC:

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

Chairman Widdis opened the meeting to the public for statements on the presentation and hearing none, closed that portion of the hearing.

Mr. Whitson made a motion to approve the application as presented, which was seconded by Mr. Foster and received the following roll call:

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

Ms. Smith stated the motion carried.

OLD BUSINESS:

- 4. PB2016-13 Market on Main LLC **CARRIED from August 8, 2017**
275 E. Main Street
Block 88, Lot 35
Request for Preliminary and Final Site Plan with variance(s)

A-5 Preliminary and Final Site Plan, 275 E. Main Street, Block 88, Lot 35, 7 Sheets, prepared by Challoner & Associates, LLC, dated September 28, 2016, last revised through September 5, 2017.

Rick Brodsky, Attorney for the Applicant, provided an overview of the history of the application. Chairman Widdis stated that he and Councilwoman Cooper had listened to the recording of the previous meeting and were eligible to hear the application. Mr. Brodsky described how the plans were revised in accordance with the previous comments and recommendations. Chairman Widdis asked about the type and number of affordable housing apartments. Mr. Brodsky explained that there will be four apartments: one 1-bedroom, two 2-bedrooms and one 3-bedroom. The market rate units are: ten 2-bedrooms and one studio. Mr. Brodsky introduced **A-5**.

Stuart Challoner, Engineer for the Applicant, was previously sworn in and accepted as an expert in Engineering. Mr. Challoner described the revisions: closing a driveway on E. Main St., the unnamed right of way will have an access drive, replace curbing with Belgian block, repave lot, upgrade to drain system, new lampposts, redesign of the rear parking to maintain 18 ft., trash enclosure, reserved spots for residents, upgraded rear landscaping, upgraded pedestrian access from E. Main St., upgraded sidewalks, added benches and bike storage racks, greenbanked parking. Only one variance remains regarding maximum impervious coverage, 80% is permitted, 82.9% is existing, proposed 85%. Mr.

Brodsky asked Mr. Challoner to review the comments in Mr. White's September 25, 17 letter: right of way for Lake Drive., spot curb grades, upgraded parking lot and drainage, handicap ramps, new landscaping on Lake Drive, lux light level analysis will be provided, widening and upgrades for pedestrian traffic, a truck maneuvering plan was submitted, relocation of handicap parking, concrete pavers throughout, storm water report; if the well in front is abandoned, it will be capped; replace electrical box, and pavers in herringbone pattern.

Chairman Widdis asked how the residents will be directed to the back. Mr. Challoner stated there will be assigned parking spaces in the rear. There was extensive discussion regarding parking. Residential spots will be marked and 15 spaces will be marked for employees. Ms. Lelie asked that more native plants be used for landscaping. Mr. Challoner stated there will only be on the facades. Ms. Lelie asked where the mechanical units are. Mr. Challoner advised they were on the roof and confirmed they will be screened by architecture. Ms. Lelie asked that the vinyl front gate on the trash enclosure be changed to board on board. There was discussion regarding low and moderate-income housing and the designation of one unit as very low income. Mr. Foster asked if Ms. Lelie knew what the rental rates were for a development in Little Silver. She did not have that information. Mr. Foster asked about a gate on the south side of Riverview. Chairman Widdis advised it is open and Mr. Challoner advised it will be removed. Mr. Kleiberg renewed his request for a structural engineering review to prove that the 2nd floor will support the new construction. The architect will address that issue.

PUBLIC:

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

Cynthia DeSousa, 213 Comanche Drive, asked if signage on the building will be backlit and the size. The architect will address that question. Ms. DeSousa also asked if pavers match those in the New Village Center. Mr. Challoner said they will be. She asked if a traffic study was conducted. Mr. Challoner stated that for this number of apartments, the projected impact will be an additional 160 trips. Ms. DeSousa received confirmation that any change from commercial to residential on the first floor would require a use variance.

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

At the last hearing, there was a request to keep the apple trees. Mr. Challoner reported the trees had been trimmed. Ms. Lelie stated that since the Applicant was proposing street trees, she didn't object to the apple trees remaining.

Ricardo Perez, Architect for the Applicant, was previously been sworn and accepted as an expert in architecture. He answered questions concerning architectural changes that were made to the plan to address the Board's comments including: building height with elevation, which was added as Mr. White requested. He testified that the building height will be 34.5 ft., and no variance is required. The elevator and stairs will be secured by tenant swipe cards. Chairman Widdis requested the entry doors also be locked and secured. Each unit will also have a buzzer to allow visitors entry. In response to Mr. Kleiberg's early concern about structural integrity, Mr. Perez stated there are existing masonry walls. Mr. Kleiberg asked how the HVAC was going to be maintained for the existing tenants during construction. Mr. Perez replied that temporary systems will be installed before the old systems can be removed. Mr. Foster asked what materials would be used for the modular units. Mr. Perez stated they would be wood construction. There will a steel structure, concrete floor for fire rating between the residential and commercial, then wood construction. The front signage will have gooseneck lamps. The back of the building currently has lighting. The Applicant will add new outside lights. Mr. Foster asked about the position of the lighting. Mr. Perez advised the lights will shine down to light the walkway. Each unit will have laundry facilities and storage rooms. Chairman Widdis expressed concern about

light spillage. Mr. Perez stated there will be no spillage. Mr. White suggested dimming the perimeter lights after the retail tenants closed.

PUBLIC:

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PUBLIC:

Chairman Widdis opened the meeting to the public for statements on the presentation and hearing none closed that portion of the hearing.

Mr. Whitson complimented the Applicant on the response to the Board's requests. He stated that the plans match nicely with the existing neighborhood and provides a more positive appearance. Since only one variance is requested and it is a pre-existing variance condition, there is no detrimental effect. Mr. Whitson mad a motion to approve the application for Preliminary and Final Site Plan with a variance for impervious coverage, which was seconded by Mr. Savarese and received the following roll call:

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

Ms. Smith stated the motion carried.

RESOLUTIONS:

1. PR-17-21 (PB2015-17 Portman) - Mr. DeNoia summarized the Resolution after which Mr. Foster made a motion to approve the resolution which was seconded by Mr. Kleiberg and received the following roll call:

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

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 was present, Chairman Widdis closed that portion of the meeting.

ADJOURNMENT: As there was no further business, the meeting was adjourned at 9:31 p.m. on a motion by Councilwoman Cooper which was seconded by Mr. Whitson and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary