BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES ● NOVEMBER 28, 2023

Regular	Clement V. Sommers Municipal Building	7:00 PM
	910 Oceanport Way, Oceanport, NJ 07757	

I. **Call to Order:** Chairman Whitson called the meeting to order at 7:00 PM

II. **Open Public Meetings Statement:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on Feb. 10, 2023 of this meeting and its location, date and time to the Asbury Park Press, Star Ledger and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.

III. **Flag Salute:** Chairman Whitson led attendees and members of the Board in the flag salute.

IV. **Board Policy:** Chairman Whitson advised of the following Board policies: It is Board Policy that no application will be opened after 9:30 P.M.; no new testimony will be taken after 10:00 P.M., except at the discretion of the Board

V. **Roll Call:**

Attendee Name	Title	Status
James Whitson	Chairman	Present
John (Jack) Kahle	Vice Chairman	Present
Patty Cooper	Mayor's Designee	Present
Thomas Tvrdik	Class III	Present
Joseph Foster	Environmental Commission Liaison	Absent
Christopher Widdis C	Class IV	Absent
Leslie B Widdis L	Class IV	Present
Darren Davis	Class IV	Present
Michael Dailey	Class IV	Absent
Kevin Calver	Alternate I	Present
Robert Kleiberg	Alternate II	Absent
Jeanne Smith	Board Secretary	Present
Kevin Kennedy	Board Attorney	Present
William White	Board Engineer/Planner	Present

VI. **Board Business:**

1. Report of Pending Applications: Ms. Smith advised there were no pending applications. The December 12, 2023 meeting was cancelled due to equipment installation for the new audio/visual in the meeting room. There are 2-3 applications expected to be filed in the interim.
2. PR-23-24: Resolution Setting Date for 2024 Reorganization Meeting

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	Patty Cooper, Mayor's Designee
AYES:	Whitson, Kahle, Cooper, Tvrdik, Widdis L, Davis, Calver
ABSENT:	Foster, Widdis C, Dailey, Kleiberg

VII. **Approval of Minutes:**

1. Planning/Zoning Board - Regular - Apr 26, 2022 7:00 PM

RESULT:	**ACCEPTED [6 TO 0]**
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	Leslie B Widdis L, Class IV
AYES:	Whitson, Kahle, Cooper, Tvrdik, Widdis L, Davis
ABSENT:	Foster, Widdis C, Dailey, Kleiberg
INELIGIBLE:	Calver

2. Planning/Zoning Board - Regular - May 10, 2022 7:00 PM

RESULT:	**ACCEPTED [5 TO 0]**
MOVER:	Leslie B Widdis L, Class IV
SECONDER:	Patty Cooper, Mayor's Designee
AYES:	Whitson, Kahle, Cooper, Widdis L, Davis
ABSTAIN:	Tvrdik
ABSENT:	Foster, Widdis C, Dailey, Kleiberg
INELIGIBLE:	Calver

3. Planning/Zoning Board - Regular - Sep 13, 2022 7:00 PM

RESULT:	**ACCEPTED [6 TO 0]**
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	Patty Cooper, Mayor's Designee
AYES:	Whitson, Kahle, Cooper, Tvrdik, Widdis L, Davis
ABSENT:	Foster, Widdis C, Dailey, Kleiberg
INELIGIBLE:	Calver

4. Planning/Zoning Board - Regular - Jul 11, 2023 7:00 PM

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Thomas Tvrdik, Class III
SECONDER:	John (Jack) Kahle, Vice Chairman
AYES:	Whitson, Kahle, Cooper, Tvrdik, Widdis L, Davis, Calver
ABSENT:	Foster, Widdis C, Dailey, Kleiberg

5. Planning/Zoning Board - Regular - Sep 12, 2023 7:00 PM

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Patty Cooper, Mayor's Designee
SECONDER:	Leslie B Widdis L, Class IV
AYES:	Whitson, Kahle, Cooper, Tvrdik, Widdis L, Davis, Calver
ABSENT:	Foster, Widdis C, Dailey, Kleiberg

6. Planning/Zoning Board - Regular - Oct 24, 2023 7:00 PM

RESULT:	**ACCEPTED [6 TO 0]**
MOVER:	Thomas Tvrdik, Class III
SECONDER:	John (Jack) Kahle, Vice Chairman
AYES:	Whitson, Kahle, Cooper, Tvrdik, Widdis L, Davis
ABSTAIN:	Calver
ABSENT:	Foster, Widdis C, Dailey, Kleiberg

7. Minutes of Oct. 11, 2022 7:00 PM *- Tabled*
8. Minutes of June 27, 2023 7:00 PM *- Tabled*

VIII. Old Business:

1. Resolution of Approval - 540 Shrewsbury Ave: As the Resolution had been previously provided to the Board, Mr. Kennedy summarized the resolution and its conditions. Mr. Kahle made a motion to approve the Resolution, which was seconded by Mr. Davis and received the below roll call:

RESULT:	**ADOPTED [6 TO 0]**
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	Patty Cooper, Mayor's Designee
AYES:	Whitson, Kahle, Cooper, Tvrdik, Widdis L, Davis
ABSENT:	Foster, Widdis C, Dailey, Kleiberg

IX. New Business:

1. Mayor & Council Referral - Fort Monmouth Plan Amendment #20

Exhibit B-1 Proposed Plan Amendment #20 to the Fort Monmouth Reuse & Redevelopment Plan, dated Nov. 2023

Board members were provided a summary of the proposed plan amendment that creates a plan for the area known as the "mega parcel". The amendment provides for alternative development including a state of the art motion picture, television and broadcast studio campus. The Board reviewed thoroughly and discussed the proposed development, expressed a number of questions and statements, concerns and recommendations for the development as well as consistency/inconsistency with the Master Plan. Comments, concerns and recommendations were expressed including affordable housing component, animal boarding, arts and entertainment, architectural detail, buffering, bulk regulations, circulation, construction impacts, building heights, heliport/helipad, job generation and economic development, noise, lighting, landscaping, lot coverage, municipal services, parking, radio towers, residential borders, security wall, signage, sound stage hours, traffic and recognition that the development of the mega-parcel could fulfill the redevelopment vision of the former Fort Monmouth site.

The Board also provided an opportunity for public comment on the proposed development with one member of the public appearing, Louis Fernandez, Riverside Ave, who expressed concerns for the massiveness of the potential complex using the Netflix studio in New Mexico as an example as well as the proposed building height upwards of 85's in the 400 area across the street from his home. He expressed concern that Netflix will function as its own entity and would not create local jobs. He requested that they consider not allowing any structures higher than 47' high with 150' setback because of the proximity to the adjacent residential neighborhood. As no one else from the public appeared, Chairman Whitson closed that portion of the meeting.

There was a motion by Mr. Whitson and second by Mr. Kahle to authorize the attorney to prepare a letter summarizing the Board's comments and recommendations. Mr. Kennedy advised that any motion should include a statement as to the consistency with the Master Plan. Mr. Kennedy also clarified that a resolution with the letter he prepares would be brought to the Board for memorialization at their meeting in January. Mr. Kahle withdrew his second as he had questions about its consistency with the Master Plan. Ms. Cooper seconded the motion. Discussion on the motion was whether there should be separate motions for the Master Plan and the resolution with concerns and recommendations. The Board asked Mr. White for his opinion and he advised that the amendment indicates that it is consistent with *their* Master Plan, not necessarily Oceanport's, but FMERA does indicate that it is compliant with Oceanport's Master Plan with regard to accessibility, openness, walkways, paths, nature and as the Board pointed out, things may be truncated and not consistent through the whole parcel. Chairman Whitson commented that Amendment #20 was voted for by both mayors, Oceanport and Eatontown.

Motion for Determination that Plan Amendment #20 is consistent with the Master Plan

RESULT:	**ADOPTED [5 TO 2]**
MOVER:	Thomas Tvrdik, Class III
SECONDER:	James Whitson, Chairman
AYES:	Whitson, Kahle, Cooper, Tvrdik, Calver
NAYS:	Widdis L, Davis
ABSENT:	Foster, Widdis C, Dailey, Kleiberg

Motion to Authorize Attorney to Prepare Letter to Council with Board's Determination and Recommendations subject to approval by the Chairman to be further memorialized by Resolution at the next meeting.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Whitson, Chairman
SECONDER:	John (Jack) Kahle, Vice Chairman
AYES:	Whitson, Kahle, Cooper, Tvrdik, Widdis L, Davis, Calver
ABSENT:	Foster, Widdis C, Dailey, Kleiberg

X. Public Comment: Chairman Whitson opened the meeting to Petitions from the Public. As no one else from the public wished to be heard, Chairman Whitson closed that portion of the meeting.

XI. Adjournment: As there was no further business, the meeting was adjourned at 8:20 pm on a motion by Mr. Davis which was seconded by Mr. Kahle and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary