



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES • SEPTEMBER 12, 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	Present
Christopher Widdis C	Class IV	Present
Leslie B Widdis L	Class IV	Present
Darren Davis	Class IV	Present
Michael Dailey	Class IV	Present
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	Absent

VI. **Board Business:**

- Report of Pending Applications - Ms. Smith advised the next meeting was scheduled for September 26, 2023 and that there are applications for 34 Main St, 360 Myrtle Ave and 448 Branchport Ave.

VII. **Capital Improvement Presentation**

- PB2023-13 Monmouth Park / MBD Development LLC
New Jersey Sports and Exposition Authority
175 Oceanport Avenue
Block 122, Lot 30
Block 127, Lot 1

Exhibits

- A-1 Conceptual Plans, prepared by Minno Wasko Architects & Planners, dated Sept. 1, 2023
- A-2 General Development Plans, prepared by Colliers Engineering dated August 31, 2023
- A-3 Kyle & McManus Associates Planner review letter dated
- A-4 Response letter, 9/1/2023
- A-5 Traffic Report, prepared by Colliers Engineering dated July 18, 2023

The following persons provided sworn testimony during the presentation:

- Morris Bailey, Member of MBD Development LLC;

- Morris Jerome, Member of MBD Development LLC;
- Michael Lawson, Architect;
- Dennis Drazin, Esq., Chair and CEO of Monmouth Park Racetrack, and Member of MBD Development LLC;
- Michael Gallagher, Professional Engineer;
- Michelle Briehof, Traffic Engineer;
- Nicholas Talvacchia, Esq., appearing on behalf of MBD Development, LLC;
- Jennifer Smith, Esq., appearing on behalf of the NJSEA;

The capital presentation entailed proposed mixed development plans for Monmouth Park in order to provide new revenue streams that support racing at the track. With reference to conceptual plans and general developments marked as Exhibits A-1 and A-2, presenters provided a history of the track ownership and operators including current operator the NJ Thoroughbred Horsemen's Association; several development ideas presented over the years including water park, sports betting, slots and residential uses. The proposed project would be conducted in phases with Phase I initially including construction of 306 age-restricted residential rental apartment units of which approximately 61 units will be restricted for affordable housing purposes and currently still being reviewed and subject to change; construction of an 8-story 200 room hotel located to the southwest of the existing restaurant and mini-golf course; clubhouse; outdoor pool; pedestrian boulevards; recreational facilities with potential for an indoor soccer facility.

PUBLIC: Chairman Whitson opened the meeting to the public for comments or questions on the proposed mixed development. The following persons appeared and expressed concerns and made statements regarding the positive and negative impacts of the project and recommended changes that would address topics including financial impacts, density, affordable housing obligations, traffic, environmental impacts and emergency services:

- Dr. Jack Harris, Paddock Ct
- Debra Sharkey, River Ave
- Len Altomare, Avon Ave
- Irene Elliott, Kimberly Way
- Fred Fillipone, Captain, First Aid
- Burt Lynch, Pocano Ave
- Matt Zienewicz, Turf Drive and
- Cecilia Mancini, Hunters Run

Board members reviewed plans and exhibits for the capital presentation and with consideration of the public's comments offered the following concerns, questions, statements and recommendations: address terms of Borough Planner review letter dated 7/18/23; minimize or eliminate any prevailing affordable housing obligation on the Borough as a result of the development; reduce the number of residential buildings, reduce the height of residential buildings near roadways, no 3-bedroom units, stormwater management, increase the floor area of the apartments without increasing physical size of building; lower density, relocated helipad, landscaping, use of dark-skies compliant lighting, egress/ingress patterns, additional traffic studies to include greater physical area than just immediate surrounding intersections, LEED certified, interiors including stairwells be constructed in a manner that will be large enough for emergency personnel and equipment, building coverages, lot coverage, noise study be undertaken, perform a geotechnical investigation, require fire official review, submit accurate parking counts (not conceptual), consider a soccer facility complimentary to that of the adjacent municipal soccer fields, confirmation that units are age-restricted occupied.

Mr. Kennedy will prepare a resolution of the Board's recommendations for the next available meeting.

VIII. Old Business:

1. PR-23-15 Resolution of Approval - Signal Point LLC - As the Resolution had been previously provided to the Board, Mr. Kennedy summarized the resolution and its conditions. There was discussion on the conditions with Mr. Kennedy to confirm that the fencing was addressed. Mr. Davis made a motion to approve the Resolution with those conditions, which was seconded by Ms. Cooper and received the below roll call:

RESULT:	ADOPTED [8 TO 0]
MOVER:	Darren Davis, Class IV
SECONDER:	Patty Cooper, Mayor's Designee
AYES:	Whitson, Kahle, Cooper, Tvrdik, Foster, Widdis L, Davis, Dailey
ABSENT:	Kleiberg
INELIGIBLE:	Widdis C, Calver

2. PR-23-16 Resolution of Approval - 111 Sagamore 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. Foster and received the below roll call:

RESULT:	ADOPTED [7 TO 0]
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	Joseph Foster, Environmental Commission Liaison
AYES:	Whitson, Kahle, Cooper, Foster, Widdis L, Davis, Dailey
ABSENT:	Kleiberg
INELIGIBLE:	Tvrdik, Widdis C, Calver

3. PR-23-17 Resolution of Approval - 10 Riverside Ave - Mr. Kennedy advised that some technical details were still being reviewed and would have the resolution ready for the next meeting.

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

X. Adjournment: As there was no further business, the meeting was adjourned at 9:50 pm on a motion by Councilman Tvrdik which was seconded by Ms. Cooper and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary