BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES ● AUGUST 13, 2019

Regular **Maple Place School** **7:30 PM**

2 Maple Place, Oceanport, NJ 07757

I. **Call to Order:** Chairman Widdis called the meeting to order at 7:30 p.m.

II. **Open Public Meetings Statement:** This meeting complies with the Open Public Meetings Act by notification on January 9th and 11th, 2019 of this location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site.

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

IV. **Roll Call:**

Attendee Name	Title	Status	Arrived	Departed
Christopher Widdis	Chairman	Present		
James Whitson	Vice Chairman	Present		
Darren Davis	Mayor's Designee	Present		
Robert Proto	Council Liaison	Present		
Joseph Foster	Environmental Committee Liaison	Present		
John (Jack) Kahle	Class IV	Present		
MIchael Savarese	Class IV	Present		
Robert Kleiberg	Class IV	Absent		
Daphne Halpern	Class IV	Absent		
Thomas Tvrdik	Alternate I	Present		
Jeanne Smith	Board Secretary	Present		
William White	Board Engineer/Planner	Present		
Kevin Kennedy	Board Attorney	Present		8:25 PM
Dan Roberts	Substitute Board Attorney	Present	8:25 PM	

V. **Board Business:**

1. Approval of Minutes, June 11, 2019

Chairman Widdis called for a motion to approve the minutes of June 11, 2019, which was made by Mr. Whitson, seconded by Mr. Foster and approved by the eligible members of the Board.

VI. **Old Business:** None

VII. **New Business:**

1. PB2019-07 Ingrassia, Carl
   544 Seawaneka Ave
   Block 35, Lot 4
   Variance relief for construction of retaining wall and outdoor shower

Exhibits

A-1 Land Use Development Application of Carl Ingrassia
A-2 Plan entitled "Survey of Property" prepared by Charles V. Bell Associates, LLC, dated April 4, 2019, consisting of one (1) sheet
A-3 Plan entitled "Plot Plan for new wall" prepared by Richard Stockton and Associates, Inc., dated July 8, 2019, consisting of one (1) sheet.
A-4 Plan entitled "Hardscape Plan" prepared by Deruvo and Associates Architects, dated June 30, 2019, consisting of one (1) sheet.
A-5 Maser Consulting Review letter dated July 30, 2019

Mr. Kennedy asked if there was anyone present who had an objection to the notice provided for this application. Hearing none, advised that he and Secretary had reviewed the notice, found service in order and the Board had jurisdiction.

William White, Board Engineer/Planner was sworn. Mr. Kennedy marked **Exhibits A-1, A-2, A-3, A-4 and A-5** for the record.

Carl Ingrassia, Applicant/Owner, was sworn. Mr. Ingrassia testified that he was the owner and resident of the property since April 2019 of the single-family home. Referring to Exhibit A-2, Mr. Ingrassia described the slope of the side yard, water issues and difficulty to maintenance and the proposal to raise with a small retaining wall of 26-28" which steps down as it nears street. There was some confusion amongst the Board as to which plan showed the proposed wall, one Board member stated its on the Hardscape Plan. Mr. Ingrassia continued by describing the proposed outdoor shower. Chairman Widdis asked questions about the raising of the grade, fence on top of wall, height. Mr. Ingrassia responded, grade would be increased about 30" to the level of the house, with the fence about 5'. The fence would run to the end of the bulkhead on the corner where the return was. The fence would be a see-through fence.

Mr. White asked questions about the bulkhead, not on the property, and was told the fence would go to end of return of bulkhead. Mr. White pointed out that its unclear where the fence would end though because the bulkhead return is not on his property.

Mr. Ornowski of Two Thumbs Up LLC, Contractor for the Applicant, was sworn in. Mr. Ornowski described the wall as stepped in to the house where the blue slate was, where steps were shown, wall would not go to the bulkhead but would return into the deck. Wall and fence would extend towards the street stopping at front porch.

Mr. Kahle pointed out that the Hardscape Plan shows the fence on top of the Allen block wall going down to the water. Mr. Ornowski responded that the Allen block wall would not continue down there but would stop at the return to the step and was an error on that plan.

There was discussion concerning the three plans provided and conflicting information. Chairman Widdis asked again if the fence would be clear and was told yes, plan was for a black aluminum rail with poke and spindle. Mr. White expressed confusion as the Landscape Architect's rendering shows the fence as board on board, solid. Mr. Ornowski confirmed that it was not a board on board, it would vary in height because the wall would vary with grade.

Mr. White pointed out to the Board that the wall/fence would appear as 4' high on Applicant's side but from other side would be 6'. Mr. White asked if the shower was attached and if it would have hot water which would also require roof and drain. Mr. Ornowski responded it would be free-standing, cold water only.

Chairman Widdis asked how would the water flow on the neighbor's side. Mr. Ornowski answered the neighbor has a natural swale and grading and the wall's purpose was to change the grading on applicant's property. Mr. White questioned how the water was being held on the applicant's property – it was a good pitch off the neighbor's property and just pushing it more on to the neighbor's property. Mr. Ingrassia responded the water just sits there. Mr. Ornowski added that they want to add a 4" drain to move the water to the front. Mr. White commented he would like to make it so that there was minimization of the water runoff to the neighbor by redirecting downspouts or the like. There was also discussion of plantings and impervious coverage with the deck in the back having impervious patio underneath. The Hardscape Plan shows what looks like a paver walkway on the side, and plan key shows it as "new paver walkway".

Chairman Widdis advised the Applicant that based on the comments being heard from the Board and his own concern with the numerous differences between the plans submitted recommended that the Applicant take the time to have a single plan prepared that provides the details the Board was questioning. The Applicant requested that the application be carried and that new plans would be ready for the public in time for the next meeting.

Mr. Kennedy stated for the public that the application would be carried to the September 10, 2019 meeting with no additional notice required. Mr. Kennedy asked the Applicant if he would consent to an extension of the time required for the Board to make a decision. Mr. Ingrassia answered yes.

2. PB2019-09 Oceanport Board of Education
   Oceanport School District - Referendum Projects
   Maple Place School, 2 Maple Place
   -Capital Project - Site and Parking Modifications
   Wolf Hill School, Wolf Hill Ave, 29 Wolf Hill Ave
   -Capital Project - Site and Parking Modifications
   Education Project - Two new additions

Mr. Kennedy briefed the Board on their role for reviewing the conceptual plans submitting by the Oceanport Board of Education including the opportunity to provide comments and recommendations to the State for consideration during their review of the proposed projects.

Board members first discussed the plan for Maple Place School. Board Engineer Bill White commented that the site plan improvements were a long time coming, formal trash enclosure, pedestrian bridge over creek to ball fields, parking in front of building changing to 90 degree. Councilman Proto, Mr. Whitson had no comment. Mr. Davis commented on the emergency access drive with pavers and would it follow through. Mr. White responded, that refers to Wolf Hill School, it would connect the back 2 lots which is usually requested by the Fire Marshal for fire engine access. Mr. Kahle asked if this would address the incoming population from Fort Monmouth to which Mr. White answered he had no first hand knowledge. The plan was for no increase to Maple Place and a 2nd floor addition and expansion at Wolf Hill to remove the parking lot at the rear. Mr. Tvrdik commented he liked the idea at Wolf Hill School of the Pre-K funneled off at a separate entrance, his own experience with cars around the building and thought the plan was well thought out. Mr. Savarese asked about interior of 2nd floor addition – Mr. White responded that we were not provided that information and was not under our purview. Mr. Savarese added that he thought a fire truck should be able to get around and looked a little tight. Chairman Widdis commented that there were no details about additional lighting – only removing lights. Mr. White responded that they would have secure lights but this plan was not at the level of detail. Mr. White and Chairman Widdis expressed concern that the trash enclosure may not be large enough for the size school at Wolf Hill.

Mr. Kennedy drafted a resolution based on the comments of the Board and read the resolution in full for the record which was moved by Mr. Whitson and seconded by Mr. Davis and received the following roll call.

3. Motion to Approve Resolution Setting Forth Recommendations for the School District's Referendum Projects

RESULT:	**ADOPTED [7 TO 0]**
AYES:	Widdis, Whitson, Davis, Foster, Kahle, Savarese, Tvrdik
ABSTAIN:	Proto
ABSENT:	Kleiberg, Halpern

Chairman Widdis next advised that Mr. Kennedy would be stepping down due to a conflict with the next application. Dan Roberts, Esq. would represent the Board for this application.

4. PB2019-06 The Loft Partnership
   552 Caren Franzini Way
   Block 110.08, Lot 1
   Preliminary and Final Site Plan - The Loft at Fort Monmouth

Exhibits
A-1 Land Use Development Application of Chris Harvey
A-2 Plans entitled “Major Site Plan for The Loft at Fort Monmouth”, prepared by Landmark Surveying and Engineering Inc., last revised April 16, 2019, consisting of eight (8) sheets;
A-3 Plans entitled “The Loft at Fort Monmouth, Addition & Alteration”, prepared by Monmouth Ocean Design Experts, last revised May 31, 2019, consisting of five (5) sheets;
A-4 Landscape Architectural Plans entitled “The Loft at Fort Monmouth”, prepared by Melillo + Bauer Associate, last revised May 28, 2019, consisting of five (5) sheets;
A-5 Plan entitled “Survey Plan”, prepared by Landmark Surveying and Engineering Inc., dated

December 22, 2017, consisting of one (1) sheet;

A-6 Plan entitled “ALTA/NSPS Survey”, prepared by Langan Engineering and Environmental Services, Inc., dated March 7, 2017, consisting of one (1) sheet.

A-7 Report entitled “Environmental Impact Statement”, prepared by Envirotactics, Inc., dated July 2019.

A-8 Maser Consulting Review letter dated August 9, 2019

A-9 Traffic Impact Analysis prepared by McDonough & Rea Associates, Inc.

A-10 Photographs Depicting Existing and Conceptual Site Characteristics, 10 Sheets, prepared by Monmouth Ocean Design Experts, dated August 13, 2019

A-11 Colored Rendering of Exhibit A-4, Sheet L-1

Chairman Widdis asked the Applicant to disclose the members of the Partnership so as to determine if there were any conflicts among the Board members to which there were none.

Carlton Kromer, Attorney for the Applicant described and provided the business card for the experts planned for their hearing.

Mr. Roberts marked **Exhibits A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8 and A-9** for the record. Mr. Roberts further advised that notice had been reviewed, found service to be in order and the Board had jurisdiction.

Fuller H. “Trip” Brooks, Managing Member of the Loft Partnership, LLC, was sworn in. Mr. Kromer described and submitted photographs which were marked as **Exhibit A-10.** Mr. Brooks provided background information on the acquisition of the property from the Fort Monmouth Economic Redevelopment Authority (FMERA), the plan for redeveloping the subject parcel into a special event venue for weddings, corporate events, a small tasting brewery, a restaurant for breakfast and lunch, to be operated by his daughter, described the characteristics of the property and buildings referring to Exhibit A-10, the existing park to be maintained, the original zoning that provided for an outdoor stage but he would not be pursuing due to concerns with incoming residential development and the challenges to control such an outdoor use. In order to demonstrate the plans more fully, Mr. Brooks presented a short video outlaying the conceptual plans for the facility and renderings. Mr. Brooks continued testimony regarding the characteristics of the site and the vision for the property answering questions of the Board on same including the regulations of the microbrewery, primary use as a venue with food having breakfast, lunch and dinner type events, food preparation on site.

PUBLIC:
Chairman Widdis opened the meeting to questions from the public for this witness. As there was no one, he closed that portion of the meeting.

Anthony Parziale, Landscape Architect; for the Applicant, was sworn in, presented his qualifications and was accepted by the Board as a professional in landscape architecture. Mr. Parziale introduced a colored rendering of Exhibit A-4 which was marked as **Exhibit A-11**. Mr. Parziale, referring to Exhibit A-11, provided testimony concerning the various plantings, drop-off entry, decorative walkways throughout the site and park, the Board Engineer’s review and the species of plantings, and will comply with all of the Board Engineer’s comments.

PUBLIC:
Chairman Widdis opened the meeting to questions from the public for this witness. As there was no one, he closed that portion of the meeting.

Mr. Parziale, next provided testimony regarding the lighting of the site, Applicant will comply with all of the Board Engineer’s comments with the exception of the design waiver requested for the lighting spill over on Saltzman Ave side of property, FMERA’s recommendation, and that the park’s lighting was not needed at the same intensity of the other parts of the property. Board questions and concerns included lighting of the parking lot access and right of ways. Mr. Savarese asked if the parking lot extended further beyond what shown on the plan. Mr. Brooks reappeared and testified that FMERA had drawn an imaginary line down part of the lot and that FMERA also retained the right to take back that part of the property. There was discussion concerning the parking lot, walkway access, improved portion owned by The Loft and what happens when overflow goes into the unimproved portion of the lot, liability, Board recommendations that something be put in place to separate the two.

Luke Rudowsky, Project Manager for the Applicant, was sworn in and provided explanation concerning FMERA's right to take back the parking to create a shared parking lot scheme that would support other sites in the area including the Applicant's, a restriction that requires that part be maintained as parking. Mr. White pointed out to the Board that FMERA would not be able to unilaterally create the lot but would need to come before the Board. Mr. Rudowsky further testified that the parking lot would have new lighting and analysis had been completed to ensure proper lighting throughout the site. Mr. White asked if there was an easement for the parking lot egress/ingress as one was not shown on the plan. Mr. Rudowsky responded he believed it was FMERA's intent that the right of way would eventually be turned over to the Borough.

Chairman Widdis invited questions or comments from the Board. Mr. Whitson expressed concern for the parking lot; Councilman Proto expressed his concern for the parking lot; Chairman Widdis cautioned the applicant to consider the implications of a shared parking area and the potential pitfalls. Mr. Whitson added the point that the university across the street would have 500 students with parking needs.

PUBLIC:
Chairman Widdis opened the meeting to questions from the public for this witness. As there was no one, he closed that portion of the meeting.

Chairman Widdis also asked about parking lot signage and traffic flow. Mr. White responded that the directional signs would be a condition of approval.

Daniel Caruso, P.E., Engineer for the Applicant, was sworn in, presented his qualifications and was accepted as an expert in engineering. Mr. Caruso, referring to Exhibit A-2, provided testimony regarding parking spaces, parking stall widths, lot to be restriped, site would be compliant with the requirement, impervious coverage original calculation did not include pavers and with the pavers included they would be over so they would reduce the number of pavers in the courtyard to be compliant, design waivers to continue existing conditions, FMERA's review and support of the design waivers, based on physical constraints, lighting and no landscaping of the parking lot. Mr. Whitson asked Mr. White if he had a concern with design waiver #1 who responded that if anything it would slow traffic down. There were no objections from the Board on design waiver #1. Regarding design waiver #2, lighting, it was discussed when the lights would be on/off, not past midnight, lights would be dimmed to a lower level so that lighting was maintained at the site, Mr. Parziale pointed out plan notes of the lighting operation hours. Chairman Widdis commented that it was important for the public to know when the lights would dim, not just be on. Mr. White suggested a similar condition as the university where an approval would be conditional to every other light being turned off after 12:00 am subject to approval and input by the police which the Board and Applicant agreed upon. Design waiver #3 to waive requirement of 10% landscaping by the parking lot; the Applicant and FMERA's position that is a pre-existing, non-conformity. Mr. White responded that the site was a new use and that plantings would be appropriate along the walkway or barrier used to delineate the parking area, the Applicant stated they would comply. Design waiver #4 for the trash enclosure in front yard, Applicant's position that trash enclosure not in front yard, Mr. White pointed out that most of the property fronts on a right of way thus the front yard designation, Board consensus was that waiver be granted due to the peculiar layout of the property. Mr. Savarese asked about the occupancy of the venue and number of parking. Mr. White explained that they were in compliance and that factors for staff and multiple occupanct of vehicles taken into consideration for the count. There was also discussion on FMERA's request to remove on street parking along Malterer side of property. Board felt it would be good to get that back for staff parking but Applicant doesn't own it.

PUBLIC:
Chairman Widdis opened the meeting to questions from the public for this witness. As there was no one, he closed that portion of the meeting.

Mr. Caruso addressed additional Engineer comments including corrections to plans, grades, inlets, stormwater, fence details, handicap signage, all parking lot area to be over layed, the Applicant will comply.

PUBLIC:
Chairman Widdis opened the meeting to questions from the public for this witness. As there was no one, he closed that portion of the meeting.

Daniel Condatore, Architect for the Applicant, was sworn in, presented his qualifications and was accepted as an expert in the field of architecture. Mr. Condatore provided testimony related to the interior of the structure, preserve and add on, creating an industrial look that compliment surrounding historical area, flow of interior areas, fireplace details, use of existing entries, expose old windows and clean up, bring in light, keep existing walls, restore, described the floor plan, restrooms, waiting area, outdoor areas, brewery segregated, loading zone for deliveries, full-service kitchen, new 2-floor addition on existing footprint to replace damaged area and other features. There was one aluminum sign planned with backlit LED lights, any other lighting was that shown on the lighting plan. There was a separate entrance to the microbrewery should the licensing process require segregation. Microbrewery to be approximately 2700 square feet. Microbrewery was a boutique for supplemental activity of venue events, planned capacity was equivalent of 31 gallons/330 beers every 2 weeks.

PUBLIC:
Chairman Widdis opened the meeting to questions from the public for this witness. As there was no one, he closed that portion of the meeting.

John Rea, Traffic Engineer; for the Applicant was sworn in, presented his qualifications and was accepted as an expert. Mr. Rea provided a traffic analysis, A-9, described the conduction of traffic counts, peak periods, study included anticipated impacts from current and pending projects such as the university and Russel Hall, levels of service for traffic signal at Oceanport Avenue, projections based on doubling of current traffic volumes. Mr. White commented that he appreciated Mr. Rea's conservative calculations, compared with previous traffic studies submitted for those developments. Mr. Rea added that the area had a good mix-use where scenarios of shared parking could work where university has students during day and restaurants had in the evening. Councilman Proto asked if Mr. Rea was aware of the 180 townhomes and the planned hundreds of residential units in the 400 areas, Mr. Rea answered no, however, he believed that his conclusion for the applicant's use would not change and his experience was that those future applicants would build traffic studies based on his. Mr. Whitson asked about the summer use increase and was it included. Mr. Rea reiterated that the traffic studies for future planned development would build on already approved development. Mr. Rea responded to Board questions related to delay lengths at traffic signals, what a "B" level of service entailed, capacity of intersections, any studies used to build the analysis, other access points to the area and their potential impacts.

Mr. Kromer took a moment to speak with Applicant. Mr. Kromer then asked about the mechanism to move forward with a vote and the ability to include conditions for the Applicant's compliance with plan revisions and other noted changes subject to the Engineer's approval. Mr. White advised the Board that he had no concerns with the request and was confident it could be worked out through resolution compliance.

PUBLIC:
Chairman Widdis opened the meeting to questions from the public for this witness. As there was no one, he closed that portion of the meeting.

PUBLIC:
Chairman Widdis opened the meeting to comments or statements on the application from the public. As no one wished to be heard, he closed that portion of the hearing.

Councilman Proto commented that it was a beautiful project, presented well and was nice to see something come through that was not high-density development.

5. Motion to Approve Application PB2019-06 The Loft Partnership

Councilman Proto commented that their presentation was good and looked forward to this positive project for the Borough and made a motion to approve the application subject to list of conditions prepared by attorney as discussed and standard conditions which was seconded by Mr. Whitson. Mr. Roberts read for the record the discussed conditions in addition to the standard conditions applicable to the approval: variances for parking and lot coverage no longer needed – addressed in testimony, a variance for setback if needed was granted, three design waivers – parking, lighting, location of refuse containers; parking delineations, agreement to comply with Engineer's letters, condition of pavements, obtain all other required approvals and standard general conditions.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Robert Proto, Council Liaison
SECONDER:	James Whitson, Vice Chairman
AYES:	Widdis, Whitson, Davis, Proto, Foster, Kahle, Savarese, Tvrdik
ABSENT:	Kleiberg, Halpern

VIII. **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.

IX. **Adjournment:** As there was no further business, the meeting was adjourned at 10:30 pm on a motion by Councilman Proto which was seconded by Mr. Kahle and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary