OCEANPORT PLANNING BOARD
MINUTES
July 8, 2014

Chairman Widdis called the meeting to order at 7:32 p.m. and gave the Statement of Compliance with the Open Public Meetings Act: “This meeting complies with the Open Public Meeting Act by notification and publication of this date and time to the Asbury Park Press and the LINK News on January 23, 2014 and by the posting of same on the municipal bulletin board and Borough Web Site.”

Chairman Widdis led the flag salute.

MEMBERS PRESENT: Mr. Kahle, Mr. Johnson, Councilman Gallo, Mr. Gruskos, Mr. Kleiberg, Mr. Sullivan, Ms. DeSousa, Mr. Savarese, Mr. Whitson, Mr. Widdis

MEMBERS ABSENT:

OFFICIALS PRESENT: Jeanne Smith, Board Secretary, Rick DeNoia, Esq., Board Attorney

BOARD BUSINESS:

1. Minutes of the meeting of May 27, 2014 were approved as presented on a motion from Mr. Johnson and a second from Mr. Kahle and approved by the eligible Board members.

RESOLUTIONS:

2. PB2014-05 Chackko, Barbara. As the Resolution was made available to the Board previously, Mr. DeNoia summarized the Resolution after which Mr. Gruskos made a motion to approve the resolution which was seconded by Mr. Kahle and received the following roll call:

AYES:	Mr. Kahle, Councilman Gallo, Mr. Gruskos, Mr. Kleiberg, Mr. Sullivan, Mr. Whitson, Mr. Widdis
NAYES:	None
ABSTAIN:	None
INELIGIBLE:	Mr. Johnson, Ms. DeSousa, Mr. Savarese

3. PB2014-06 Houlis, Ann Marie. As the Resolution was made available to the Board previously, Mr. DeNoia summarized the Resolution after which Mr. Gruskos made a motion to approve the resolution which was seconded by Mr. Kahle and received the following roll call:

AYES:	Mr. Kahle, Councilman Gallo, Mr. Kleiberg, Mr. Sullivan, Mr. Gruskos, Mr. Whitson, Mr. Widdis
NAYES:	None
ABSTAIN:	Mr. Savarese
INELIGIBLE:	Mr. Johnson, Ms. DeSousa

DISCUSSION:

4. Monmouth Park – Chairman Widdis advised the Board that corresponds had been received by Councilman Robert Lynch requesting the Planning Board to petition the State to cede regulatory control over Monmouth Park and that the Developer should go through the board process regardless. Chairman Widdis commented that though that was not the role of the Board, he believed the Board was in agreement that the Council should petition the State for such oversight and was in agreement with Councilman Lynch that the local Planning Board

process be required of the Developer, that the State should not be involved and full control be given to the local Board as the site was operated by private party and no longer State operated. Chairman Widdis invited comments from the rest of the Board. Mr. Johnson made a motion to recommend to Mayor and Council to petition the State to seek regulatory control to Oceanport and if the State refused then seek legislative change and to request that Darby Development, should the petition not go through, go through the full Planning Board process even if the Board has no binding authority which was seconded by Mr. Kleiberg and received the following roll call:

AYES:	Mr. Kahle, Mr. Johnson, Councilman Gallo, Mr. Gruskos, Mr. Kleiberg, Mr. Sullivan, Ms. DeSousa, Mr. Savarese, Mr. Whitson, Mr. Widdis
NAYES:	None
ABSTAIN:	None
ABSENT:	None

Chairman Widdis further commented that he would like to know who would issue the building permits – the town or the State – and affects in terms of bonding. There was a discussion on which agency would be responsible for the site should the Developer fail – who holds the bonding to be sure the project's completion. Mr. Kahle asked if the paperwork could be sought from the State to assure the town that the bonding was in place which Ms. Smith advised could be done through an Open Public Records Request. Chairman Widdis added that he was not sure of the mechanism but would like the Mayor and Council to follow up somehow to request the information before the projects start which Mr. Johnson amended his motion to include requests for all documentation for all projects performed at that property be provided to the local municipality prior to the commencement of any work at the property to include the permitting and bonding documentation and a request for the power to hold and release which was seconded by Mr. Whitson and unanimously approved by the Board.

5. Fort Monmouth Update – Russell Hall. Chairman Widdis referring to Subcommittee minutes provided in the Board's packets of a meeting with the Kiely Group who was contract purchaser of property known as Russell Hall, summarized the purpose of the meeting, the building's characteristics, the plans for renovation, what roads would be private and public, utilities, the Committee's concerns regarding a planned cell tower at the site for a revenue source and a heliport located at the rear of the site that the Developer has plans to use as a commercial commuter service as a revenue source, disagreement that the heliport was an allowed use. Councilman Gallo advised that now that the full Board had been apprised he would be bringing it to Council. Chairman Widdis expressed concerns for safety due to nearness of the residential properties. Vice Chairman Whitson commented there were also environmental issues and that the area was eagle habitat and would have impacts on that. Discussion ensued on the uses. Chairman Widdis stated he would like Councilman Gallo to go back to Council and question the determination of the cell tower and heliport as permitted uses. Mr. Kahle asked if the Planning Board would have any over sight on the hours and number of flights. Mr. Kleiberg asked about the area for the cell tower and if there was enough area for a lay-down area. Chairman Widdis felt strongly that FMERA be told that those uses are not wanted for safety reasons. After discussion, Mr. Gruskos made a motion to make a recommendation to Mayor and Council that applications in the future on the Fort property that would have anything to do with the cell tower or helicopter pad or mass transportation of any type be first presented to the Town, Governing Body and the Planning / Zoning

Board and no use changes by FMERA to the Plan which seconded by Mr. Whitson and unanimously approved by the Board.

PETITIONS FROM THE PUBLIC: Chairman Widdis opened the meeting to Petitions from the Public and 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 8:02 p.m. on a motion by Mr. Johnson which was seconded by Mr. Sullivan and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary