OCEANPORT PLANNING BOARD
MINUTES
June 9, 2015

Chairman Widdis called the meeting to order at 7:30 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 29, 2015, and by the posting of same on the municipal bulletin board and Borough Web Site."

Chairman Widdis led the flag salute.

MEMBERS PRESENT: Mayor Mahon, Councilman Gallo, Mr. Kleiberg, Mr. Kahle, Mr. Sullivan, Mr. Whitson, Mr. Widdis

MEMBERS ABSENT: Mr. Fichter, Mr. Savarese

OFFICIALS PRESENT: Jeanne Smith, Board Secretary, Rick DeNoia, Esq., Board Attorney, Board Engineer/Planner William White

BOARD BUSINESS:

1. Minutes of the meeting of May 12, 2015 were approved on a motion from Mayor Mahon and a second from Mr. Whitson and approved by the eligible Board members.

As Mr. Berube, Attorney for RPM Development was present, the Chairman took the Agenda out of order to address the business related to RPM.

RESOLUTIONS:

3. PB2014-11.1 RPM South. As the Resolution was made available to the Board previously, Mr. DeNoia summarized the Resolution, detailed the specific conditions and advised of the changes due to comments after which Mayor Mahon made a motion to approve the resolution which was seconded by Mr. Kleiberg and received the following roll call:

AYES:	Mr. Whitson, Mayor Mahon, Councilman Gallo, Mr. Sullivan, Mr. Kahle, Mr. Kleiberg
NAYES:	None
ABSTAIN:	None
ABSENT:	Mr. Fichter, Mr. Savarese
INELIGIBLE:	Mr. Widdis

Ms. Smith stated the motion carried.

4. PB2015-11 RPM North. As the Resolution was made available to the Board previously, Mr. DeNoia summarized the Resolution and then requested that Mr. Berube advise as to why a request had been made to amend the condition concerning the dedication of open space to the Borough as there were on-going negotiations with the County, the Borough and FMERA that may present another situation whereby the Borough does not take possession of the open space. Mr. Whitson expressed concern as his vote was partly based on the understanding that the open space would be dedicated to the Borough. Mr. Berube further commented that it was his understanding that the Borough was the primary unless they chose not to accept. There was lengthy discussion on how it should be addressed ultimately the Board's decision was to not change the resolution and leave the condition as stated that the open space would be dedicated to the Borough of Oceanport. After which Mayor Mahon made a motion to approve the resolution with the only amendment being to special condition # 3 concerning the river walk which was seconded by Mr. Whitson and received the following roll call:

AYES:	Mr. Whitson, Mayor Mahon, Councilman Gallo, Mr. Sullivan, Mr. Kahle, Mr. Kleiberg
NAYES:	None
ABSTAIN:	None
ABSENT:	Mr. Fichter, Mr. Savarese
INELIGIBLE:	Mr. Widdis

Ms. Smith stated the motion carried.

NEW BUSINESS:

1. PB2014-01.02 AcuteCare LLC
   1075 Stephenson Avenue
   Block 110.01, Lot 1
   Request for Site Plan Approval with variance(s) – Phase II

A-1 Site Development Plan, Colored, Page 3 of 9 of Preliminary and Final Major Site Plan AcuteCare at Fort Monmouth – Phase II, prepared by FWH Associates, P.A., dated February 26, 2015.

A-2 Architectural Plan, 1 Sheet, prepared by Gannett Fleming Architects and Engineers, not dated.

Armen McOmber, Attorney for the Applicant, gave opening remarks, described the property consisting of 15.5 acres on the north side of Main Street, the Board's previous approval of Phase I which consisted of approximately 42,000 square feet devoted to adult daycare medical uses which was also complete and had received from the Borough a Certificate of Occupancy for that portion of the project. Mr. McOmber then described the application before the Board that night for Phase II which consisted of 82 one-bedroom senior friendly upscale apartments, approved by FMERA, the individuals applying to be tenants will be preferred if they are 55 years of age or older or a veteran. This phase would also include various amenities for the apartments such as laundry room, lobby and common areas. It was not a nursing home, nor assisted living – nothing like that – simply a senior community for individuals that could independently live but would likely use the services of the adult daycare and PACE program which was an all-inclusive care for seniors, health care so they could live independently. Mr. McOmber stated that the Applicant was seeking approval for Preliminary and Final Major Site Plan Approval for Phase II, a variance for number of parking spaces required by the Borough for the 82 units. It was 1.8 parking spaces per apartment and therefore 148 space were required for Phase II with Phase I having received a variance for 211 spaces for a total of 359 spaces required with proposed 301 spaces for both Phases. Mr. McOmber recognized Mr. White's review letter which sets forth that Phase I required 253 spaces but they did receive a variance for 211 spaces and would provide traffic testimony to address same. They were also seeking design waivers for 20' wide access for 1-way flow and 24' access for 2-way access flow where 22' and 25' were required. That particular variance for design waiver was approved by FMERA and also granted similar by planning board for Phase I. Mr. McOmber then summarized four (4) expert witnesses providing testimony that evening.

Mr. DeNoia stated for the record that notice had been reviewed, was in order and the Board had jurisdiction.

Mr. White, Board Engineer and Planner was sworn in for the record.

Mr. McOmber called for Dan Czermak, Owner and President of AcuteCare Management Services who was sworn in and would be testifying as a fact witness for general information.

Mr. Czermak provided the Board with background information on the services provided by AcuteCare for critically ill patients of a senior population that need nursing home level care but wanted to remain in their home, other locations being served, the process by which they became interested in acquiring the property, the PACE program that they were being approved to administer being a 3 party agreement between the federal government (Medicare), the State of New Jersey (Medicaid) and their PACE program (Beacon of Life) whose role was to coordinate services under one organization so physician services, hospital services, daycare, home health services would provide nursing home level care for seniors that are eligible for nursing home level but kept them out of an institutionalized setting. Mr. Czermak continued that it would also provide meals, physical occupational therapy for medical clinic, activities, direction, social work – everything that touches the patients who will use the program which is available Monday through Friday, transported in by vans from their homes or apartments and brought to the center, spend their day there and then brought back. AcuteCare has a relationship with Meridian to provide any services that they are not able to provide. Mr. Czermak gave a status of the review and timeline for a decision and plan to be open and operating by August. Mr. Czermak also gave a status on the site work being performed from their Phase I approval and anticipated completion and that they were licensed by the Department of Health as an ambulatory care facility and anticipated ruling concerning Medicare approval shortly.

Mr. Czermak next explained that when he was before the Board for Phase I many of the Board members were wary about doing Phase I not knowing what Phase II would be so he had given a little hint to the best of his knowledge what he was planning on doing depending on the circumstances. They talked about some level of institutionalized care in there, nursing home, assisted living or market rate apartments. They have landed on the market rate apartments and call it senior preferred and even though it is really geared towards seniors, don't ask him why he didn't call it senior restricted but he'll tell them why. It was really geared for people who are either going to be PACE enrollees or people that will eventually need it. The independent living is for seniors that want to sell their homes, get into a smaller place, a place that was maintained for them, there is socialization and common areas and if there was a need to move into an assisted living they have the PACE program as a backup for services that they need so they won't have to end up in assisted living or a nursing home and that was the model for the apartments. Independent apartments that was geared towards seniors, handicap friendly, small apartments meant for at most a couple or a single occupancy, geared towards even though they said age preferred but it was geared towards the 75 year old senior, they would be upper income to upper middle income and that was the market they were gearing to and expect a synergy of services between the medical and residential.

Chairman Widdis asked if there were to be any restrictions in terms of low to moderate for this property. Mr. Czermak responded not that he has spoken with FMERA on that issue, he knows that they have requirements for low and moderate and they would comply to the extent that they need to under FMERA regulations. Chairman Widdis asked if they would be for sale units and was told no, they were to be long-term rentals meant for people to move in in their senior years, the sunset years of their life, would include utilities, TV, phone, maintenance of property.

Chairman Widdis asked for questions from the Board.

Councilman Gallo asked about the electric power and having their own co-gen? Mr. Czermak answered that the Fort property has its challenges as all the utilities were centralized and there was unwillingness by the utility companies to step in, AcuteCare proposed co-gen system which was a gas-fired generator that produces electricity and the steam that off-sets it is captured and goes into a cooling chiller or heater system that produces hot and cold water throughout the building; would provide utility service with a backup connection to the grid but would be able to function without disruption in the event of another storm such as Super Storm Sandy. The system would be constructed in the same footprint as the existing systems servicing the property.

Mr. Whitson commented that essentially it's an 82 unit apartment building; asked if he had any other apartment buildings and was told no, this was his first one.

Mr. Kleiberg asked they are all single bedroom units what would happen if there was a couple that wanted to occupy the unit. Mr. Czermak answered that they had not completed interior design – only a rough wall layout but some may have a bedroom and a den, the sizes are that most of the units would probably be a studio layout but there may be some larger ones that would be appropriate for a couple.

Chairman Widdis asked if there would be a place for the people to eat other than their apartment and was told yes, the units were relatively small, and the concept was for much common areas. Chairman Widdis asked then there would be a communal kitchen. Mr. Czermak answered yes, like a catering location.

Chairman Widdis asked about the Beacon of Life program and what did it provide. Mr. Czermak answered it was the PACE program and involved patients that would need to move to another level of care but wanted to stay in their homes such as Alzheimer patients.

Chairman Widdis asked then at some point he expects these all to be market rate driven and was told correct. Chairman Widdis asked how they would find out about the low to moderate. Mr. Czermak answered that he was obligated under FMERA and to the extent he was obligated he would and it was his understanding that it was 10% low and 10% moderate for a total of 20%.

Mayor Mahon commented on his statement concerning the low and moderate and the 20% but the documentation calls out that the senior care apartments would be marketed preferably to 55 or older with an income level between 35 and 50 and his knowledge of the state statute wouldn't most of the units be affordable as opposed to market rate. Mr. Czermak answered that he couldn't definitely say and when he says market-driven…

There was a break in the testimony so that the battery in the microphone could be changed.

Mr. McOmber commented that there may be some minor issues but on the whole the Applicant was looking to do middle income - $50,000 a year salary probably exceeds even moderate for New Jersey and the Applicant was proposing middle income and the $30,000 number, they were looking to market for a unit that size.

Mayor Mahon brought attention to the Beacon paperwork, the AcuteCare Management Services, not sure if there's a number for this but the document mentions in the 3rd paragraph and then on page 2, 2nd paragraph on affordable housing it says specifically that it is aimed at seniors that are living on fixed incomes, some of whom will be able to take advantage of the PACE program but it goes on to say that these apartments are the lowest cost options compared to assisted living homes and his thought is that this would border on almost being entirely affordable and asked if they had calculated what the credit value would be and what would qualify. Mr. Czermak responded that there is a low or moderate obligation and that from those numbers an expert would come in and market at the level needs to be and gave an example of costs for assisted living.

Mayor Mahon stated that that doesn't answer his question and asked him to clarify absolutely what credit value this will have, what it meets in terms of the statutory requirement under FMERA for housing in accordance with the State requirements by this County so the Board can understand completely what those numbers are and what their value is in terms of your development and thinks the income levels will provide a better picture of the actual income levels for affordable versus the income levels being sought to market to.

Mayor Mahon then asked questions about AcuteCare's original proposal for 50-58 units and now they've come in with 80 units and asked what the difference was and what the benefit of that was to the community. Mr. Czermak testified that with the need for the building to be a full "gut" it was not economically feasible at the 58 number and the benefit to the community was a real option for seniors that want to move into senior residences that meet a middle class or upper middle class standard and that there was very little available for those persons that don't qualify for subsidies and live on a pension and social security and they were gearing this towards the PACE program to serve a broad range of socioeconomic patients and expect to market to broad communities and not towards the lower socioeconomic spectrum. Mr. Czermak testified that the reason they went from 58 to 82 really was a virtue of keeping the apartments smaller, keeping the residences smaller and would not burden the community.

Mayor Mahon asked if they anticipate all the residents would seek service from Beacon and was told no, they may use an outside service. Mayor Mahon commented that his concern was then for the parking needed for visiting nurses and other services which the community has seen a problem with at another facility in town and while traffic and parking studies were done asked if the trips for service providers were included in the trip counts? Mr. Czermak commented that it would be greatly reduced as the staff of PACE would be available whether in the program or a separate entity and therefore did not receive much additional traffic.

Chairman Widdis asked what type of information and were there any restrictions on income level for the PACE program and was told no, the only low to moderate units are driven by the FMERA statute. Mr. Czermak explained further the roles of Medicaid, Medicare and PACE which takes care of the medicine and the long-term care portion – home health aides, social services, are provided in a nursing home setting – private insurance, commercial, Medicaid, etc. and they would have the same mix of options but sees their program being more for those that don't have a lot of money to burn but don't meet the income requirements for Medicaid.

Mr. Whitson asked was there any facility to provide groceries. Mr. Czermak answered no, but they would provide vans, scheduled transportation to grocery stores.

Mr. Kleiberg asked would the services be provided to Veterans. Mr. Czermak answered that Veterans would be given preference to the extent that the program would allow. Mr. Kleiberg asked then you'll take VA money – Mr. Czermak answered no, its veterans, not VA money and do not intend to seek VA money in the future.

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

Mr. McOmber asked Mr. Czermak to address Mr. White's review letter comment concerning traffic and circulation. Mr. Czermak testified that the site had its own circulation plan, AcuteCare owns the roadways, would maintain, fix and repair and would be kept separate and private from the remainder of the Fort area.

Mr. White commented that there was potential for FMERA to take back the roads as necessary as the Fort area develops out.

Mayor Mahon asked how would there be access to the sites such as the nurses' quarters. There was discussion on how FMERA would address it including opening a new access road or negotiating to share access road.

Mr. Whitson asked when the fence would be coming down. Mr. Czermak stated he wanted it taken down long ago, however, FMERA and the Army continue to require them to limit access until the project was completed in full. Mr. Whitson asked for an estimate to which Mr. Czermak answered approximately 15 months.

Christopher Rosati, Professional Engineer for the Applicant, was sworn in, presented his qualifications and was accepted as an expert in the field of engineering.

Mr. Rosati described and submitted for the record colored rendering of Site Development Plan which was marked as **Exhibit A-1**. Mr. Rosati provided testimony concerning the site plan for Phase II, the proposed site plan amendments, requests for design waivers related to roadway widths and widths of 2-way access path, widths of travel aisles in the parking area, minimal changes to the site for Phase II as most of the work involved rehabilitation of the building. Mr. Rosati also discussed the "hot box" and discussions with NJ American Water and that the hot box was no longer required as there was an existing brick out building space that was heated and that the meter, reverse power pressure, equipment would be contained within that brick building and it was his opinion that it was a better solution as was more accessible to NJ American Water and easier to maintain.

Chairman Widdis asked questions about the site plan which Mr. Rosati addressed including the number of parking spaces to be provided for Phase II, the 76 spaces previously slotted for future use in Phase I now slated for Phase II, the 20 stall area noted in Mr. White's letter, the requirements under FMERA and the variance granted by FMERA, Oceanport's requirement of 1.8 spaces per unit which meant a requirement of 148 spaces, they are providing an additional 76 spaces over what was presented for Phase I so the total site requirement is 359 using the Oceanport standards and the granted FMERA variance they are providing 301.

Mr. White commented that they are using Oceanport's standards for the reason but the reality is the Fort's land use law supersedes ours and the real requirement is 401 spaces. Mr. McOmber responded yes, that was true and they received a variance from FMERA for that. Mr. Rosati added that Mr. McKenna would be providing testimony as to why they felt the provided parking was adequate for the site.

Chairman Widdis asked what the bigger lot was and was told 56.

Mr. Kleiberg asked none of those are handicap? Mr. Kleiberg asked how many on the whole site and was told 8 or 9 and 7 were required under ADA. Mr. Kleiberg stated 9 needed for 401 spaces. There was discussion on the number being based on spaces provided, that 4 ADA spaces could be relocated to that front area. Mr. Whitson commented that he thought there would be more handicap considering the target was older population that would need that type of space. There was lengthy exchange on the number of spaces, how many were required, if the amount proposed was sufficient for the type of tenant proposed and the location of the ADA spaces.

Chairman Widdis asked if they would be providing additional information on how handled with other sites and was told yes.

Mr. Kahle asked where the main entrance was and there won't be any ADA spaces there? Mr. Rosati answered they could put 4 spaces up there.

Mayor Mahon commented that once you do the handicap accessible spaces it certainly changed the dimensions of total spaces in that row. There was discussion on the impacts on that change would have.

Mr. Kleiberg read for medical outpatient facilities, 10% of the spaces shall be accessible, the exceptions for facilities that specialize in services for mobility impairment services 20% shall be accessible.

Mr. McOmber reiterated that the site is market rate apartments, not a medical facility or assisted living, where the tenants hopefully were ones that would take advantage of services provided by Phase I.

Mr. McOmber then asked the Chairman if it would be acceptable for him to go out of order a bit and go straight to traffic rather than continue with engineering as the Board seemed to have a lot of questions.

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

Mr. Whitson asked about the calculations of the parking – were they located all in same locations and pointed out his concern that none of the spaces in the closer lot were accessible considering the type of tenant.

Mr. Whitson asked if the project would meet any of the Borough's Mt. Laurel obligations. Mr. McOmber answered that it was unknown at this time, but they would certainly comply with the ordinance.

Mayor Mahon requested more information on the size of the spaces both as required by FMERA and by the Borough and would like them to come back with additional information and begin their parking calculations based on the original required 401 spaces so that it shows the true deficit not as 58 but as 100. Mr. McOmber answered that they had presented from that number because they had already received the variance for those units from Phase I but if the Board and Mr. White feels that not appropriate they could do so but they had received a variance in Phase I.

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

Mr. McOmber stated he would reserve Mr. Rosati to return to address the engineering review and would now proceed with the traffic expert which was where the majority of the concern was directed.

At 9:05 p.m., Chairman Widdis called for a 5-minute recess with no objections from the Board.

At 9:11 p.m., the Board resumed with roll call showing all previous members present.

Mr. McOmber stated it appeared they were going to need to return with additional information at a future meeting and requested to proceed with the architect's testimony as he was not available for the next meeting date which had no objections.

Vincent Della Donna, Architect for the Applicant, was sworn in, presented his qualifications and was accepted by the Board as an expert in the field of architecture. Mr. McOmber submitted for the record Architectural Plan which was marked as **Exhibit A-2.**

Mr. Della Donna provided testimony concerning the design of the residential building, floor plans, apartment layouts, common areas, appliances, living/dining space, full size bathroom, full size bedrooms, charge to maintain existing footprint and maximize the number of units that could be created in the existing building, ingress/egress and connection to Phase I buildings, ADA compliant, re-facing exterior of stucco building, stone veneer, reworking of stairways to connect everything.

Chairman Widdis asked Mr. White if he had any questions and responded no.

Chairman Widdis asked where the elevators would be located. Mr. Della Donna, referring to Exhibit A-2, indicated where the elevators were located.

Chairman Widdis asked how the garbage removal for the units would be handled. Mr. Della Donna stated that there was a dumpster location and indicated where on the site plan the trash would be brought. Mr. McOmber stated that Mr. Czermak would be able to provide information on that topic.

Chairman Widdis stated that in the preliminary application there was 58 units proposed and asked Mr. Della Donna where the additional 30 units came from.

Mr. Della Donna stated he was not part of the original 50 units but described how they produced 82 units by assessing the building, size of the apartments requested by Mr. Czermak, given the structure of the building, utilizing existing corridors and support systems they were able to provide the 82 units. Chairman Widdis asked how many units would be created in the new area and was told 3 or 4.

Chairman Widdis asked questions about the size of the units. Mr. Della Donna answered the smallest was 430 square feet (C) up to 630 square feet (D) however those numbers may change as they were only in the concept planning stage. Chairman Widdis asked how they were being laid out and was told it would be a traditional central hallway, apartments would flank each side and indicated the pink areas on the provided plan showed a unit. Chairman Widdis asked if there would be bathrooms downstairs in the common areas and was told yes, and also where the catering type kitchen would be and that the blue area in the middle of floor plan was a large multipurpose room. Chairman Widdis asked about the common areas on floors 2 and 3 and was told similar but not as large.

Mr. Kahle asked about the 2nd floor plan, the pink area being the apartments, looked like it blends into Phase I. Mr. Della Donna answered yes, it does, there are units on the 2nd floor over the 1st floor of Phase I. Mr. Kahle asked was that area presented for another purpose as part of Phase I. Mr. Rosati testified and confirmed that Phase I had only been for the 1st floor and nothing above the 1st floor. Mr. Kahle stated earlier he thought he heard testimony that if someone didn't want to cook in their unit they could go down to common area and get food as the word 'catering' was used. Mr. McOmber responded that if people wanted to use that area for parties but was not meant for permanent food preparation or service on a daily basis.

Chairman Widdis stated he had been in these types of places and most of the people of that age don't cook and end up going downstairs to eat with other people.

Mr. Della Donna stated that nothing in the program architecturally would stop that from happening if they wanted it to.

Chairman Widdis stated he didn't want to be misled because he thinks where this is going to go is in this venue or in that type of business plan.

Mr. McOmber stated that was not what they were proposing.

Chairman Widdis stated he knows that's not what's being proposed but has a feeling that's where its going to go later on.

Mr. McOmber responded that was not their intention. This was not assisted living but were market rate apartments.

Chairman Widdis stated that Mr. Czermak represented that he would have people there that would be 75 years or older and knows what happens.

Mr. McOmber opined that if people require more care than this facility has through the PACE program, the idea is to keep them in the apartments using the PACE program – it wouldn't be for everyone and even as market rate apartments some would have to go to an assisted living facility.

Councilman Gallo asked how could a person live in something so small. Mr. Della Donna answered they were fairly typical for independent style senior preferred housing geared towards looking to downsize, provides a bedroom, a full bathroom and full kitchen. Councilman Gallo says then the full kitchen is a sink, washer…Mr. Della Donna answered stove, cabinets and an area for prep.

Mr. Kahle asked in getting from 56 to 82 how did they get there. Mr. McOmber stated that he was not sure what had been represented in the first application and that Mr. Della Donna had not been a part of that and wasn't sure he could testify as to how they got from 56 to 82 and perhaps the best testimony was that of Mr. Czermak's in light of the economics and the demands of the market.

Mr. Della Donna did state that they were gutting the interior, columns, floor slabs, duct ways and stuff would remain, existing walls would be taken down and reassembled in a new layout.

Mr. Sullivan asked if there was a food preparation or kitchen area for the adult daycare facility. Mr. Della Dona responded that was part of Phase I PACE program. Mr. McOmber offered to have Mr. Czermak speak to that.

Mr. Whitson asked if Mr. Della Donna could name other sites in the area that would provide similar sized units. Mr. Della Donna answered that he believed there was one in Tinton Falls and could bring back that information but his team had researched other sites…

Mr. Whitson asked what the capacity was for the common room. Mr. Della Donna answered a maximum of 20 people. Mr. Whitson asked how wide were the corridors and was told 5' wide. Mr. Whitson asked if 2 wheelchairs could go down side by side. Mr. Della Donna answered yes, it was an ambulatory width that wheelchairs could pass through.

Mr. Whitson asked how far the age-preferred resident would have to carry groceries from the parking lot to their unit. Mr. Rosati answered roughly 300'.

Mr. Kleiberg asked about the 1st floor where the purple area was, was it accessible without travelling from outside. Mr. Della Donna responded that there would be doors for security purposes there but would not need to go outside.

Mr. Kahle asked if they were gutting the building why were they not proposing to change out the windows which couldn't be very energy efficient. Mr. Della Donna answered that they were not the original building windows, were looked at and assessed in good mechanical working order and fine for this type of use.

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

Scott Kennel, Traffic Expert for the Applicant, was sworn in, presented his qualifications and was accepted by the Board as a traffic expert and not a traffic engineer.

Mr. Kennel provided testimony concerning the Traffic Statement prepared for the site under the licensure of John H. Rea, PE, including the number of trip counts during periods of the day anticipated to be "worst case" scenario, how the trip generation was calculated, projected numbers based on the senior population type expected to live on the site, comparison with Oceanport Gardens and results of studies done at 2 other PACE centers which was requested during the application for Phase I, the results of parking accumulation studies and how they were performed based on the type of uses for the site and it was his opinion that based on that information the 301 parking spaces being provided were adequate to support the parking needs for the proposed uses on the site.

Mr. Kennel expounded on the provision of 9 handicap accessible spaces and that most of the users of the facility were transported in, that the 10% requirement was for medical facilities and that the 9 ADA spaces were adequate for the proposed use and accommodate any parking demand on site.

Chairman Widdis asked about the information on page 3 of his report that talks about 82 age preferred apartments and doesn't understand that in correlation with the target of 55 and over. Mr. Kennel responded that the intent was that the median age may be 75 but the services may be needed by someone under 55, a veteran. The 82 was the number of units not the age.

Mr. Kleiberg stated he was present for the Phase I hearing and it was his understanding that the parking problem was supposed to be addressed during the Phase II application back when it was 56 not 82. But then commented on the requirements of the Uniform Construction Code and they wouldn't be concerned with what the Board comes up with required spaces and that when the construction official does the review there was nothing that could be done if the UCC requires something other than what the Board approves and his problem was that if medical outpatient facility handicap spaces was 10% available and was Phase I and Phase II and if it was screwed up during Phase I doesn't mean it shouldn't be addressed and fixed now and that it UCC isn't going to care what the Planning Board said.

Mayor Mahon expressed concern that there was no fire lane to provide access for that building and how a fire truck with a 75' ladder truck would get to the front of the building, the turn angles of the driveway and was certainly a consideration that they should have, and how the truck would then get out of that area as there was nowhere for the truck to turn around. And the traffic expert mentioned the number of jobs and several different standards and asked why he didn't use one common reference instead of bouncing back and forth between the standard that provided the best outcome.

Mr. Kennel responded the intent was to use available sources. What helped was their was known use of the Phase I whereas most times it's too generic and in this case was able to provide the adequacy of parking for that use. The PACE operation was not a typical use and because of its transportation in of patients impacts the projected needed parking spaces, as for the apartments he was able to use IT data for similar building uses in the area which aided in projecting the adequacy of parking spaces and that Oceanport Gardens under RSIS would need 180 to 200 spaces but from his observation that site didn't need that many and that was why he used the different references.

Mayor Mahon asked about the paperwork that projected the number of jobs minimum of 200 and how did that compare with the numbers for actual jobs. Mr. Kennel answered he wasn't aware of the paperwork and had based his figures on the number of employees which weren't all on site at the same time.

Mr. Whitson asked what was the median age. Mr. Kennel answered again, Mr. Czermak expects it to be 75 and at that age vehicle ownership would be low. Mr. Whitson asked about his comment "tight at times" and why would we want that to happen. Mr. Kennel responded that the applicant's site provides more parking and why his expectation was that the demand would be less than 200 at peak times.

Mr. Whitson asked if the traffic expert was also the parking expert and was told yes.

Mr. Whitson asked about the parking spaces furthest away from the main entrance being at 300' and was that a good parking solution for occupants of that median age of 75.

Mr. Kahle asked what would prevent someone from parking in the lot for Phase II and walking through the building to get to where they've got to go. Mr. Kennel answered only the residents in Phase II would be able to get through. Mr. McOmber added that there were ways to address that such as designated parking and security that limits access to residents only and that many of those using Phase I are transported in.

Mr. Kleiberg commented that Oceanport Gardens had all behind it was supposed to be parking and recreation and CAFRA had stopped that because of the environment otherwise that site would have had more parking.

Chairman Widdis asked if there was a break out of the number of employees versus participants for the PACE program. Mr. Kennel stated that the # of participants was 80-90 and employees considered for PACE was 60-80. Chairman Widdis asked then does that mean you're only providing for the 10 people and nobody using PACE would drive. Mr. Kennel answered yes, PACE participants are either transported or dropped off but do not drive there. Mr. Kennel budgeted 30 spaces for the daycare and the medical spaces were budgeted 5 per 1000 which was at 27 spaces.

Chairman Widdis asked what was an institutional pharmacy and was told one that was within a medical facility as opposed to a Walgreens or a Rite Aid.

Chairman Widdis asked what types of facilities did he use as his basis for observations and was told senior housing in Howell and that he had projected to the high side.

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

Mr. Czermak appeared to address several of the Board's questions including food and kitchen space, parking counts, where the parking was located related to the entrance of the building – PACE program has fully functioned kitchen and would lend its services to the Phase II residents; as to the parking spaces being overall sufficient, the easy access by the 20 space lot they would identify and dedicate those specifically for the residents and identify employee parking away from the building and in addition they would be providing transportation to the mall, grocery stores for those that don't have a vehicle and would be dropped off at the entrance to the building; as for the employees, vans, he could not say there wouldn't be anyone that would visit but in general the participants were transported in and the employees were not all there at the same time so the 80 employee count was all in; the institutional pharmacy was a tenant and was not meant for the public but is a pharmacy that supplies institutions such as the PACE program and area institutions.

Councilman Gallo asked to understand the concept – its not a medical facility its an apartment house and was told yes, an apartment house that was geared towards socialization for seniors. Councilman Gallo asked you've said its age preferred? Mr. Czermak said it's a silly term and if the Board wants they are absolutely willing to make it age restricted 55 and older. His reasoning behind it was if there was a veteran or disabled person 45 years old they wanted it available to them but if the Board felt more comfortable with age-restricted they would make it that.

Mr. Whitson asked who cleans the common areas and was told a cleaning crew. Mr. Czermak stated there would also be designated garbage areas on the floors.

Chairman Widdis asked for the plans to designate where those garbage areas will be.

Mr. Whitson asked how wide was a wheelchair. Mr. Czermak commented that it was important that the Board understand that wheelchairs would be part of it but it wasn't going to be 50% of the people using them and it was an independent living facility and if they age or deteriorate to that point this facility was not for that individual and not to the extent being perceived.

Mr. Kleiberg asked if the floors would be gutted and was told yes. Mr. Kleiberg said then they could put 8' corridors down this thing if they had to. Mr. Czermak but they couldn't get apartments down both sides then and the 8' was hospital standard not apartment standard.

Mr. McOmber stated they would seek review by the Fire Marshal, would denote the plans, take a look at the various items and concerns of the Board, the circulation of the lot in front of the building for ambulances after hours, fire lane, etc. for accessibility to the Phase II building and need to address the number of units and what it represents in terms of that.

Mr. McOmber asked if the age restricting was desired by the Board. Chairman Widdis stated it was his opinion no as he would not want a veteran to be precluded from eligibility for the services.

Mayor Mahon commented that he thought it was a valid point but that the age restriction was generally desired however the veterans as spoken since the beginning discussions with Oceanport were indicated veterans would receive preferred status. Mr. Czermak offered the age-restriction with veterans as an exception.

Chairman Widdis also asked for a better understanding as to the low and moderate income matter so to address that when they return and also the number of units with respect to Mt. Laurel and FMERA.

As additional information was being required by the Board, the Applicant requested that the hearing be carried to the July 14, 2015 meeting with no new notice required which received no objection by the Board.

RESOLUTIONS:

2. PB2013-05 Ardito, David & Lisa. As the Resolution was made available to the Board previously, Mr. DeNoia summarized the Resolution memorializing the denial of the application after which Mr. Whitson made a motion to approve the resolution of denial which was seconded by Mr. Kleiberg and received the following roll call:

AYES:	Mr. Whitson, Mayor Mahon, Councilman Gallo, Mr. Sullivan, Mr. Kahle, Mr. Kleiberg
NAYES:	None
ABSTAIN:	None
ABSENT:	Mr. Fichter, Mr. Savarese
INELIGIBLE:	Mr. Widdis

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.

ADJOURNMENT: As there was no further business, the meeting was adjourned at 10:36 p.m. on a motion by Mayor Mahon which was seconded by Mr. Kleiberg and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary