BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES ● FEBRUARY 25, 2020

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

2 Maple Place, Oceanport, NJ 07757

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

II. **Open Public Meetings Statement:** Vice Chairman Whitson stated this meeting complies with the Open Public Meetings Act by notification on January 15, 2020 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:** Vice Chairman Whitson led the audience and members of the Board in the flag salute.

IV. **Roll Call:**

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

V. **Board Business:**

A. Minutes:

1. Approval of Minutes - Regular - Feb 11, 2020 7:30 PM

RESULT:	**ACCEPTED [7 TO 0]**
MOVER:	Joseph Foster
SECONDER:	Thomas Tvrdik, Class III
AYES:	Whitson, Cooper, Tvrdik, Foster, Savarese, Kleiberg, Dailey
ABSTAIN:	Kahle, Davis
ABSENT:	Widdis, Rue

2. Approval of Minutes - Special - Feb 10, 2020 6:00 PM

RESULT:	**ACCEPTED [7 TO 0]**
MOVER:	Robert Kleiberg, Class IV
SECONDER:	Joseph Foster, Environmental Committee Liaison
AYES:	Whitson, Cooper, Tvrdik, Foster, Savarese, Kleiberg, Dailey
ABSTAIN:	Kahle, Davis
ABSENT:	Widdis, Rue

B. Correspondence:

1. NJDEP Notice for Fort Monmouth Allison Hall Parcel

Ms. Smith advised the Board of receipt of correspondence concerning the Alison Hall parcel for the submission of DEP CAFRA application for development on the parcel. She further advised that the attorney for the project had filed an application with the Board earlier that day.

C. Investigation Report of Area in Need of Redevelopment - POSTPONED:

1. Resolution #2020-056, Governing Body
2. Report by Planners Phillips Preiss Grygiel Leheny Hughes
3. PUBLIC HEARING - Area in Need of Redevelopment
4. Resolution for recommendations to Governing Body - Result of Area in Need Investigation Study

Attorney Matthew Jessup from the Borough's Redevelopment Counsel, McManimon, Scotland & Baumann, appeared and advised that the Investigation Report presentation for the tech campus south parcel, McAffee parcel and Squier Hall needed to be postponed to a future date as the professional planner advised that further due diligence was necessary to update the report prior to presenting to the Board. Mr. Jessup asked that the Board consider a resolution that recommends to the Governing Body that will ultimately declare those properties as an area in need of redevelopment. Mr. Jessup outlined the steps required to unlock a broad array of powers that a municipality has under the redevelopment law that they don't normally have under New Jersey laws. Mr. Foster asked about the FMERA process and if by adopting the redevelopment plan gives any leeway for input. Mr. Jessup discussed FMERA Plan Amendment #13 and that some negotiations could lead to something the Borough would be comfortable with.

VI. Old Business: None

VII. New Business:

1. PB2020-03 Lanzano, Dominick
   14 Oneida Ave
   Block 30, Lot 3
   Bulk variance for 6' fence in front yard where 4', 50% open permitted

EXHIBITS:
A-1 Land Use Development Application of Dominick Lanzano
A-2 Zoning Denial Letter dated January 30, 2020
A-3 Survey of Property prepared by C.C. Widdis Surveying LLC, dated June 25, 2015
A-4 2013 Google Image of Old Fence

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

The following persons were sworn: William White, Board Engineer/Planner, and Dominick Lanzano, Applicant. Mr. Kennedy elicited basic information from Mr. Lanzano. Mr. Lanzano explained that when he purchased the property, there was an existing 6 ft. fence along the entire pool area, which was deteriorating. He replaced the wood fence with PVC fencing last year. Councilman Tvrdik asked how far the fence was in the front yard setback. Mr. Savarese and Mr. White discussed consequences of moving the fence to comply including distance to the pool. Vice Chairman Whitson asked for an estimate of when the original fence was installed. Mr. Lanzano stated it was at least 25 years old when he purchased the property 15 years ago. Mr. Savarese asked for pictures of the old fence. Mr. Lanzano provided and described **Exhibit A-4**. Mr. Savarese and Mr. Lanzano discussed openness in the fence. Mr. Foster asked if the fence line on the north side of the property encroaches on the neighboring property. Mr. Lanzano stated it was probably 4". There was discussion regarding acceptance by the neighbor.

PUBLIC:

Vice Chairman Whitson opened the hearing to the public for questions. As no one wished to be heard, Vice Chairman Whitson closed that portion of the meeting.

Colleen Lanzano, co-owner of the property, was sworn and testified that she was present when the new fence was installed and had the fence moved off the neighboring property.

Ms. Cooper had questions regarding the previous fence and the new fence and when the Applicant found out about the need for a variance for the height.

Motion to Approve Application with Conditions

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Darren Davis, Class IV
SECONDER:	Patty Cooper, Mayor's Designee
AYES:	Whitson, Cooper, Tvrdik, Foster, Kahle, Savarese, Kleiberg, Davis, Dailey
ABSENT:	Widdis, Rue

Mr. Kennedy stated he had drafted a resolution in advance of the meeting due to the time sensitive nature of the Applicant's approval for the closing on the sale of the property, requested the Board to consider said resolution with the addition of the conditions made by motion of approval for which there was no objection. Mr. Kennedy then read the resolution for the record after which Mr. Foster made a motion to adopt the resolution which was seconded by Mr. Kleiberg and received the following roll call:

Motion to Adopt Resolution PR-20-14 Memorializing Approval of Dominick Lanzano

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Joseph Foster, Environmental Committee Liaison
SECONDER:	Robert Kleiberg, Class IV
AYES:	Whitson, Cooper, Tvrdik, Foster, Kahle, Savarese, Kleiberg, Davis, Dailey
ABSENT:	Widdis, Rue

2. PB2019-22 Fort Partners Group
   Fort Monmouth Fitness Center
   Block 110, Lots 1 & 4
   Amended Site Plan Application with variance(s)

   EXHIBITS:
   A-1 Land Use Development Application of Fort Partners Group
   A-2 Maser Consulting Review Letter dated January 30, 2020
   A-3 Amended Preliminary & Final Major Site Plan prepared by Kennedy Consulting Engineers, dated June 3, 2014, last revised Dec. 11, 2019 consisting of 9 sheets.
   A-4 Planning Board Resolution PR-17-16 dated June 13, 2017
   A-5 Amended Approval, Planning Board Resolution #PR-17-18, dated Aug. 8, 2017
   A-6 Renovations & Alterations at the Fort Athletic Club, prepared by USA Architects, dated November 12, 2019, consisting of 5 sheets.
   A-7 Mandatory Conceptual Review by Fort Monmouth Economic Revitalization Authority dated December 9, 2019.
   A-8 Landscape Plan with Highlights, Sheet 3 of 8, prepared by Kennedy Consulting Engineers, dated September 14, 2017.
   A-9 Colored Rendering of Proposed Site Plan, prepared by Kennedy Consulting Engineers, dated February 25, 2020

Mr. K. Kennedy asked if there was anyone present who had an objection to the notice provided for this application. Hearing none, advised that he had reviewed the no tice, found service in order and the Board had jurisdiction.

William White, Borough Engineer/Planner, was sworn. Michael Bruno, Attorney for the Applicant appeared and provided the names of the principal partners: Mr. Champeau, Mr. Marchakitus, Mr. Callahan, Mr. Wise and Mr. Carr.

Mr. Bruno provided a recap of the history of the project, including removal of the pool from the plan, relocation of mechanicals, expansion of the cardio area, and expansion of the parking lot. He introduced James Kennedy, Applicant's Engineer/Planner, was sworn and accepted as an expert Mr. J. Kennedy introduced **Exhibits A-8** and **A-9**. Referring to **A-8**, Mr. J. Kennedy described the previous plans for the parking area, outdoor basketball courts, and pool service area. Referring to **A-9**, Mr. J. Kennedy described changes made to balance the impervious coverage by removing the basketball courts, removing the service drive and adding parking.

The meeting was interrupted at 8:15 PM to address an equipment issue and resumed at 8:18 PM

There was additional discussion regarding the total number of parking spaces, which will increase from 97 to 172 spaces, still under the required 189. Mr. J. Kennedy discussed revisions to landscaping. Mr. J. Kennedy testified that ingress/egress will be safer than in the original plan. CAFRA application was submitted; Freehold Soil and Monmouth County Planning Board applications have been resubmitted.

Mr. J. Kennedy addressed the items listed in Mr. White's review letter, including design waivers and exceptions, parking, bicycle racks and landscaping. Mr. White asked for clarification on calculation of gross square footage for parking between the original application and the amended plan. Mr. J. Kennedy explained that the original calculation did not include the basement in its square footage and because the measurement was taken using the inside wall instead of the outside face of the building. Mr. White had questions about the parking agreement with FMERA on Nicodemus Ave. Mr. Bruno advised that the Applicant owned those spaces. Mr. J. Kennedy stated that the tax assessor assigned block and lot numbers to the parcel, which will be added to the plan. He stated that FMERA requested the double headed light fixtures along Todd Ave. Mr. White expressed concern about lights going off at 11 o'clock. Mr. J. Kennedy advised that the Applicant paid for installation of new utility poles. He also discussed the traffic study, site triangles, mitigation of runoff associated with the new impervious coverage and outside agency approvals.

Mr. Dailey asked if the parking could be moved back in order to get the needed parking spaces. There was discussion regarding an easement from JCP&L and its limitations. There was additional discussion regarding parking spaces. Mr. Davis also had questions about parking and where the maintenance building would be for the soccer field. Mr. J. Kennedy replied that would be contracted out. Mr. Davis asked how long the agreements were with FMERA for the overflow parking. Mr. Bruno stated there was an office building being developed next door, and he believes the Applicant will be able to share some of those spots in the evening. Mr. Kahle asked for the purpose of the landscape islands. Mr. J. Kennedy replied that's where the light poles are and shade trees for the parking lot. There was discussion regarding CAFRA requirements. Mr. Foster asked questions about the bleachers in the multipurpose room. Mr. J. Kennedy advised the bleachers were removed.

Mr. Foster had additional questions about sharing parking with FMERA. Scott Marchakitus, LLC member, was sworn. He described the location of the parking, noted that Denholtz purchased properties to the south of the Fitness Center, and the Applicant is hoping to enter into a contract to secure parking from them. Mr. Foster asked about the engineering for the storm water recharge, and Mr. J. Kennedy replied that it has not been completed yet. Mr. Savarese had also questions about the recharge and how it could be rearranged to add parking. More discussion ensued regarding parking and impervious coverage.

PUBLIC:

Vice Chairman Whitson opened the meeting to the public for questions. As no one wished to be heard, he closed that portion of the meeting. Vice Chairman Whitson opened the meeting to the public for statements. As no one wished to be heard, he closed that portion of the meeting.

Motion to Approve Amended Site Plan Application

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Thomas Tvrdik, Class III
SECONDER:	Darren Davis, Class IV
AYES:	Whitson, Cooper, Tvrdik, Foster, Kahle, Savarese, Kleiberg, Davis, Dailey
ABSENT:	Widdis, Rue

VIII. Resolutions: None

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

X. Adjournment: As there was no further business, the meeting was adjourned at 9:07 pm on a motion by Mr. Kleiberg which was seconded by Mr. Dailey and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary