BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES ● FEBRUARY 12, 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
Christopher Widdis	Chairman	Present	
James Whitson	Vice Chairman	Absent	
Darren Davis	Mayor's Designee	Present	
Robert Proto	Council Liaison	Present	
Joseph Foster	Environmental Commission Liaison	Absent	
John (Jack) Kahle	Class IV	Present	
Michael Savarese	Class IV	Absent	
Robert Kleiberg	Class IV	Present	
Daphne Halpern	Class IV	Absent	
Thomas Tvrdik	Alternate I	Present	
Eric Motzenbecker	Alternate II	Present	
Jeanne Smith	Board Secretary	Present	
William White	Board Engineer/Planner	Present	
Kevin Kennedy	Board Attorney	Present	

V. **Board Business:**

1. Approval of Minutes, January 8, 2019

Chairman Widdis called for a motion to approve the Minutes of January 8, 2018, which was made by Mr. Kleiberg, seconded by Mr. Kahle and approved by the eligible members of the Board.

2. Approval of Minutes, January 22, 2019

Chairman Widdis called for a motion to approve the Minutes of January 22, 2018, which was made by Mr. Kleiberg, seconded by Mr. Kahle and approved by the eligible members of the Board.

3. Fort Monmouth Plan Amendment #14

EXHIBITS:
B-1 - Correspondence from FMERA to Mayor Coffey dated Feb. 5, 2019
B-2 - Draft Ft. Monmouth Reuse and Redevelopment Plan Amendment #14
B-3 - Maser Consulting Review Memorandum dated Feb. 11, 2019

Chairman Widdis described the subject location of the Amendment, and Mr. White stated it was about 500 feet from Oceanport Ave., on the opposite side of Russel Hall, north of the RPM development. Chairman Widdis asked Mr. White to review his letter of February 11, 2018. Mr. White, Board Engineer/Planner was sworn. Mr. Kennedy entered Exhibits **B-1, B-2** and **B-3** into the record.

Mr. White stated it is a 15-acre parcel called the Lodging Parcel in the Horseneck Pt. area and described its location. He described the original reuse plan which called for a boutique hotel, mixed income apartments and supportive housing. He described FMERA Amendment #11 and changes to the Alison Hall project. Mr. White stated that FMERA Amendment #14 introduces another overlay which will demolish 6 of 8 buildings, with Buildings 270 and 271 remaining for use as 37 affordable units and 148 new townhomes. FMERA is pushing zoning regulations on the number of units in a cluster, height restrictions, density and setbacks. He expressed concern regarding lack of open space and stormwater management. Chairman Widdis expressed concern about the lack of parking and intensity of the entire section.

Councilman Proto relayed some of the items discussed at meetings with Somerset Developers, which considers this urban development. He expressed several reservations to the developers, including density, building height, infringement on local zoning regulations and clustering affordable units into 2 buildings. There was additional discussion regarding height restrictions and levels of living space. Mr. Davis stated the maximum height should be 37.5 to 40' and 2 ½ stories, density and parking are important concerns. Board Members agreed that the affordable housing cluster, building height parking, open space, traffic and density need to be addressed. There was discussion regarding submission of comments in response to Amendments #13 and #14 to FMERA. Councilman Proto noted the New Jersey City University did respond to comments submitted and was hopeful that Somerset will listen to the Borough's concerns and complaints. There was additional discussion regarding the infrastructure and density. Chairman Widdis stressed the need for a traffic study.

Chairman Widdis made a motion to have the attorney prepare a resolution expressing the concerns of the Board which was seconded by Councilman Proto.

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

4. Seminar - Legal Updates Associated with Land Use & Development Law – Ms. Smith advised that Mr. Kennedy will provide guidance on recent legislation and civil liberties lawsuits that other municipalities have faced. The seminar will be rescheduled to a date when all Board Members are available.

VI. Resolutions:

1. PR-19-06 Fort Monmouth Plan Amendment #13 Comments

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Robert Proto, Council Liaison
SECONDER:	Darren Davis, Mayor's Designee
AYES:	Widdis, Davis, Proto, Kahle, Kleiberg, Tvrdik, Motzenbecker
ABSENT:	Whitson, Foster, Savarese, Halpern

2. PR-19-07 Appointment of Conflict Engineer

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John (Jack) Kahle, Class IV
SECONDER:	Robert Proto, Council Liaison
AYES:	Widdis, Davis, Proto, Kahle, Kleiberg, Tvrdik, Motzenbecker
ABSENT:	Whitson, Foster, Savarese, Halpern

3. PR-19-09 Appointment of T&M Associates as Conflict Engineer for RPM South & North Developments

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John (Jack) Kahle, Class IV
SECONDER:	Robert Kleiberg, Class IV
AYES:	Widdis, Davis, Proto, Kahle, Kleiberg, Tvrdik, Motzenbecker
ABSENT:	Whitson, Foster, Savarese, Halpern

VII. 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.

VIII. Executive Session:

1. PR-19-08 – Resolution Authorizing an Executive Session

Litigation, Negotiation and Attorney Client Privilege, N.J.S.A. 10:4-12(b)(7)
Noel Kelly vs. Oceanport Planning Board

At 8:27 pm, Chairman Widdis asked for a motion to approve **Resolution PR-19-08**, authorizing the Planning Board to enter Executive Session.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John (Jack) Kahle, Class IV
SECONDER:	Robert Proto, Council Liaison
AYES:	Widdis, Whitson, Davis, Proto, Foster, Kahle, Kleiberg, Tvrdik, Motzenbecker
ABSENT:	Savarese, Halpern

At 8:44 pm, the Planning Board returned from Executive Session and the regular meeting was re-opened on a motion by Councilman Proto, seconded by Mr. Motzenbecker and approved by the Board.

IX. Adjournment: As there was no further business, the meeting was adjourned at 8:44 pm on a motion by Mr. Davis, which was seconded by Mr. Tvrdik and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary