

Bay Head Planning Board
December 20, 2017

The meeting of the Bay Head Planning Board was held on Wednesday, December 20, 2017 at 7:30 PM.

Mr. Furze read the following statement: "Pursuant to the applicable portions of the NJ Public Meetings Act, adequate notice of this meeting was mailed to the Ocean Star and posted in the corridor of the Borough of Bay Head and filed with the Bay Head Borough Clerk."

Roll Call: William Furze, Kathleen Tell, John Henry Morris, Patricia Wojcik, William Curtis, Mark Durham, Neil Devesty, Robert Hein, Thomas Charlton
Absent: Kirsten Hinds, Kevin Feehan

The August 16, 2017 **Minutes** were approved on a motion by William Curtis and seconded by Neil Devesty, with all in favor.

Mr. Furze stated the Board had three **Resolutions** for review, the first one being that of Stanley T. and Nancy J. Omland, 146 Park Avenue, a/k/a Block 15.01, Lot 3 which was approved at the meeting of November 8, 2017. A motion was made by Neil Devesty and seconded by John Henry Morris to approve the Resolution. Roll call: YEAS: Neil Devesty, John Henry Morris, William Furze, Kathleen Tell, Patricia Wojcik, William Curtis, Robert Hein and Thomas Charlton.

Mr. Furze stated the second **Resolution** for review is that of Edward Sabounghi, 665 Lake Avenue, a/k/a Block 59, Lot 6 which was approved at the meeting of November 8, 2017. A motion was made by Neil Devesty and seconded by John Henry Morris to approve the Resolution. Roll call: YEAS: Neil Devesty, John Henry Morris, William Furze, Kathleen Tell, Patricia Wojcik, William Curtis, Robert Hein and Thomas Charlton.

Mr. Furze stated the last **Resolution** for review is that of William DeBruin, 615 Main Avenue, a/k/a Block 63, Lot 13 which was approved at the meeting of November 8, 2017. A motion was made by Neil Devesty and seconded by John Henry Morris to approve the Resolution. Roll call: YEAS: Neil Devesty, John Henry Morris, William Furze, Kathleen Tell, Patricia Wojcik, William Curtis, Robert Hein and Thomas Charlton

Mr. Furze stated the only **application** to be heard this evening is that of Atlantic Pier Co., Inc., 62 Bridge Avenue, a/k/a Block 25, Lot 5.01.

Mayor Curtis and Robert Hein recused themselves as this is a use variance.

Donna M. Jennings, Esq. of Wilentz, Goldman & Spitzer, P.A. law firm, 90 Woodbridge Center Drive, Woodbridge, NJ, attorney for the applicant, came forth.

Ms. Jennings stated by Resolution dated June 17, 2015, the Board granted the applicant preliminary and final major site plan approval, use variances and several bulk variances to

demolish the existing commercial structures and two second-floor apartments, and to construct seven new retail buildings and a two-family residential structure at the intersection of Bridge & Lake Avenues. Ms. Jennings further stated the applicant was now seeking to amend same in order to modify proposed redevelopment of the property, more specifically, the applicant is proposing minor modifications to the two structures on Bridge Avenue in that applicant wants them to remain as opposed to demolishing them, and the construction of four new retail buildings as well as the two family residential building with related site improvements. Ms. Jennings indicated the applicant, if necessary, was seeking a use variance to permit more than one principal structure on a lot and thereafter stated her reasons as to why this was being requested, as well as a second use variance allowing the construction of a two family home which is in violation of a Borough Ordinance, thereafter stating the applicant's reasons for same. Ms. Jennings additionally stated applicant was seeking a number of bulk variances, if they were required, and stated the applicant's reasoning for same.

The following items were marked into evidence:

- A-1 Development application with Rider
- A-2 Amended preliminary and final major site plan from Kennedy Consulting Engineers dated 11/27/17
- A-3 Ground level, first floor and exterior elevation plans from Anderson Campanella updated 11/27/17
- A-4 Storm water management report dated 11/27/17
- A-5 Review letter from Susan S. Brasefield, P.E., P.P., Board Engineer, dated 12/14/17
- A-6 Hearing Notice
- A-7 Affidavit of Publication

The following persons were sworn in by Mr. Zabarsky and gave their testimony:

Joseph Pandozzi, Vice President at Atlantic Pier Co., Inc., the developer and owner of the property;

Felicia Campanella, principal in the architectural firm of Anderson Campanella Architects, 120 E. River Road, Rumson, NJ who caused to have A-8 marked into evidence;

James Kennedy, P.E., licensed professional engineer at Kennedy Consulting Engineers, 211 Maple Avenue, Red Bank, NJ who caused to have A-9 marked into evidence; and

Justin Auciello, licensed professional planner with Cofone Consulting Group, 125 Half Mile Road, Red Bank, NJ who caused to have A-10 marked into evidence.

Mr. Furze opened the meeting to the public for comments and/or questions of the professionals. The following people came to the podium:

Rick McGoey, 50 Harris Street, **Dan Paulus**, 206 Lake Avenue, **Keith Goetting**, 415 Lake Avenue, **Bill Treanor**, 432 Lake Avenue, **Allison Treanor**, 432 Lake Avenue, **Anne Castagnola**, 409 Lake Avenue, **Bill Barr**, 442 Lake Avenue, **Ellen Tobin**, 50 Bridge Avenue, **Louis Goetting**, 415 Lake Avenue, **Bill Taylor**, 1838 Beach Boulevard, Point Pleasant.

Thereafter the meeting was opened to the public for general commentary. The following persons spoke:

Karen Simpson, 401 Lake Avenue, **Rick McGoey**, 50 Harris Street, **Bill Barr**, 442 Lake Avenue, **Ellen R. Robin**, 50 Bridge Avenue, **Edward King**, 500 Main Avenue, **William Treanor**, 432 Lake Avenue, **Louis Goetting**, 415 Lake Avenue, **Anne Castagnola**, 409 Lake Avenue.

The Board was polled and different conditions for approval were discussed such as loading, hours of operation, promenade over the parking on the north side, boating and dock area, signage, recycling plan, traffic, etc. Thereafter, a motion was made by Neil Devesty and seconded by John Henry Morris to approve the application with the conditions stated. Yays: Neil Devesty, John Henry Morris, William Furze, Kathleen Tell, Patricia Wojcik, Mark Durham, Thomas Charlton.

Under **Old Business**,

Kathleen Tell stated that she, Robert Hein and Thomas Charlton had worked on the revisions for the Master Plan. Mrs. Tell stated she will circulate the document, that there are a number of changes the Board should propose to our Ordinances. Mr. Furze stated he would send a Word document to the Clerk.

Also under **Old Business** – William Furze stated with regard to the status of the Verizon matter, the Board needs to collaborate with Council and that the Board had asked for some things in order to move forward with this matter.

Mr. Furze acknowledged that the Agreement for professional engineering services appeared to be the same as last year with a slight increment, and he would sign and approve it.

There was no **New Business**.

The meeting was opened to the **public for discussion**.

Roberta A. Burcz, Esq., 1229 Bay Avenue, Point Pleasant came forward and stated she was before the Board in 2015 representing Brian and Florence McFadden, 134 Bridge Avenue, with regards to an application for a bulk variance, whereby they asked for preliminary and final subdivision of their property. Ms. Burcz stated the two lots were never merged, however the applicants are trying to sell the vacant lot and the title company has raised a concern. Mr. Zabarsky stated the statute had expired but explained this subdivision had a variance as the house was in the middle of two lots and in order to expedite this for the property owners, the Board would handle this as the first item on the January, 2018 agenda.

Bob McArthur, on behalf of Verizon, questioned if the Board had a recommendation ready for Council.

A motion was made by Kathleen Tell and seconded by Neil Devesty to approve the **vouchers**. All were in favor.

The meeting **adjourned** on a motion by William Furze and seconded by Patricia Wojcik. All were in favor.

Respectfully submitted,

A handwritten signature in cursive script that reads "Claire S. Hense". The signature is written in black ink and is positioned above the printed name.

Claire S. Hense