

Planning Board Meeting 11-15-21

TOWNSHIP OF OCEAN

Planning Board

November 15, 2021

7:30P.M

FLAG SALUTE

STATEMENT: Pursuant to the provisions of the New Jersey, Open Public Meetings Act, adequate notice of the meeting was properly provided by sending copies of the notice of meeting to the Asbury Park Press and the Press of Atlantic City. Notice was posted on the bulletin board in the Administration Building.

The meeting of the Planning Board was held on the above date and time; Chairman Donald Lippincott called the meeting to order.

ROLL CALL

Members Present: Robert Beck	Nicholas Bonamassa	Anthony DeCondo
Dr. Shawn Denning Jr	Lydia Dodd	Dr. Ben LoParo
Donald Lippincott	John Petrosilli	Aaron Shapiro

Members Absent: Peter Nese

Professionals Present:

Steven Yost, Haines & Yost

Jason Worth, T&M

Steve Lennon, Taylor Design Group

APPROVAL OF MINUTES OF OCTOBER 7, 2021

- Dr. Denning made a motion to approve the minutes of the meeting of October 7, 2021, Mr. Shapiro seconded.

ROLL CALL

Dr. Denning: Yes	Mr. Shapiro: Yes	Mr. Beck: Yes	Mr. Bonamassa: Yes
Ms. Dodd: Yes	Dr. LoParo: Yes	Mr. Petrosilli: Yes	Mr. Lippincott: Yes

APPROVAL OF BILLS:

- Mr. Shapiro made a motion to approve the bills and Mr. Petrosilli seconded.

ROLL CALL

Mr. Shapiro: Yes Mr. Petrosilli: Yes Mr. Beck: Yes Mr. Bonamassa: Yes
 Dr. Denning: Yes Ms. Dodd: Yes Dr. LoParo: Yes Mr. Lippincott: Yes

CORRESPONDENCES:

- List attached

INFORMALS: NONE**OLD BUSINESS: NONE****RESOLUTIONS**

- a.) **Resolution 2021-10-PB Douglas Rieck, Magic Wash at Waretown, 443 Route 9, Block 47 Lots 1.01 & 1.02 Minor Site Plan.**

- Ms. Dodd made motion to approve the resolution, seconded by Dr. Denning.

ROLL CALL

Ms. Dodd: Yes Dr. Denning: Yes Mr. Beck: Yes Mr. Bonamassa: Yes
 Dr. LoParo: Yes Mr. Shapiro: Yes Mr. Lippincott: Yes

- b.) **Resolution 2021-09-PB Haines Real Estate LLC, "Master Craft" Block 130 Lot 5, 534-540 Route 9; Pre/Final Major Site Plan.**

- Mr. Beck made motion to approve the resolution, seconded by Dr. Denning.

ROLL CALL

Mr. Beck: Yes Dr. Denning: Yes Mr. Bonamassa: Yes Ms. Dodd: Yes
 Dr. LoParo: Yes Mr. Petrosilli: Yes Mr. Shapiro: Yes Mr. Lippincott: Yes

NEW BUSINESS

- a.) **Docket No. 08-21-PB Herman & Marsh Zell: Oceannaire East, 348 Route 9, Block 241.11 Lot(s) 12.02; 13.01; Block 343 Lot 20, Block 352 Lot 1, Preliminary Major Site Plan / Subdivision.**

Keith Davis Esq. representing Herman & Marshall Zell. The applicant is seeking preliminary subdivision and preliminary site plan approvals. The development consist of residential; 117 townhome units, 99 of those will be market rate and 18 will be low / moderate affordable housing. The subdivision is for a 7200 sq. ft. commercial building and for townhomes and low-income housing, with recreational amenities. An issue of concern was with the perspective of a swimming pool. The redevelopment plan approved by the governing body; this development fully complies with all bulk standards that are outlined in the redevelopment plan. Applicant will be seeking variances for commercial sign area, commercial sign height, residential sign area, and residential sign height. Also signed, a redevelopment agreement, with a concept plan that included a pool with the understanding that there is a need for the swimming pool.

Mr. Davis lists professionals that are present:

Bob Fesco – DR Horton

Robert Regazzoni- Architect for elevation & floor plans for the townhomes

William Feinberg – Architect for elevation & floor plans for low / moderate income units

Laura Steaines Giadino – Architect for elevations & floor plans for the commercial building

Thomas Roesch – Project manager

Richard Redding – Community impact statement

Bill McManus – Planner

David Horner – Traffic engineer

Attorney Mr. Yost discussed the requests for waivers.

Mr. Worth also discussed the waivers that are being requested for the following; metes and bounds description, block and lot numbering, plan for locating all trees 6 inches or more, and natural resource inventory.

Thomas Roesch of Duffy, Dolcy, McManus, & Roesch of 634 Lost Pine Way, Galloway, NJ. Mr. Reosch discusses the waivers; 1.) metes & bounds – they are asking for it to be deferred as a condition to the approval that they will be submitting to the board. 2.) Block and lots are still being worked out with Mr. Lynch in the tax office. 3.) The trees the applicant is requesting a waiver to identify the trees, size, etc., some trees are on the perimeter and there is a large tree save area that will be preserved. 4.) Anything needed for national resource inventory is contained on various plans.

- Mr. Shapiro made a motion to accept the waivers, seconded by Ms. Dodd.

ROLL CALL

Mr. Shapiro: Yes Ms. Dodd: Yes Mr. Beck: Yes Mr. Bonamassa: Yes

Mr. DeCondo: Yes Dr. Denning: Yes Dr. LoParo: Yes Mr. Petrosili: Yes

Mr. Lippncott: Yes

Robert Fesco from DR Horton – Fact witness not as an expert, of 240 Bridge Road, Mount Laurel, NJ. Discusses the townhomes and affordable housing units, with an open pavilion, pool, cabanas, and tot lot. The development will have a HOA and will have basins and roadways throughout the community.

Mr. Worth noted on the original concept, there was a cabana, meeting room, game room, changing facilities for the pool. No clubhouse was proposed.

Chairman Mr. Lippincott noted that there are substantial differences between applications.

Dr. LoParo noted there was no open-air pavilion proposed it was a clubhouse with facilities for the residents to use.

Board continues discussion.

Mr. Davis notes the documents, which governs this boards actions, is the redevelopment plan and the redeveloper agreement.

Ms. Dodd reads transcript from the redevelopment meeting, which states, "the club facility will be a single story approx. 1500 sq. ft., it will have a multipurpose room with game rooms. There is an increasing demand for places for people to go to conduct business, private phone calls & meetings with individuals. There will be storage and changing facilities relative to the pool and other outdoor amenities." Mr. Davis states he does not know what she is reading from. Ms. Dodd notes it is the minutes from the meeting.

Mr. Davis notes again that it is not the minutes of the meeting that controls this application plan, it is the redevelopment plan.

Board continues discussion about zone change to mixed use to subdivision.

Ms. Dodd asked where the HOA would meet. Mr. Fesco notes that they could meet in one of the units. Mr. Beck asked if they have DCA approval and that the board would like to see those declarations, that recreation rooms cannot be used as bedrooms. Mr. Davis notes that they would submit to the board.

Mr. Roesch discusses exhibit A1 – cover sheet that shows Oceannaire East, eastern side of Route 9. 24 Acres, primarily wooded. North of the property, you have a vacant property and a commercial property, also a few residential properties. To the east, a vacated street and residential properties. To the south, primarily wooded areas, and to the west, Pancoast Road which goes out to Greenbriar Oceannaire.

Mr. Bonamassa discussed where they came up with the name "Oceannaire East"

Mr. Davis said he would have to ask Mr. Zell but DR Horton said they are going to have a different name. That it will not be Oceannaire East.

Mr. Roesch discussed Exhibit A2 – Major subdivision plan. Exhibit A3 – Tot lot; southerly corner of property, our proposal is to replace that for a swimming pool and open-air pavilion / cabana. If received approval, the plan will be changed and will submit back to the board for final approval.

The Plan shows three access points; the main access is across from Pancoast Road, full interchange with traffic light; right and left out. That will be the main entrance. Southerly, will have access to right turns in and right turns out only. The third access point will be north, which will be right turn only.

Mr. Roesch noted street parking would be prohibited. In addition will extend title 39 to the police department.

Dr. Denning inquired regarding garbage pickup and street parking throughout the development. Mr. Davis stated garbage pickup for townhomes could be handled by the township and the COAH units / apartments would be under the homeowners association.

Dr. Denning discussed parking. The concern is that the number of parking currently does not allow for guests. Using the engineer calculation, they are 34 spaces short. There could be an issue.

The board discusses street parking.

Mr. Roesch responds, 268 spaces are required and they are proposing 278. That a half of space per dwelling unit should have surface parking for guests, so it is not an addition to, it is a part of. That 59 Spaces are required and based off Mr. Worth's review letter we have 80 surface parking spaces throughout the site. The parking meets the requirements. Mr. Roesch states the garage and the driveway will be considered two spaces. Mr. Roesch discussed street parking would be prohibited unless it is a designated parking space.

Mr. Worth asked if the applicant would speak about the storm water to the board members. Mr. Roesch discussed the requirements are very new, that the new regulations require a lot more treatment of water, infiltration in multiple locations, multiple bio retentions, designed to be shallow for water, anything higher than a foot would move to the larger basins. It is a very involved design. Mr. Davis notes that the application would be reviewed by CAFRA. Mr. Worth commented on the storm water management infrastructure, and asked if it would be maintained by the HOA. Mr. Roesch stated yes.

Mr. Worth asked if they would update the report to be compliant regarding all the remaining storm water. Mr. Roesch stated yes.

Mr. Worth noted that the rear basin needs to be large enough for maintenance equipment to get in.

A discussion regarding work trucks and trailers being stored at the property. Also, regarding parking at the commercial pad site. Mr. Davis stated that it would be addressed through the HOA documents. Dr. Denning noted about the commercial building with parking, the concerns are 36 spaces planned, what if a restaurant was proposed, would there be enough parking. The concern is that something with such high volume, that the parking would be a little tight. Mr. Roesch discussed parking would be in the township ordinance but this is currently based off a shopping center. Mr. Worth noted that if 10 years from now tenants have come and gone, any time there is an application, zoning and building for a new tenant that the parking count would be looked at for the entire existing unit and for what is left for the subject unit and what is proposed.

Dr. LoParo inquired about the commercial side, if there is enough space to eventually add a drive through in. Mr Roesch said it could be possible.

David Horner; 105 Atsion Road Medford, NJ; Traffic engineer by trade. Handles the DOT permit. Three access points to the site. Traffic impact study shows it is acceptable for the DOT.

Mr. Worth asked does it better reflect traffic then it would in 2020 or 2021. Mr. Horner stated yes, since it is pre-covid numbers.

Robert Regazzoni – AA Architect. DR Horton will design the townhome aspect of the building. Exhibit A4 shows elevation, 20ft wide, 3 story, 2200 sq. ft., and 8ft garage door height. They have created three different options.

Mr. Worth noted to the Chairman that a height variance is also required for the townhomes as 35ft. is permitted, and they are proposing 35.85ft.

Steven Lennon; Taylor Design Group of 131 Hartford Road, Mount Laurel, NJ. Licensed planner in the state of NJ.

Mr. Lennon asked if they can provide testimony with regard to trash and recycling storage, we had a comment about where it would be stored, since the garage is being counted as parking space, with only 19ft. deep, so where would those containers be held while cars are also using that space.

Mr. Regazzoni stated they could provide and accommodate enough space in the corner of the garage. Dr. Denning asked where are you putting garbage cans, it rather seems like a hard press statement that you need to keep it in the small garage because you also need to use that garage as a parking space as well. It is small garage and you're compelled to use it as a parking space and now you need to move your car to get to your garbage containers. With a garage 10ft. wide, it would be tight.

Mr. Regazzoni understands, and that is something he can explore. Dr. Denning would like to see it conceptionality on a blueprint to see the dedicated area. Mr. Davis said he would provide rendering, showing where the trash cans would be kept.

William Feinberg of 1010 Havenfield Berlin Road, Vorhees, NJ.

Exhibit A5 affordable units – front and rear elevation – 15% affordable housing, providing 18 units. Three (1) bedroom, Four (3) bedroom, and eleven (2) bedroom units. Located in two building on the east portion of the site. Exhibit A6 shows floor plans and exhibit A7 and A8 are side elevations.

Mr. Lennon asked about rear facing commercial, being somewhat exposed. Mr. Feinberg stated cedar impressions would be included to break up elevations.

Laura Steaines Giadino; Architect for the design of the commercial building.

Exhibit A9 shows front elevation that is facing Route 9; single story retail building, 7200 sq. ft., roof is flat, interchangeable awnings, unsure of colors yet. Exhibit A10 represents floor plan, side and rear elevations, showing 20ft. bays. Ms. Giadino stated they would have a timer or motion sensor lights in the back of the building.

Board members discuss restriction of hours. Mr. Davis agrees on no loading from 11pm to 5am.

Dr. LoParo inquired if the pool and pavilion would have restricted hours. Concerns are that the new location of where the pool / pavilion is located is now much closer to the houses in Waretown, right by Third Street and noise is a factor. Mr. Davis noted they are happy to agree with any reasonable hours of operations for both.

Richard Reading – 759 State Road, Princeton, NJ. – Economist.

Mr. Reading prepared the community impact statement, July 21, 2021. 99 market townhomes and 18 affordable housing. 300-350K is what the market is showing and the affordable units would be priced according with COAH.

Bill McManus – 634 Lost Pine Way, Galloway, NJ. – Land Surveyor.

Exhibit A12 building height, will have a new set of plans that will meet the requirements and will be resubmitting to the board. No need for a variance for that. The sign variance would be for the two signs; both in location and height. Exhibit A13 shows photos of signs in the immediate area. Dr. Denning noted those signs pre-date new ordinances.

Mr. Lennon inquired about recreational amenities. Mr Davis noted pool and open-air pavilion / cabana, and benches along walking paths they can provide as well.

Dr. Denning discusses sound buffers. Discussion of extra buffering for the proposed amenities and enhancing South East area with additional vegetation to assist with sound. Mr. Roesch agrees and will discuss with how the lay out of the pool is, regarding sound buffering.

Dr. Denning discusses recreational amenities, he knows Mr. Davis mentioned they are not locked into anything, but the initial proposal was the tot lot, but now just seems that for a market rate development, it is lacking things to do. Putting a pool in is wonderful but there is still no common space. With only 20ft off the back of the house, where are you going to hang out? There is no place to meet for HOA meetings, parties, etc. When looking at other townhome developments, there is usually a common space, where you can rent out or go.

Ms. Dodd reads the prior approved resolution, letter from architect; A community club building and associated pool are located approximately to the affordable building, an attached covered storage shed will provide for secure bicycle storage for residents in the affordable building.

OPEN TO PUBLIC

- Mr. Shapiro motioned to open to the public, seconded by Dr. Denning. All in favor

No one came forward

CLOSED TO PUBLIC

- Mr. Shapiro motioned to close to the public, seconded by Dr. Denning. All in favor.

Attorney Mr. Yost speaks about all exhibits, December 23, 2020 letter stating community club building and pool. With attached storage shed for bikes, all listed in the redevelopment agreement, (read by Ms. Dodd earlier) which is a contract between the township and applicant.

Mr. Davis talks with his client, proposes a club building, extending cabana which includes a bathroom, changing area, and a small conference room. They will provide a new plan and resubmit to the board.

Dr. LoParo requested to see pictures, plans and layouts before making any decisions.

Mr. Worth noted that this can be a condition to approval for the preliminary, and can be reviewed before final. Noting, showing size of pool, size of pavilion, details around and in the pavilion, all needs to be shown on the architect plans. Mr. Davis discussed approximate size of the pool, 25' x 30'. The clubhouse / cabana would be 1200 sq. ft., which 800sq. ft. would be enclosed. Having a bathroom, meeting room, and changing area. Approximately 20' x 20' meeting room (400sq. ft.) and the other half for bathroom and mechanical. Mr. Davis inquired if they could have the opportunity to design this and present back to the board.

Mr. Beck states, approval for preliminary site plan and subdivision approval with conditions that are set forth in correspondence with Mr. Worth and Mr. Lennon; that all representations to be included in this presentation further more specifically in reference to the enclosed cabana building, which will be 1200 sq. ft. with 800 sq. ft. to be enclosed, unisex bathroom, in addition to any approval set forth by Mr. Worth's approval letter that is necessary for the approval for the DCA in order to prepare the necessary documents needed for the HOA. Also included in this approval, is the four variances for signage.

- Mr. Beck motioned to approved, seconded by Ms. Dodd.

ROLL CALL

Mr. Beck: Yes Ms. Dodd: Yes Mr. Bonamassa: Yes Mr. DeCondo:Yes

Dr. Denning: Yes Dr. LoParo: No Mr. Petrosilli: Yes Mr. Shapiro:Yes

Mr. Lippincott: Yes

OPEN MEETING FOR GENERAL PUBLIC

- Mr. Shapiro motioned to open, seconded by Dr. Denning. All in favor.

No one came forward

CLOSED MEETING FOR GENERAL PUBLIC

- Dr. Denning motioned to close, seconded by Mr. Shapiro. All in favor.

MOTION TO ADJOURN

- Mr. Shapiro motioned to adjourn, seconded by Mr. Bonamassa. All in favor.

MEETING ADJOURNED AT 11:23PM

NEXT SCHEDULED MEETING WILL BE DECEMBER 2, 2021 @ 7:00PM

Laurie Clune

Board Secretary

Prepared by Ashley Harper