

POINT PLEASANT PLANNING BOARD
June 24, 2021

The regular meeting of the Planning Board was called to order by Chairwoman Bavais. Ms. Bavais read the Notice of Compliance which states that adequate notice of the meeting had been given.

Roll call:

Present: Mayor Sabosik, Councilman Furmato, Chairwoman Bavais, Mr. McHugh, Mr. Faraldi, Mr. Welch

Absent: Mr. Forsyth, Mr. Vitale, Mr. Altero, Mr. Preiser

Attorney: Ryan Amberger, Esq., Engineer: Laura Neumann, P.E., P.P.; Claire Hense, Secretary

The May 27, 2021 **Minutes** were approved on a motion by Mr. Welch and seconded by Chairwoman Bavais, with all in favor.

Mayor Sabosik mentioned with regards to the subdivision at 2223 Kilkare Parkway which was approved in December, 2020 with conditions, someone needs to look at the wording of the Resolution and check it with the Site Plan to see what the applicant agreed to as far as the trees, the removal of the pool and the silt fencing.

A motion was made by Mayor Sabosik and seconded by Mr. Welch to have the Resolution and Site Plan reviewed for compliance. Roll call: YEAS: Robert Sabosik, Brian Welch, Mary Jane Bavais, Joseph Furmato, John McHugh, Jr., Albert Faraldi. NAYS: None

Informal application

Chairwoman Bavais stated there are two informal applications to be heard this evening, the first being that of **Jyotsna & Kokila Properties, LLC** regarding property located at 1039 Ocean Road, a/k/a Block 123/Lot 10.

The Board Secretary indicated applicants had requested this be rescheduled per an e-mail received June 22 but not seen by her until this evening as she was out of the office this week. The matter will be carried to the Board's next regularly scheduled meeting on July 22, 2021.

Chairwoman Bavais stated the next informal application to be heard this evening is that of **Bugun, LLC** regarding property located at 2801 Lakewood Road, a/k/a Block 49/Lot 13.

Darla Titolo of Paraco Gas Corp., 4700 So. Clinton Avenue, South Plainfield, N.J. came forward and stated she was there on behalf of the applicant.

Ms. Titolo indicated the station owner would like to install a 36 cylinder cage with 36-
twenty pound tanks for exchange with the public, and asked members to refer to the
pictures provided to them with their packets. Ms. Titolo further stated the pictures
show two locations on the property where the cage with tanks can be placed behind
bollards against the building or on the left side of the property on the grass and set on
block.

Chairwoman Bavais asked if the cage would be locked, and Ms. Titolo replied there is a
universal key. Ms. Titolo further indicated 36 tanks could be exchanged within 1.5 days,
if necessary the tanks could be delivered 7 days per week, and they are delivered on an
enclosed tractor trailer which contains approximately 350 tanks on several levels of the
trailer. Mayor Sabosik confirmed Walgreens and Conoco have the same set up.

Chairwoman Bavais stated they would need to go through the Ocean County Fire
Marshal as this would require a Type 2 approval from them. Mr. Welch stated the
building used to be a fill station.

Mr. Amberger stated no official action can be taken right now and applicant will need to
submit a formal application to the Board. Mr. Faraldi wanted to know if a site place
would be required, to which Mr. Amberger stated this requires a site plan as it is an
accessory structure. Chairwoman Bavais asked if there would be any additional lighting
to which Ms. Titolo stated no, there would be posted warnings and an emergency
number.

Board Engineer Laura Neumann enumerated the conditions for an exempt site plan,
and stated the Board would need information regarding setback requirements and
additional necessary information such as with regards to parking spaces, etc. Mr.
Amberger stated this matter requires a separate exempt site plan application. Ms.
Neumann asked if the cage would be permanently affixed to the ground, and Ms. Titolo
stated no, it would be set on cement block.

Ms. Neumann suggested applicant should ask the Board if they have a preference as to
the location, and Chairwoman Bavais reminded Ms. Titolo to speak with the Ocean
County Fire Marshal. Mayor Sabosik stated he would like to see it on the grassy area as
that would be safest for loading and unloading of the tanks; Chairwoman Bavais
concurred and stated they could get a fire truck in there. Ms. Neumann suggested
applicant consult with the Fire Marshal.

Unfinished Business

Chairwoman Bavais stated that with regards to the continuance of a minor subdivision
scheduled to be heard, that of **Charles Peters and Garden State Electric** regarding
property located at 827 Trenton Avenue, a/k/a Block 113/Lot 23, there is a quorum
problem this evening.

Mr. Amberger stated we need to apply the doctrine of necessity first if there are too
many members recusing themselves.

John J. Jackson, III, Esq. of the firm King, Kitrick, Jackson, McWeeney & Wells, LLC, 2329 Highway 34, Manasquan, N.J. who represents the applicant, stated people have to be disqualified by conflict.

The following members again recused themselves because they are members of the Elks Club: Mary Jane Bavais, Brian Welch, and Andy Preiser.

A head count ensued regarding how many members of the Board were eligible to vote on this application now that several members had recused themselves and a few more were absent. There are 6 possible members who can hear and vote on this application, Mr. Vitale has already signed a Certification as to having listened to the March 2, 2021 hearing tape, and Mr. Forsyth would need to do so also. Mr. Jackson stated his client's mother is gravely ill and he has been flying in from Florida to attend the meetings and he hopes the Board would not mind if Mr. Peters is unable to attend the next meeting.

Chairwoman Bavais stated this matter is carried to the Board's next regularly scheduled meeting on Thursday, July 22, 2021 and announced same to the audience.

Chairwoman Bavais addressed the review of the updated **Stormwater Management Plan** which was provided to the Board by the Mayor and governing body. Ms. Neumann stated she found the ordinance was consistent with the Master Plan and will help with the development and parameters. Mr. Amberger read proposed Resolution #2021-08 entitled "A Resolution of the Planning Board of the Borough of Point Pleasant Approving the Borough of Point Pleasant's Updated Municipal Stormwater Management Plan".

A motion was made by Mr. Faraldi and seconded by Councilman Furmato to approve the Resolution. Roll call: YEAS: Albert Faraldi, Joseph Furmato, Mary Jane Bavais, John McHugh, Jr., Robert Sabosik, Brian Welch. NAYS: None

Exempt Site Plan Committee

Nothing to report.

Environmental Commission

Mr. Faraldi stated they are looking at Earth Day in October.

Mr. Faraldi further stated there was an oak tree cut down at the intersection of Herbertsville Road and Boulton Avenue. He stated they are putting together a tree ordinance and will look towards other towns, one of which is Point Pleasant Beach as they have a Shade Tree Commission. Chairwoman Bavais offered she believes they have an ordinance as well. Councilman Furmato stated JCP&L has been out pruning and trimming trees in town.

In **other business** matters, Mayor Sabosik stated the Zoning Officer has left and they are looking at a list of people, further stating the Council will be appointing a new

person on Monday (June 28, 2021) at the Council meeting, and that in the interim, Captain Picca of the Borough's Police Department and Business Administrator Frank Pannucci have been handling matters.

Mayor Sabosik brought up the refrigerator boxes on the trailer at Oakwood Pizza on Bridge Avenue, wanting to know how to make them adhere to the site plan as it has been more than 60 days; he suggested a Resolution to having the Board attorney send a letter.

A motion was made by Mr. Faraldi and seconded by Councilman Furmato to approve the Resolution. Roll call: YEAS: Albert Faraldi, Joseph Furmato, Mary Jane Bavais, John McHugh, Jr., Robert Sabosik, Brian Welch. NAYS: None

Mr. Faraldi stated they need to take down the fences at the The Shore House. Mayor Sabosik stated that will be addressed as soon as the new Code Enforcement Officer arrives.

Mr. Welch stated that with regards to the representation by the propane company's representative earlier in the evening, the twenty pound tanks only contain fifteen pounds of propane.

The meeting adjourned on a motion by Mr. Welch and seconded by Mr. Faraldi. All were in favor.

Respectfully submitted,

Claire S. Hense