

POINT PLEASANT PLANNING BOARD
August 25, 2022

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

Roll call:

Present: Chairwoman Bavais, Mayor Sabosik, Councilman Furfato, Mr. Pannucci, Mr. Vitale, Mr. Faraldi, Mr. Welch, Mr. Preiser, Mr. Potter
Attorney: Ben Montenegro, Esq., Laura Neumann, Board Engineer, Claire Hense,
Board Secretary
Absent: Mr. McHugh

The July 28, 2022 **Minutes** were approved on a motion by Mr. Potter and seconded by Mr. Welch, with all in favor.

Chairwoman Bavais stated there is one **Resolution** for review this evening, that of Joshua and Elizabeth Kokoll regarding property located at 2406 Oak Street, a/k/a Block 177, Lot 9.01, which was approved at the meeting of July 28, 2022.

A motion was made by Mr. Welch and seconded by Mr. Potter to approve the Resolution. Roll call: YEAS: Brian Welch, Fred Potter, Mary Jane Bavais, Joseph Furfato, Jack Vitale, Albert Faraldi, Andy Preiser.

New Business

Chairwoman Bavais stated the Board has one **application** to be heard this evening, that of FNDZ Realty, LLC for a (minor subdivision) regarding property located at 2419 Bridge Avenue, a/k/a Block 228.01, Lot 19.

John J. Jackson, III, Esq. of King, Kitrick, Jackson, McWeeney & Wells, LLC, Manasquan, New Jersey came forward. Mr. Jackson stated he represents the applicants, Frank and Ryan Nedza who come before the Board for preliminary and final site plan approval. Mr. Jackson stated the applicants are taking a run-down property on Bridge Avenue and plan to reconstruct and have four residential units above 5 commercial units. Mr. Jackson stated he thinks it provides nice synergy and vitality to the street, and the only variance they are seeking is for lot coverage. Mr. Jackson stated he intended to call Ray Carpenter, their engineer and planner, Brian Berzinskis, their architect as expert witnesses, as well as Frank Nedza the owner.

Mr. Jackson further stated he prepared a Power Point presentation for the Board and caused to have the following document entered into evidence:

A-1 A twenty-one (21) page packet with colored aerial and close-up photographs of the proposed building and surrounding properties, proposed layout plan, proposed

drainage plan, and review letters from the Board engineer dated April 21, 2022 and July 21, 2022.

Mr. Jackson called the following witnesses, who were sworn in by Mr. Montenegro:

Ray Carpenter, P.E., R.C. Associates Consulting, Inc., Manasquan, NJ
Francis Nedza, applicant

Mr. Carpenter gave an overview of the application, stated the property is in a mixed use zone and stated the applicants plan to have commercial units on the first floor and residential units on the upper level. Mr. Carpenter further stated they separated the residential and commercial parking spaces – each tenant will have marked spots in the rear and garages are on a “first come, first serve” basis.

Mr. Welch asked for the number of bedrooms in each residential unit, to which Mr. Carpenter replied there would be two bedrooms in each. Mr. Carpenter further indicated they would have the same footprint up and down, trash collection for both residential and commercial units would be privatized, there will be a one-direction driveway and the size of the parking spaces would be 9’ by 18’. Mr. Carpenter stated the plans call for landscaping along the perimeter and rear of the property, building-mounted parking lights and two stanchions in the rear of the property for lighting, in deference to the neighbors.

Mr. Welch asked where the air conditioning condensers would be located, to which Mr. Carpenter stated they would be located in the left rear and stated the entire lot is in a commercial zone. Mr. Vitale stated all nine (9) condensers are proposed to be “up against” a residential property and applicants would have to represent before the Board the decibel level.

Mr. Jackson stated they could talk about moving the condensers, shielding and screen level and stated Mr. Frank Nedza would address this issue. Mr. Welch stated the Board needs to protect the neighbors from the sound. Mr. Nedza came forward and stated he is the owner of the property and will be the contractor, further stating as a contractor he has had experience with Rinnai units for heat and air.

Mr. Faraldi wanted to know how many parking spaces were planned for the site, to which Mr. Carpenter stated there would be a total of 26 spots, 8 for residential and 18 for commercial use which include 2 handicapped spots. Mayor Sabosik wanted further explanation of the 17 foot wide driveway and stated the first two parking spots are not conducive to parking. Mr. Carpenter stated you could back into the first spot as the turning radius is ten feet for cars, to which Mr. Welch replied you could not park a pick-up truck or an SUV in the spot. Mr. Vitale stated if the property did not require as many parking spots as it does, the first spot would not be a problem, and then requested the square footage of each unit as same was not provided, and further stated they need to show the parking for the commercial units.

Board engineer Laura Neumann stated the Resolution would need to specify the number of spaces as applicants only provide for 26 spaces and retail requires 4 spaces per 1,000 square feet. Mr. Jackson suggested they could require as each tenant goes through the approval process, they could determine the number of spots, to which Ms. Neumann stated there is no room for 4 additional spaces and they need to apply the appropriate testimony. Mr. Jackson stated his clients have agreed to retail space only and they would then seek relief for each unit and will agree to the limit of retail.

Mayor Sabosik suggested that hypothetically, if the building was smaller, they could add more parking spots. Mr. Jackson stated applicants could bring the 5 retail spaces down to 4 spaces. Mr. Montenegro stated as to the applicants' application, if the proposal is for approval of 26 spaces of retail use only, if approved, that is approval for retail only on the first floor and they can always come back but it is not a "fluid" application. Mr. Montenegro further stated if they present for retail only, that is what will be approved, to which Mr. Jackson agreed if applicants wished to do so, they could come back in the future.

Mr. Vitale asked for a definition of "retail" to which Mr. Jackson stated they sell merchandise and hair or nails are considered to be a personal service. Mr. Preiser stated the property needs an "EV" charging station to which Ms. Neumann agreed they do. Mr. Carpenter stated they can pick a spot and it will be provided but his gut feeling is to put it back by the residential area as you would not want to see a car in the charging station spot overnight. Mr. Welch stated the rear spots are proposed to be numbered.

Chairwoman Bavais requested how they would be handling deliveries. Mr. Carpenter stated UPS/FedEx/Amazon can fit into parking spots and he does not foresee any tractor-trailers on site. Mayor Sabosik stated from an architectural standpoint, the building is "outstanding".

Mr. Faraldi wanted to know if a parking study had been performed. Mr. Carpenter stated one is not required without knowing the usage. Mr. Faraldi stated the intersection to the west of the building backs up in the morning due to the Dunkin' Donuts across the street. Mr. Carpenter stated the majority of retail businesses do not open until 10 a.m.

Mr. Jackson stated the property is located in the NC (neighborhood commercial) zone and the usage is permitted there. Mr. Jackson stated he spoke with his client Frank Nedza as well as the architect about reducing the size of the building, which can be done and they would meet the parking on retail. Mr. Carpenter clarified and stated that would be for retail, not commercial, and that they would have to take a "pretty big bite" out of the building in order to get 4 more parking spots.

Mayor Sabosik wanted to know if they take the garages down in the back, could they get more parking spots, to which Mr. Carpenter stated they could not as trash is on one side and parking on the other. Ms. Neumann stated storage is needed on site. Mr. Vitale stated if you look at the footprint of the building, it is smaller in the back on the left and asked if it was a possibility that storage could be provided there.

Mr. Nedza stated they were going to put a basement for the mechanicals in the middle unit and if needed, they can make room for storage there. Mr. Nedza further stated if they need to go to 4 stores with 3 apartments above, he would be willing to do so, further stating the sprinklers would be in the mechanical room along with the water meters.

Mr. Vitale observed that the middle store has a staircase. Mr. Welch wanted to know if they would be using gas because if you put the meters in with the condensers, you would have 9 meters and the air will get very crowded. Mr. Nedza stated they could move the condensers to the roof and build a deck around them. Mr. Nedza stated his son lives locally and will be taking care of the building, further stating they plan on fencing the whole property.

Mr. Vitale wanted to discuss the area behind the garage, stating they have a 15 foot setback and the garage is 26 feet from the rear. Mr. Vitale stated there are a lot of nice trees and observed they are placing landscaping along the property line. Mayor Sabosik wanted to know how many trees they think they would be able to save. Mr. Nedza replied if the current trees are nice looking and healthy, they will keep them but if they are overgrown or damaged, he would replace them with new trees. Mr. Carpenter added there are 3 mature trees between the proposed garage and property line, and stated only 2 of them would be affected. Ms. Neumann questioned why they planned on gravel in the back, to which Mr. Nedza stated it is easier to maintain and doesn't need to be mowed. Ms. Neumann stated the drainage area is proposed to be back in that area as well.

Mr. Vitale questioned the 15 x 15 trash enclosure, wanting to know if that is a standard size. Mr. Carpenter stated 32 gallon containers would sit side-by-side along with a 50 gallon container for each commercial unit. Chairwoman Bavais asked why no dumpster and just cans, to which Mr. Carpenter stated there would be private cartage. Mr. Carpenter was asked if there was a house behind the dumpster to which he replied private cartage can come at any time requested.

Chairwoman Bavais stated they have received a few comments regarding the size of the building and the Board has some issues with that, and wanted to know if the Board should forge ahead or if applicant should return with better architectural drawings. Ms. Neumann stated that may be a way to eliminate all variances, further stating screening is not being done along the back by the neighbors'.

Mr. Jackson stated he would like to hear the public's comments. Ms. Neumann stated assuming applicant returns, she would like to see all of the connections. Chairwoman Bavais asked if applicant had yet submitted plans to the Ocean County Fire Marshal as that needed to be accomplished. Mr. Jackson stated there are ways to make the first parking spot a tenant spot or an EV spot, further indicating Mr. Nedza is committed to returning to the Board.

Mr. Montenegro suggested it might be more productive for everyone if the Board adjourned this matter, and encouraged the neighbors present to stay to chat with the applicants, their attorney and professionals to give their input now.

Mr. Vitale stated they spoke about the rear yard and rear yard setbacks and in looking at whether there are 3 or 4 apartments, and there will most likely be children involved, suggested the need for a bike rack. Mr. Vitale further stated that depending upon the value of the apartments, they may want to sit out in the back and a picnic table or BBQ area could possibly be provided for a little recreational area. Someone suggested that might be intrusive upon the neighbors. Mayor Sabosik stated the idea is great, but he feels the building is too big for the lot and is concerned about parking and the proximity to the neighbors. Chairwoman Bavais asked for detail on how the apartments were to be set up.

A motion was made by Mr. Welch and seconded by Mr. Potter to carry the application to the October 27, 2022 meeting without further notice, with updated plans being provided to the Board a minimum of ten days prior to the scheduled meeting in order that the public could come in to review same. Roll call: YEAS: Brian Welch, Fred Potter, Mary Jane Bavais, Robert Sabosik, Joseph Furmato, Frank Pannucci. Jack Vitale, Albert Faraldi, Andy Preiser NAYS: None

Old Business

Chairwoman Bavais reminded everyone the Board will meet next month on the 5th Thursday of the month, namely, September 29, 2022 at 7 p.m. rather than at the originally scheduled meeting on September 22, 2022.

Exempt Site Plan Committee

Mr. Potter stated there were no meetings in the past month.

Environmental Commission

Mr. Faraldi stated the Environmental Commission members are still working on a tree Ordinance. Mr. Faraldi also mentioned they missed out on the movie "Drift" by the Save Barnegat Bay members.

A motion was made by Mr. Potter and seconded by Mr. Furmato to approve the **vouchers**. All were in favor.

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

Respectfully submitted,

Claire S. Hense