

POINT PLEASANT PLANNING BOARD
May 25, 2023

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

Roll call:

Present: Mr. Welch, Mr. Furmato, Mr. Pannucci, Mr. Potter, Mr. Sestito
Attorney: Ben Montenegro, Esq., Engineer: Laura Neumann, P.E, P.P., Board Secretary: Claire Hense
Absent: Chairwoman Bavais, Vice Chair McHugh, Mayor Sabosik, Mr. Vitale, Mr. Preiser

The April 27, 2023 **Minutes** were approved on a motion by Mr. Potter and seconded by Mr. Sestito, with both in favor.

Mr. Welch stated there was one **Resolution** for review this evening, that of Gerald and Katherine Malanga for an extension of approval regarding their property located at 731 Mount Place, a/k/a Block 275, Lot 7.01, which was approved at the meeting of April 27, 2023.

A motion was made by Mr. Potter and seconded by Mr. Sestito to approve the Resolution. Roll call: YEAS: Fred Potter, Jim Sestito

New Business

Mr. Welch stated the Board has three **applications** to be heard this evening, the first being that of **Kevin Curtin** for the continuation of a minor subdivision regarding property located at 1325 Bay Avenue, a/k/a Block 145, Lot 35.

William T. Gage, Esq., Bay Head, New Jersey came forward. Mr. Gage stated he represents applicant Kevin Curtin who returns to the Board seeking a subdivision to divide the property into 2 lots, further stating when they came before the Board at last month's meeting, Board members expressed concerns that the proposed 2 homes were too similar. Mr. Gage stated the applicant is returning with revised plans dated May 11, 2023 which also provide turn-arounds in the driveways.

The following professional witness came forward:

Matthew G. Evans, AIA, P.P. of Evans Architects AIA, Paterson, NJ. Mr. Montenegro stated Mr. Evans remains under oath.

Mr. Evans stated he revised the plans for both houses located on lots 35.01 and 35.02 on May 11, 2023, indicating they are two distinct houses. My Evans stated lot 35,01 is a

Dutch gambrel-styled home and lot 35.02 is a colonial shingled home, and further stated both will conform with all zoning requirements.

Ms. Neumann told the Board this matter was continued from last month so the Board could see the driveways and different architectural, further stating this is a fully compliant application so long as the Engineer agrees with the previous comments. Mr. Potter wanted to know if the aprons were larger, to which Ms. Neumann stated they are.

Mr. Welch opened the application to the public for questions of the professionals; there were none. Mr. Welch opened the application to the public for any comments; there were none.

Mr. Welch polled the Board, and thereafter a motion was made by Mr. Potter and seconded by Mr. Furmato to approve the application. Roll call: YEAS: Fred Potter, Joseph Furmato, Frank Pannucci, Brian Welch, Jim Sestito. NAYS: None

Mr. Welch stated the next application to be heard this evening is that of **Point Pleasant 847 Properties, Inc.** for amended preliminary and final site plan approval regarding property located at 847 Arnold Avenue, a/k/a Block 112, Lots 65 and 65.01.

John J. Jackson, III, Esq. of Manasquan came forward, and marked the following item into evidence:

Exhibit A-1, A 16-page power point presentation.

Mr. Jackson stated applicant has been before the Board several times over the years in order to have a premiere wedding venue, and they are seeking to make this property a “crowning jewel”. Mr. Jackson stated both Mr. George Truesdale and his daughter, Jackie, are here this evening.

Mr. Jackson stated the front area is strictly decorative and applicant would like to modify the existing site in order to construct an open-air rooftop deck as a ceremony location with a glass wall around it, which is located directly above the ceremony space located on the first story which was approved the last time applicant came before the Board. Mr. Jackson stated brides and grooms would now have the option to go outside if the weather is nice and have great views. Mr. Jackson stated the parking will not be increased as guaranteed in previous Resolution No. 2022-08 as they can only have one banquet at a time, and there will be no increase in intensity as that would require amended approval in order to obtain that.

Mr. Montenegro swore in the following witness:

George Truesdale

Mr. Truesdale stated he has been at Clark’s for 40 years. Mr. Truesdale stated they are giving brides and grooms, or their parents, the option of holding a wedding outside as an alternate choice. Mr. Truesdale stated the rooftop deck will be located directly above

the ceremony area below, and the rooftop deck looks out over the river which offers stunning views. Mr. Truesdale stated it would be used strictly for marriage ceremonies - most taking approximately 25 minutes and typically occurring between 5 and 6 p.m. Mr. Truesdale stated the parties then go right into cocktail hour and then up to the ballroom on the second floor. Mr. Truesdale further stated it would not be used at late hours, the ceremonies are usually low-key, low-sound and consist of the bride, groom, minister and a harp or violin. Mr. Truesdale stated he agrees as a condition of approval that there will be no live music except a harp or violin. Mr. Jackson reiterated there will only be one wedding at a time.

Mr. Truesdale further stated that as a venue, Clark's would have an advantage because a lot of brides want to get married outside but when the weather doesn't cooperate, be it rain, too hot or humid, flies, etc., they can then hold it inside. Mr. Truesdale stated Clark's needs to be competitive as there are a lot of other high-end venues. Mr. Truesdale stated if approved for the rooftop deck ceremony area, brides and grooms would be able to go out on the deck, have beautiful views and get beautiful pictures.

Mr. Furmato wanted to know if when it was constructed last year, was it set up structurally for the additional weight, to which Mr. Truesdale stated yes, it was. Mr. Welch wanted to know how many seats it would hold, to which Mr. Truesdale responded it can seat about 100. Mr. Furmato asked if it was smaller than the downstairs, to which Mr. Truesdale responded yes, a little bit smaller. Mr. Truesdale explained that today, half of the wedding services occur in churches/synagogues/temples, while half occur at the wedding venue, and the average age of brides is 29 and grooms is age 31. Mr. Montenegro confirmed there will be no food at the service and no alcohol, it would be used for the ceremony and pictures only.

Mr. Welch opened the application to the public for questions of the professionals; there were none. Mr. Welch opened the application to the public for any comments.

Mr. Montenegro swore in the following witnesses:

Frank Pagano, Unit 14 at Clark's Landing, who caused to have O-1 marked into evidence which was an Appellate Division decision dated July, 2021.

Renee Ready

Mr. Jackson stated that in response to the DEP permit, the Board should consider this in conjunction with same. Mr. Jackson further stated he is hopeful the Board views Clark's Landing as a great location and another reason to draw people to Point Pleasant.

Mr. Welch polled the Board, and thereafter a motion was made by Mr. Potter and seconded by Mr. Furmato to approve the application. Roll call: YEAS: Fred Potter, Joseph Furmato, Frank Pannucci, Brian Welch, Jim Sestito. NAYS: None

The Board took a 5 minute break.

Mr. Welch stated the next application to be heard this evening is that of **1117 Sampson, LLC** for a minor subdivision regarding property located at 1117 Sampson Road, a/k/a Block 112, Lot 7.

Mark R. Aikins, Esq. of Wall, NJ came forward.

Mr. Aikins stated he represents the applicant who owns a very large lot and who is proposing to subdivide the property in order to create 2 new lots - one would be 20,861 square feet and the other would be 7,500 square feet. Mr. Aikins stated a variance is required for a 40 foot lot frontage/40 foot lot width. Mr. Aikins further stated the front lot is fully conforming. Mr. Aikins stated when applicant appeared before this Board two times previous for informal hearings, the Board asked to be shown conceptual renderings, which drawings are contained in Board members' packets. Mr. Aikins then requested Mr. Montenegro to confirm the Board has jurisdiction to proceed, which was confirmed.

Mr. Montenegro swore in the following witnesses:

Christopher Rice & Dustin C. Brown, Rice & Brown Architects, Sea Girt, NJ.

Messrs. Rice & Brown caused to have the following items marked into evidence:

- A-1 Color poster board of Google Earth showing the proposed 2 residences superimposed; Mr. Rice stated the existing home is located in the middle which will be torn down, and they are creating two totally conforming homes.
- A-2 Poster board of street front home, front view.
- A-3 Poster board of waterfront property, rear view.
- A-4 Poster board of rear house, back side on the river.

Mr. Welch wanted to know the setbacks of the waterfront property; Mr. Rice stated they are at 7.5 feet. Mr. Welch wanted to know why they placed the mechanicals there, to which Mr. Rice stated they would be located on a platform as they were concerned about the sound disturbing the neighbors. Mr. Potter wanted to know how many feet that would be from the fence, to which Mr. Rice responded they were similar and Mr. Sestito stated they are scaled 10 feet from the property line.

Patrick Ward, licensed professional engineer and licensed professional planner from InSite Engineering, Surveying & Planning, Wall, NJ.

Mr. Ward provided an overview of the proposed subdivision, stating the property is located in the R1A zone which requires a 7,500 square foot lot, further stating applicant has over 28,000 square feet of property and as such, is the largest lot in the area. Mr. Ward stated they are proposing 1 lot fully on the waterfront and 1 lot along Sampson Road. Mr. Ward stated he spoke with the Tax Assessor who assigned final lots numbers as follows: Lot 7.03 will front Sampson Road and Lot 7.02 will be the riverfront location; he needs to revise his plans to reflect these lot numbers.

Mr. Ward stated Lot 7.03 is located on the south side and fully conforms – it is a 2 story, 4 bedroom home, and Lot 7.02, the river front lot, has a proposed width of 40 feet, and contains 5 bedrooms with rear improvements as shown on the plans. Mr. Ward stated the application provides for a 5 foot wide right-of-way as required by the Borough. Mr. Ward stated the south house on Sampson Road requires 2.5 parking spaces and they are providing 5; he further stated the rear, waterfront property requires 3 parking spaces and they are providing 10 in the driveway as well as a 3 car garage. Mr. Ward noted the on-street parking is severely limited, indicating that he spoke with the Ocean County Fire Marshal in December, 2022, and the Chief Fire Marshal found no problem with the proposal.

Mr. Ward addressed the stormwater management, stating they will provide as mentioned in the Board engineer's review letter – neither home will contain a basement, both homes will be elevated. He stated they will seek CAFRA approval, will provide shade trees as required, requested a waiver for the construction of curbing and sidewalks and will instead contribute to the Pedestrian Safety Fund. Mr. Ward stated there are presently 2 existing, non-conforming structures on the property – the house and greenhouse, both which will be removed. Mr. Ward then addressed the variances required.

Mr. Ward caused to have the following items marked into evidence:

A-5 Posterboard of neighborhood analysis

A-6 Letter from the Ocean County Fire Marshal dated December 5, 2022

Ms. Neumann asked about item 6B, wanting to know if the demolition of the structures would occur prior to filing of the subdivision map. Mr. Aikins stated the demolition would occur prior to filing the map. Mr. Ward offered they will comply with item 7, and stipulate to the conditions.

Mr. Furmato wanted to discuss the air conditioning units and generators. Mr. Ward stated that in referring back to exhibit A-1, the southern lot air conditioning units and mechanicals will be located in the rear of the property.

Mr. Brown stated the minimum DFE requirement is 10 feet and they will put it at 11 feet, further stating the first floor elevation is at 13.1 feet in a coastal flood zone and will be 4 feet off the ground. Mr. Brown indicated they can screen it with landscaping or another option is they can put it at attic level and put it at the roof line. Mr. Welch asked about the generators. Mr. Brown stated they need to be on a platform and the best bet would be to provide sound baffles and greenery, adding they could coordinate the timing of the testing in deference to the neighbors. Mr. Aikins stated applicant will stipulate to not run the testing in the evening hours, possibly any time between 11 a.m. and 4 p.m.

Mr. Furmato stated he would like to see the air conditioning units on the roofs with an access door through the attics, with the generators to remain on platforms as discussed. Mr. Welch stated he would await neighbors' comments about the timing for the running of the generators.

Mr. Welch opened the application to the public for questions of the professionals.

Mr. Montenegro swore in the following witnesses:

Danny Schulz, 1120 Sampson Road

Ms. Neumann asked Mr. Ward to reference his subdivision plan as to the fire hydrant location. Mr. Ward stated they will avoid moving the hydrant and will steer 3 feet clear of the driveway. Mr. Welch stated the Borough is not yet ready to use the 5 foot easement but when they do, they will move the hydrant.

Bob Boye

Mr. Ward stated the driveway is 5 feet off the eastern property line.

Mr. Welch closed the application to the public for questions of the professionals, and then opened it to the public for comments. The following persons came forward and were sworn in by Mr. Montenegro:

Daniel Diaz, 1121 Sampson Road

Mr. Ward stated there are no current easements but if approved, they will seek a CAFRA permit only for the waterfront lot and if they have to provide, they will do so via an easement but he does not anticipate this.

Renee Ready

Mr. Montenegro clarified with Mr. Ward that they meet the RSIS for parking on each individual lot, and then brought the application back to the Board for closing. Mr. Aikins thanked the Board for the opportunity to make this presentation and asked about informally polling the Board due to the small size of the Board this evening, to which Mr. Montenegro replied in the affirmative.

Mr. Welch polled the Board, Mr. Montenegro proceeded to go through conditions. Thereafter, a motion was made by Mr. Pannucci and seconded by Mr. Potter to approve the application with the conditions stated. Roll call: YEAS: Frank Pannucci, Fred Potter, Joseph Furmato, Brian Welch, Jim Sestito NAYS: None

Exempt Site Plan Committee

Mr. Potter presented his report which detailed the following: Catherine's, a new farm-to-table restaurant located at the former White Owl Restaurant location at 1001 Arnold Avenue. They are renting the restaurant as well as the parking lot across the street, with an option to purchase. The apartment upstairs is currently occupied. The Zoning Officer informed the restaurateurs of the required filing of documents and

permits for repairs and alterations as required by the Borough. Details in Mr. Potter's May 4, 2023 Committee Meeting Report on file with the Planning Board Secretary.

Environmental Committee

Mr. Potter reported regarding the May 16, 2023 meeting. He reported that Chairman Dennis Blazak reported a successful Earth Day celebration, updated regarding the fencing and bulkheading at the canal, the plant swap of the Garden Club, tree project at Slade Dale, the Nellie Bennett Salt Marsh Restoration Project, the proposed tree ordinance, and the Riverfront Park beach resilience. Details in Mr. Potter's May 16, 2023 Commission Meeting Report on file with the Planning Board Secretary.

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

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

Respectfully submitted,

Claire S. Hense