

**POINT PLEASANT PLANNING BOARD**  
**December 14, 2023**

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: Chairwoman Bavais, Mr. McHugh, Mayor Sabosik, Councilman Furmato, Mr. Vitale, Mr. Potter, Mr. Sestito

Attorney: Ben Montenegro, Esq., Engineer: Jordan Rizzo, P.E, P.P., Claire Hense, Board Secretary

Absent: Messrs. Pannucci and Welch

**New Business**

Chairwoman Bavais stated the Board has several **applications** to be heard this evening, the first that of **Thomas & Madeleine Halter** for administrative approval regarding their property located at 1628 Center Street, a/k/a Block 306, Lot 75.01. Mr. Jackson requested the Board combine both the Halter and **Phyllis Healy** matters, both of which are for administrative approval, with Ms. Healy's property being located at 1626 Center Street, a/k/a Block 306, Lot 75.02.

John J. Jackson, III, Esq. stated he represents both applicants whose previous plans for their subdivision included pools. Mr. Jackson stated the pools are both going to be fiberglass and pools by the dimension of 12 x 20 have no room to swim and therefore they would both like to expand the dimensions to 12 x 25.7, still maintaining the 10-foot setbacks as shown on the original plans. Mr. Jackson stated there was no need to increase the impervious coverage on site because neither pool will have a pool surround, further stating neither applicants are seeking any additional variances.

Chairwoman Bavais stated if either applicant desires to install a surround for either of the pools, they will need to return to the Board for approval. Mr. Rizzo, the Board Engineer, agreed there was no relief required, and stated the applicants are no closer to the side or rear property lines.

A motion was made by Councilman Furmato and seconded by Mr. McHugh to approve the applications. Roll call: YEAS: Joseph Furmato, John McHugh, Jr., Mary Jane Bavais, Robert Sabosik, Fred Potter, Jim Sestito. NAYS: Jack Vitale

Chairwoman Bavais stated the next **application** is by **1117 Sampson, LLC** regarding the property located at 1117 Sampson Road, a/k/a Block 112, Lot 7, to request an extension of time of one (1) year in order to file the subdivision map. The Board Secretary produced a letter dated December 4, 2023 from Mark R. Aikins, Esq., attorney for applicant, and Mr. Montenegro read parts aloud reiterating the request.

Mayor Sabosik wanted to know why the applicant was requesting a full year, stating it was too long an allowance of time to complete the map and effectively file same. Mr. Montenegro agreed and stated that per Statute, sixty (60) days would be more than sufficient time.

A motion was made by Mr. Potter and seconded by Mayor Sabosik to approve the extension of time to file the map within sixty days. Roll call: YEAS: Fred Potter, Robert Sabosik, Mary Jane Bavais, John McHugh, Jr., Joseph Furmato, Jack Vitale, Fred Sestito. NAYS: None.

Chairwoman Bavais stated the next matter on the agenda is an **application** by **Lombardi Residential, LLC** regarding the property located at 2113 River Road, a/k/a Block 36, Lot 1.01.

John J. Jackson, III, Esq. stated he represents applicant and caused the following to be marked into evidence:

A-1 A 26-page Power Point presentation.

Mr. Montenegro swore in the following persons:

**Matt Lombardi**, partner in Lombardi Residential, LLC

**John E. Taikina, P.P.**, All Things Planning & Development

**Andrew Stockton, P.P., P.E.**

Mr. Jackson stated the property is located at the old Point Pleasant Hospital site and this particular parcel is an outlier from the hospital and was formerly Dr. Stolte's property. Mr. Jackson stated they appeared before the Board of Adjustment as it was a larger property, but they do not require a density variance.

**Matt Lombardi** stated that he, along with his brothers Chris and Rob, constitute Lombardi Residential, LLC., further stating it would be a sales project in nature and that they have owned the property since June 30, 2017.

Mayor Sabosik stated they have let the property deteriorate, and there are 2x4's across the front door. Mayor Sabosik wanted to know why they let it go for so long a period of time. Mr. Lombardi stated they had a couple of tenants who have since vacated the property, and that the Police Department calls sporadically because teenagers go in there to party and keep coming back. Mr. Lombardi stated Clean Cut was hired to cut the grass every few weeks, but they haven't put too much money into the project. Mayor Sabosik stated they should install cameras in there if there are problems with teenagers. Mr. Jackson stated they are hoping to get this matter approved so they can get through the construction permitting process and begin to build immediately. Mayor Sabosik

stated he is disappointed because this is an eyesore. Mr. Lombardi stated the property was never boarded, and bricks were thrown through the plywood.

Mr. Lombardi stated they would like to construct five 3-bedroom units to be owned, not rented. Referring to the Power Point, he highlighted some details of the units. Mr. Lombardi said the first concept was rental apartments, 18 units consisting of 3 stories on top of parking, but they reduced it down to two different styles of townhomes.

**Andrew Stockton, P.P., P.E.** stated the property only contains .541 acres and therefore requires several variances for lot width, front/side/rear setbacks, building coverage and in order to meet the RSIS for impervious coverage of the driveways. Mr. Stockton stated the square footage of the lot doesn't provide for multi-family units in the zone. Mr. Stockton added they are allowed 75 feet in height, and they are proposing 40.6 feet.

Chairwoman Bavais questioned if they will be part of Water's Edge, to which Mr. Stockton responded they will be stand-alone, fee simple townhouse units with a homeowner association. Mr. Stockton stated there will be 4 parking spaces per unit, 2 in the garage and 2 in the driveway, adding there will be minor impact to on-street parking and 2 to 3 cars can be parked in front of the building.

Mr. Rizzo stated they are increasing the density and need to comply with RSIS towards parking. Mr. Rizzo asked if there was any overflow, where would they park. Mr. Stockton stated they would park to the west where there is on-street parking. Mr. Jackson stated that in looking at the Board Engineer's review letter, he questioned Mr. Stockton if the variances are driven by the shape of the lot, to which Mr. Stockton responded it is an undersized, irregularly shaped lot and there are existing conditions. Mr. Stockton further stated there will be disconnected fencing across the front but not the driveways, and that the trash would be stored in garages so there is no need for dumpsters. Chairwoman Bavais wanted to know how they could control the homeowners in keeping the trash cans in the garages, to which Mr. Jackson responded that would go into the by-laws of the HOA.

Mr. Vitale asked if there would be any elevators, to which Mr. Jackson stated they took them out of the plans. Chairwoman Bavais wanted to return to the matter of the trash and wanted to know why there would be no dumpsters. Mr. Lombardi stated they had a location for dumpsters in previous proposals, but the neighbors complained about raccoons so they removed them, and stated they did the same at their Bridge Avenue project. Mayor Sabosik, in referring to the Bridge Avenue project, asked if they had the same situation with cans in the garages, to which Mr. Lombardi responded that each resident brings the cans to the bottom of the area and the trucks back in to pick up.

Mr. Stockton addressed the curbs. Mr. Lombardi stated another concern of the neighbors was that there be no short terms rentals, so they will be prohibited in the HOA. Mr. McHugh asked for additional definition regarding that, to which Mr. Lombardi responded if any owner wants to rent, it will have to be for a period of one year at the minimum.

Landscaping was discussed and Mr. Lombardi stated the perimeter has existing trees and shrubs, and stated they are not touching 6 or 7 trees. Mr. Vitale observed there were existing buffer plantings and it appears as though they are adding a row of trees and shrubs, and saw that to the right of the property, an “existing oak (to) remain”. Mr. Vitale asked about the sidewalks in the front and wanted to know if they were planning on replacing the existing sidewalks, to which Mr. Lombardi stated yes, they would replace all the way across. Councilman Furmato stated there is a telephone pole in the middle of the sidewalk, and Mr. Stockton stated there is a hydrant and a utility pole. Mr. Stockton further stated there will be fresh, new utility connections, and they will do curb-to-curb and mill, and overlay across the property.

Mr. Jackson stated they covered most of the comments in the review letter, and added there would be no gate and no basements. Mr. Rizzo wanted to know if there would be any attics, to which Mr. Lombardi stated there would be no fixed staircases, maybe a hatch.

Mr. Stockton stated they do not need CAFRA approval nor Ocean County Planning Board approval, but they will need Soil Conservation. Mr. Stockton stated brick paver driveways will be installed and they will improve the stormwater run-off conditions via stormwater management, further adding there will be stone trenches with perforated pipes. Mr. Stockton stated there is no need for a pond or swale.

Mr. Vitale asked about the lighting plan, asking about the number of lights at the location. Mr. Lombardi stated they added brick piers on each side of the driveways which are similar to lanterns, there will be sconces on the building, all piers will be on a timer, there will be 1 light by each front door, and added there are no plans for any spotlights at this time.

Chairwoman Bavais wanted to know if there will be any signs, to which Mr. Lombardi responded there would only be house numbers. Mr. Lombardi stated as to the rear of the buildings, there are plans for sconces on each of the side doors and the second level terrace would have sconces on each side of the doors.

Mr. Montenegro questioned if there would be a grill area on the ground level, to which Mr. Lombardi responded “yes”. Mr. Vitale wanted to know if the garages could be any deeper, Mr. Montenegro stated there appeared to be flex room in each garage area, and further stated the end units need to revise garages.

**John E. Taikina, P.P.** presented in narrative form, reading from a statement he had prepared. Mr. Taikina stated that in referring to page 22 of the Power Point, it shows this application is a “poster child” for a C-1 variance. Mr. Taikina stated Water’s Edge contains 74 units and with the 5 units in this application, the total would be 79 units.

Mr. Vitale stated Pulte Homes attempted to purchase the property in order to develop more and had they succeeded, the building would have been larger so what the Board is reviewing now is smaller.

Chairwoman Bavais suggested a 5 minute break. Upon return, Chairwoman Bavais opened the meeting to the public for any questions of any of the experts. The following persons came forward:

**Helene Boedart**, Water's Edge

Mr. Montenegro stated there was a prior application but this is the first hearing before this Board and is not a continuation of any past application.

**Nancy Scalabrini**, Water's Edge

Chairwoman Bavais closed the meeting to the public for questions of any of the experts, and opened the meeting to the public for comments. The following persons came forward:

**George Weber**, Water's Edge, President of the Condominium Association;

**Nancy Scalabrini**, Water's Edge;

**Fred Truntz**, 342 Parker Road

Mayor Sabosik stated the Wenke's application was for 25 units, the town said "no" so they went to the Superior Court, adding it was in an overlay zone. The Court said 16 units, that COAH housing was required, and Mayor Sabosik stated we are at 97% development. Mayor Sabosik stated the town bought property on Beaver Dam Road for a new rec center and senior center.

**Helene Boedart**, Water's Edge;

**Marianne Robinson**, 358 Briar Road

Chairwoman Bavais closed this portion of the meeting and brought it back to the Board. Mr. Jackson did a brief summation. Mayor Sabosik wanted to know how many trees were coming down, to which Mr. Lombardi stated 6 trees were coming down, and they are installing some 20 foot trees. Mayor Sabosik stated that will counteract what comes down by putting more back, further stating the tree ordinance is not in effect as of yet and the State has some rules coming out.

Mr. Jackson stated they agree to meet with the Board Engineer or Board Planner and work with them to be sure they are the correct species. Mr. Jackson wanted to know who maintains the sidewalks – is that governed by ordinance for a municipal sidewalk? Mr. Jackson then stated the applicant will have to maintain them.

Chairwoman Bavais wanted to know if applicant would consider doing 4 units to remove some of the variances, to which Mr. Jackson stated it is a critical part to have this scale. Mr. Lombardi stated they will have 4 inches of water suppression line for fire, and that 4 units as opposed to 5 would not remove any of the variances.

Mr. McHugh stated the issue is imposing the feature of something that tall that close to the road, and that the houses on the street are at 25 feet. Mr. McHugh suggested the left

most western side unit could be scaled back to 2,000 square feet with 1 garage, and push the whole complex back 10 feet. He stated he was envisioning houses across the street and that this will be imposing. Mr. McHugh observed the existing home is only 12 feet back.

Mr. Lombardi stated the air conditioning units will be cut into the roof and there will be 2 per unit.

Mr. Vitale likened it to renting or buying a building in Point Pleasant Beach with 2 parking spaces – the property is deficient, and further added he would like to see a buffer in the rear and on the sides. Mayor Sabosik stated Mr. Vitale brought up a good point in that with the last unit, if they could make it a little smaller and have a driveway for only 1 car, that would be better. Mr. McHugh added that with the far left unit, it could be 2 bedrooms, shrink 8 to 10 feet in width, have a 1 car garage, push the whole building back 10 feet and make it 2,000 square feet. Mr. McHugh added that everything about this is attractive. Mayor Sabosik stated he likes the idea of moving the building back and making the unit on the left side smaller. Chairwoman Bavais stated the Board is not in the business of re-designing, and asked for a 3 to 5 minute break.

Upon returning, Mr. Lombardi stated they like the idea of pushing the building back. Mr. Lombardi stated he misspoke earlier, that it is 24 feet to the corner. Mr. Lombardi stated if the Board is amendable, they would push all the units back an additional 5 feet, take 2 feet out of the depth of the building, and could make it so that 7 feet comes off the front. Chairwoman Bavais stated she would like to see new plans which show what the back and side of the building looks like, and stated this would be placed on the January 25, 2024 or February 22, 2025 agenda, depending upon when new plans are received.

Mr. Potter stated he is not sure that what is being proposed is doable. Mr. Lombardi stated he would like to keep the double drive with the single car garage. Mr. Rizzo stated they need 2.4 parking spots for each unit. Mayor Sabosik stated he would get them the new ordinance as to the trees and indigenous trees.

Chairwoman Bavais stated the next **application** on the agenda is for **Stephen and Kristen Smith** regarding the property located at 825 Trenton Avenue, a/k/a Block 13, Lot 23.02, but due to the late hour, this application will be carried to the January 25, 2024 meeting.

Roberta Burcz, Esq. came forward and stated she represents an objector. She stated her expert is not available on January 25, 2024 as he will be in Belmar, and she requested it be carried to the February 22, 2024 meeting. Mr. Pepsny, attorney for the applicants, stated he didn't want to wait until the February meeting.

Mr. Jackson stated he was asking for the February 22, 2024 meeting for the Lombardi application. Mr. Vitale stated that in order to recap, the Lombardi application will bring new plans to push the building back five feet and cut two feet off the front. Mr. Montenegro added no additional notice is required.

A motion was made by Chairwoman Bavais and seconded by Mayor Sabosik to go into Executive Session; all were in favor.

When the Board returned, Chairwoman Bavais stated there is no new business.

### **Exempt Site Plan Committee**

Mr. Potter stated there was no meeting since the last meeting upon which he reported.

### **Environmental Committee**

Mr. Potter read his report into the record. Councilman Furmato commented that with regards to Slade Dale, the trees need to go in January as it is a fire hazard.

Mayor Sabosik stated the State of New Jersey has a new fund, that they have applied for a \$350,000.00 grant to fix the shoreline and replace things at Riverfront Park, and they should hear back in 6 weeks. Councilman Furmato stated with regards to the Nellie Bennett Salt Marsh Restoration Project, the Barnegat Bay people have a \$2.8 million grant and they will start phase 1 in April, 2024.

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

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

Respectfully submitted,

Claire S. Hense