

Zoning Board Minutes
Regular Meeting
February 25, 2020

Announcement by the Chairman that the meeting is in compliance with the Open Public Meetings Act, Chapter 231, Public Law 1975. Adequate notice of this meeting has been provided to the Coaster and Asbury Park Press. All notices are on file with the Board Secretary.

Board Members in Attendance: Chris Avallone, Russell Lewis, Daniel Harris, Jill Potter, Eric Galipo, Brittany Ashman & Chris Gonzales

Alternates Present: Tim Szlyk, Catherine Minervini

Board Members Absent: none

Board Members Recused: Daniel Harris

Board Staff: Jack Serpico, Board Attorney; Donna Miller (CCH); Carrie, Kelly (State Shorthand); Irina Gasparyan, Board Secretary

A. Minutes:

1. Approval of Minutes of February 11, 2020 regular meeting
Motion to approve minutes: Avallone Second: Russell All in favor

B. Old Business:

1. **College Achieve Public Charter Schools (Carried from January 28, 2020)**
508 Third Avenue, block 3404 lot 4

Resolution compliance and discussion of conditions of approval.

Formal Action may be taken

Andrew Karas, Attorney for Applicant

Calls Officer Reng, APPD, sworn in

Serpico: officer Reng's testified last meeting so today's cross examination limited to today's testimony

Avallone: does anyone feel that switching locations is not working

Karas: do u feel it provides safer switching buses to third

Reng: that is why we did it. Grand is busier street

Avallone: have u had chance to go back & observe

Reng: not this year, but haven't rec'd any complaints.

Reng: have had several residents approach about parking, but its momentary, maybe a minute if double parked

Harris: have u considered putting crossing guard there

Avallone: think better Q for principal to see if there's kids crossing

Reng: other places have parents & other schools ask about crossing guard, we'll go look at it

Galipo: how is the bike lane affected? Which lane being used when parking there?

Reng: there's ample room to get to curb. Bus may block the bike lane a bit

Ashman: was there a count of the children crossing/walking this year

Karas: think last time we stipulated that we would get a list of all the students & walkers.

Galipo: at this location there were no unaccompanied children crossing grand, correct? So no reason to put crossing guard there because there's no unaccompanied children

Reng: correct. Each year we have "safe corridors to school" we don't change that.

Galipo: so there is an evaluation model & there is a policy to take the safe corridors?

Avallone: those safe corridors that were designed didn't include this new school.

Reng: yes, now up to 35 crossing guards so it does increase/change

Karas: prior to school year we would provide that information & they could evaluate

Serpico: Mr. Harris voted against the application, so he can't participate.

Open to Qs from public

Jamie Nadell, 3rd Ave: understand didn't have a list of kids dropped off on grand. But don't have # of children bused/driven to school? Have u been to school since the beginning, since Sept?

Reng: no list, no other observations

Ernest Mignoli: is anyone crossing grand to get to school? No child w/o escort

Reng: no. when I observed there was no child crossing w/o escort

Jodie Mcinerney, executive director & Principal of school, sworn in

Karas: Read off all conditions of resolution and confirmed with Mcinerney

Avallone: can u tell me % of students coming from Asbury and Neptune.

Mcinerney: approx.. 60% from Neptune, 30% from Asbury, rest from other locations

Serpico: not outside scope

Avallone: one of residents testified that there were students playing outside & that was

Galipo: park is issue, children playing outside is issue, and appropriateness of the recreation uses is issue

Karas: #9- to ensure church activities don't coincide w school, #11- crossing guard- no objection to providing list of students?

Mcinerney: yes

Avallone: in your opinion how is the bus loading change working?

Mcinerney: working well

Karas: Ms. Krengle observed that buses run smoothly.

Avallone: do u have after hours care

Mcinerney: boys & girls club after school program

Karas: there was ordinance for signage to be put up by Asbury park, and payment was to be made. What happened and I just realized this, apparently there was drawing submitted by Michele Alonso to council & it didn't include the signage that was supposed to be there. All other signs were done, but that missing signage on third ave was missed.

Lewis: is it your opinion that cars parked on 3rd are complying? Are cars moving during times indicated?

Mcinerney: yes they move at appropriate time, not inhibiting us during dismissal

Avallone: so saying you're observing this every morning & never have seen issues

Mcinerney: no and no complaints from anyone

Open to Public Q's

Ernest Mignoli: do u know when dropped off check for signs to city, was it made out to city? And school paid? Any installed yet?

Mcinerney: don't recall when. There are signs installed, yes. Not all

Jamie Nadell: how many students bused?

Mcinerney: 80, rest are in after care

Nadell: are u aware that employees park on street?

Mcinerney: do know they follow signage where supposed to park

Nadell: so possible youre not there at drop off? On grand ave no signage to prohibit parking there? so it is your opinion that safe? Staff members at site everyday directing

Sharon Krengle, grand ave: 2 times say kids played at school, did they go to park & come back? Have u seen grass on lawn in front of church?

Mcinerney: yes, they came back from park. There was no lawn to begin

Rebecca Shenle: children outside only 2 times? Not more?

Mcinerney: they are outside for diff reasons, for science, natural science

Karas: don't agree. Resolution only talks about recreation, not teaching & class.

Lewis: so theyre outside often on the property?

Mcinerney: yes, to come & go

Avallone: can you estimate for us how often or times? So kids are going outside?

Serpico: reference section of the resolution

Karas: only part of resolution about recreation

Karas: to knowledge where are places they go?

Mcinerney: multiple places, beach, parks, etc.

Serpico: checked resolution page #7- read condition

Mike Piscal, founder & CEO of Charter School, sworn in

Karas: clarify attendance of students

Piscal: law states that must apply for bounds of school & attendance area set. What means is they get 1st preference. if space in school, can come from anywhere in state. The law as I understand it. That's the state laws & regulations

Avallone: is school at Baptist church going to remain open?

Piscal: Yes.

Avallone: call Mr. Siegle back

Mark Siegle, Principal planner & Zoning Officer for City of Asbury Park, sworn in

Avallone: how many times have you observed & what have you noticed & observed

Siegle: listed dates and times of observation. I have never observed 3rd ave free of cars. Observed lack of cars moving. Ones on third are always parked.

Lewis: have you witnessed cars on grand? Cars parked there are not moving?

Siegle: yes, parked cars not moving.

Avallone: witnessed problems on third not grand?

Siegle: I wouldn't say problem, just not efficient, not working well

Karas: is it at least running in safe manner?

Siegle: haven't seen any kids in jeopardy.

Avallone: how would you characterize whole situation, drop off and pick up?

Siegle: not saying its bad, but it could be better.

Open to public Q's

Nadell: buses in bike lane?

Siegle: yes, sometimes smaller buses can fit but larger buses take up bike lane

Nadell: only see parents drop off kids in drop off location

Mignoli: 7 times observed, di you take notes?

Karas: I would stipulate list of kids waling at beg of school year. Missing signage- I'm working on that, work w/ town.

Avallone: kids going outside

Karas: I disagree. Don't think there's a problem with them being outside. Talk about going outside to look at leaves. Resolution only prohibits recreation outside. Testimony was it was a limited situation.

Avallone: point of meetings is to ensure it works well for everyone in neighborhood, children

Open to public Comment

Theresa Jones: 20 hill dr. Neptune. I've also observed this school. Seems there is neighbor pandering. Seems like someone in neighborhood has problems

Sharon Krengle, 1003 grand ave: we have seen kids on lawn recreation more than twice. And there was grass on lawn. Kids run around & somewhat unsupervised, seems dangerous. Some staff members park at fence between 2 properties. Also important for neighbors to be able

Karas: when made observation that kids running around, where were u? there's a fence there & bushes? U don't live in house full time?

Krengle: I was on 2nd floor. Even though I work & live elsewhere I'm there a lot.

Serpico: you've heard the testimony, if board were to correct the issues. Get kids off front lawn & modify drop off, would that help?

Jamie Nadell, 503 3rd – live directly across school. Can tell you nothing was done in compliance. All of a sudden, in sept of this year, the police started ticketing without telling anyone of the changes. Its not what was testified, I'm home everyday at drop off. No staff members regulating. Made life very difficult from parking perspective. Asking u evaluate parking. Ask for safety officers. Have seen people park & go into school.

Karas: indicated people ticketed for parking, parking there where no parking allowed & signs placed.

Nadell: people ticketed after

Ernest Mignoli, 400 Deal Lake:

Close public Comment

Avallone: evaluate all conditions

Ashman: plan of drop off should be reviewed. Frustrated because we saw all these problems when application came, and now we see

Galipo: there was large skepticism whether this location could handle the school. We agreed this was not best location, but now we have to make it work.

Avallone: tried to put conditions to make it run as smoothly as supposed to be.

Serpico: whole idea behind retaining jurisdiction is because this was expected.

Karas: I disagree. Its not bad, not huge problem.

Lewis: all know not perfect situation. Clearly need to get signage taken care. Better mgmt. & enforcement from school. I pass by property often, I will say its somewhat orderly, not perfect. Have not seen unsafe situation. We could do better.

Galipo: what is possible remedy? What is responsibility?

Avallone: first think officer Reng needs to reevaluate & give board

Potter: id like that looked at length of buses on 3rd ave.

Serpico: want officer to do this or someone else?

Galipo: could ask them to come up w proposals for mgmt. plan?

Karas: if I may make suggestion, lets get officer Reng to go out & observe, get signs in place.

Serpico: take simple issues: given that get annual list of walkers & current walkers. Get signage up. Recreation condition- hasn't changed, will comply. Parking & grand ave condition-

Galipo: I'm not certain that putting signs is going to alleviate. School have mgmt. plan.

Serpico: let clients develop plan to move cars along & stop bottleneck.

Avallone: timeframe must be completed in 6 weeks

Szyk: there's supposed to be employee parking in lot?

Serpico: should be part of mgmt. plan

Avallone: and in that time, want school to come back after mgmt. plan

Galipo: how are we dealing w things in interim?

Serpico: adherence to non-recreation on lawn, get signs up, also suggest that mgmt. plan be

Motion to carry to May 12, 2020 without further notice: Avallone Second: Ashman

All in favor

APPLICATION CARRIED TO MAY 12, 2020 without further notice.

C. Applications:

1. 300 Sixth Avenue, LLC (Carried from November 12, 2020)

300 Sixth Avenue, block 3606 lot 5, R2 Zone

Bulk and FAR variances to construct a two-unit structure.

Serpico: do you waive all time constraints?

Karas: Yes

Motion to carry to March 24, 2020 without further notice: Avallone Second: Ashman All in favor

APPLICATION CARRIED TO March 24, 2020 without further notice.

Motion to adjourn: Avallone Second: Ashman All in favor

Meeting adjourned: 9:28 PM