

Minutes of the Asbury Park Planning Board Regular Meeting  
**March 1, 2021**  
Virtual Zoom Meeting  
7:00pm

Announcement by the Chairperson that the virtual meeting is being held in accordance with the with the “Open Public Meetings Act,” Chapter 231, Public Law 1975, amended 2020, which explicitly permits a public body to conduct meetings electronically during a state of emergency. Adequate notice of this meeting has been provided to the Coaster and Asbury Park Press. All notices are on file with the Board Secretary. In addition, a notice regarding this virtual meeting and instructions were published in the Asbury Park Press and the City of Asbury Park website. A copy of that notice is on file with the Board Secretary. The notices and the conduct of this meeting are in accordance with the guidelines for virtual meetings issued by the New Jersey Department of Community Affairs. Official action may be taken on the matters listed below.

Members in Attendance: Mayor John Moor, Councilwoman Yvonne Clayton, Jim Henry, Michael Manzella, Alexis Taylor, Jennifer Souder, Eric Galipo, Rick Lambert & Barbara Krzak

Members Absent: Trudy Syphax

Members Recused: Moor & Souder

Staff: Jack Serpico (Board Attorney); Donna Miller (Board Planner), Jason Fichter (Board Engineer), Doug Clelland (Board Engineer), Irina Gasparyan, Board Secretary

Meeting begins at 7:00 pm

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**A. Salute to the Flag**

**B. Roll Call**

**C. Minutes:**

1. Minutes of the October 19, 2020 Regular Meeting

Exhibit B-1 marked into Exhibit

**Motion to approve:** Clayton

**Seconded by:** Krzak

Roll Call Vote All in favor    None opposed    APPROVED

2. Minutes of the February 22, 2021 Regular Meeting

Exhibit B-2 marked into Exhibit

**Motion to approve:** Manzella

**Seconded by:** Souder

Roll Call Vote All in favor    None opposed    Lambert: Abstain    APPROVED

**D. Resolutions:**

1. Resolution referring Asbury Park Zoning amendments to Council

Exhibit B-3 marked into Exhibit

**Motion to approve:** Galipo

**Seconded by:** Manzella

Roll Call Vote All in favor    None opposed    Abstain: Lambert    APPROVED

2. Resolution confirming amendments to Asbury Park Planning Board Bylaws

Exhibit B-4 marked into Exhibit

**Motion to approve:** Moor

**Seconded by:** Krzak

Roll Call Vote All in favor    None opposed    Abstain: Lambert, Henry    APPROVED

**E. Bylaws Committee:**

Assign subcommittee members for upcoming meeting. Regular members Alexis Taylor, Eric Galipo, Rick Lambert, and Michael Manzella as alternate.

**Motion to approve:** Krzak

**Seconded by:** Moor

Roll Call Vote All in favor None opposed Abstain: Henry APPROVED

**F. Discussions:**

**1. Council Referral of 2021 City of Asbury Park Stormwater Control Ordinance (continued from 2/22/21)**

Sworn in:

Michele Alonso, Director of Planning

Donna Miller, Board Planner

Jason Fichter, Board Engineer

Doug Clelland, Board Engineer

Alonso: reviewed changes only. added for all developments in city

58.3 gen standards- city engineer thought the wording could be changed

Exhibit BB-5

Alonso: sec 30-58.4- requirements for major developments- inserted pp about mounding requirements-“shall perform groundwater..” language added to highlight mounding. Added same clause for variances for minor as well as major developments. Added “board engineer” where applicable whenever there was reference.

#5 has added language and strikethrough now- striking language “

Manzella: how would we know the runoff rate?

Fichter: when we look @ records, can see what runoff rate is, standard for engineer to calculate.

Alonso: Letter D- another reference to mounding. Penalties- PP 1 for failure to report PP2 is illegal construction

Henry: didn't have definition for core forest, can we strike it? Add definition?

Alonso: don't want to strike it because the city engineer put this in language.

Krzak: if we understand if you will put definition in we can continue

Alonso: 58.1 B city will find mechanism to ensure all parcels will abide by this

Henry: maintenance & repair- is it all development or major only?

Alonso: I don't think we were going to impose maintenance plan on minor developments

Moor: don't think you can ensure city

Alonso: in discussions with redevelopment council, they have indicated will apply to all developments

Fichter: section 58.3- under B focus there is only to new development.

Serpico: can add reference to point to 30-58.7 for minor development

Alonso: made change to document as suggested

Clayton: who will this apply to?

Alonso: any development applications that are deemed complete & have a date, this will not apply to them, to everyone else.

Serpico: penalties discussed?

Alonso: 2000 is the max according to city attorney

Christina Lang

Ernest Mignoli

Open to Public Comments: Motion: Clayton Second: Taylor

Ernest Mignoli, 400 Deal lake dr.

Close Public Comments: Motion: Manzella Second: Moor

Serpico: Refer it to the Council with comments & find it to be consistent with the Master Plan.

**Motion to approve recommendations:** Manzella

**Seconded by:** Taylor

Roll Call Vote All in favor None opposed Abstain: Lambert APPROVED

**G. Resolution:**

1. Resolution referring Asbury Park Stormwater Control Ordinance comments to Council Exhibit B-6 marked into Exhibit

**Motion to approve:** Manzella

**Seconded by:** Taylor

Roll Call All Vote in favor None opposed Abstain: Lambert APPROVED

**H. Applications:**

1. **Michael Carr and Courtney DeCicco (Carried from 01/11/21 without further notice)**

**1405 Fourth Avenue, Block 2101, Lot 9, R1 Zoning District**

Applicant is seeking the approval of a minor subdivision with bulk variances

Serpico: after last meeting received letter from Lieberman that Mr. DePaola has obtained his services and would like to provide additional testimony and bring a planner. I advised both attorneys to state their case and would advise the board what m opinion is. Would like Mr. Lieberman and then Mr. Karas to speak and state their case.

Lieberman: would like the board to allow present testimony of planner for my client. At the end of the last meeting Mr. Karas stated they would like the board to hold off vote until changes be made at next meeting. If review tape there is no positive or negative

Karas: objection to speaking to whether there is positive negative criteria

Serpico: in reviewing transcript of hearing, the board heard public comments, Mr. DePaola gave a comment. Its clear to me that it wasn't a definitive statement of new plans would be submitted. It was a statement of if there were new plans submitted, I restated that there would need to be new notice if new plans. My position is that case does not need to be reopened.

Krzak: I listened to the recording & it was very clear at 3 hours in that they would consider submitting revisions.

Lambert: I concur with you and Jack, I recall that it was not definitive that they resubmit

**Motion to vote on application and not reopen case:** Krzak

**Seconded by:** Lambert

**Recused:** Moor, Souder

**All others Vote in favor**

Henry: in reviewing neighborhood, would like to note that there's an alley owned by city, through lots there was a purpose for those

Manzella: can you review any conditions that were developed?

Galipo: was there any statement by applicant as to historic arrangement of lots?

Krzak: don't recall if there was

Galipo: we don't often see applications for single family homes, so look @ if appropriate. When look around see that they are appropriate to the surrounding areas. Want to make sure provide opportunities for new residents to join city. My opinion is that its important to allow single family homes to be allowed

Manzella: I believe part of the reason that alley was provided was to

Krzak: see that were forcing bldg. coverage seems really high to me. Although 2.5 stories is appropriate for block I feel that 2.5 story structure on undersized lot seems a bit much. Am in agreement with the alleyway that there's a point to it, also disappointed that applicant didn't move forward in providing access. I don't recall any hardship discussed to why these variances requested.

Henry: agree disappointed applicant didn't consider access to property from alleyway.

Clayton: as far as neighborhood, size is appropriate, my only issue is the 2.5 stories.

Karas: as a condition, we would have no issue limiting the height below 2.5 stories

Krzak: there was question about whether enough parking for 2 cars

Galipo: my comment was to size of lots not size of house.

Serpico: 1- there was to be a corrected engineer plan to be submitted. Number of inquiries that applicant would comply with community design standards- porch would be built to comply. Not only subdivision before you, but also variances. Subject tree would not be disturbed. If approved, a variance application would need to be submitted, and the application would return to board.

Fichter: there was testimony offered and several conditions to be complied with in response to our letter.

Serpico: no basis in record to reduce to X Square feet

**Motion to approve subdivision application with conditions as set forth by the Board:** Manzella

**Seconded by:** Clayton

**Recused:** Moor, Souder

**Opposed:** Henry, Krzak

**Vote in favor:** Clayton, Manzella, Taylor, Galipo & Lambert

APPLICATION APPROVED

5 Minute Recess called

**Motion to approve:** Taylor

**Seconded by:** Henry

Roll Call

**I. Executive Session:** *A written resolution was adopted by the Board for the executive session at the beginning of the session*

**Motion to enter into executive session:**

**Seconded by:** Clayton

1. Discuss Board staff re-appointments

**J. Appointments:**

1. Appointment of 2021 Planning Board Planner and Conflict Planner

**Motion to table** appointment to March 15, 2021: Manzella

**Seconded by:** Henry

Tabled to March 15, 2021

**K. Adjournment**

**Motion to adjourn by:** Moor      **Seconded by:** Henry      All in favor, None Opposed

Meeting Adjourned: 9:45 pm