

Minutes of the Asbury Park Planning Board
Regular Meeting
May 18, 2020
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, Rick Lambert & Chairperson Barbara Krzak

Members Absent: Trudy Syphax

Members Recused: Barbara Krzak

Staff: Jack Serpico, Esq. (Board Attorney), & Irina Gasparyan (Board Secretary)

Meeting begins at 7:02 pm

A. Salute to the Flag

B. Roll Call

- C. Minutes:** Approval of minutes of May 4, 2020 regular meeting
Motion to approve minutes: Henry Second: Clayton
All in favor

D. Applications:

1. AP Triangle, LLC

Bounded by Cookman Ave., Asbury Avenue, and Heck Street
Subdivision

Barbara Krzak recused herself from the application

Board Professionals sworn in

Serpico: reviewed all notices, have jurisdiction to proceed

Jennifer Porter, Esq., Attorney for applicant

Porter: Opening statement, introduction to subdivision plan & site plan. Important to note that reason for subdivision is for site remediation/environmental.

Sean Delaney, Professional Engineer for applicant, sworn in

Keenan Hughes, Planner

Exhibit A-8: Aerial view of lots

Delaney: Shows on screen described the properties and their orientation, their relation to other buildings adjacent; Entire lots is 24 lots being consolidated. Lot 1.01 is where residential, 1.02 is future development, lot 1.04 is public open space lot. Purpose of subdiv. is because of environmental requirements b/c of occupancy of buildings. Once all 3 lots have buildings, then the remainder will be consolidated. Essentially temp. subdivision for the residential portion, then will consolidate. Lot 1.01 will house 1 of buildings prop. Fronts Cookman, 1.02 will house other bldg. Lots comply w zoning except for 1.04 – public open space lot. this lot is 3rd deviation is 1.01 where residential development lot frontage, just shy of 100’ required, secondary frontage.

Henry: what are plans for lot 1.02?

Delaney: right now no plans

Henry: how can we make a decision without knowing the plan for lot?

Porter: applicant has no conceptual or specific plan, but will be what is consistent w/ wpa requirements.

Henry: why consider approving a lot that under req. size for lot 1.04?

Delaney: that lot only used for public open space lot.

Porter: that lot designated as open space it's a requirement of redeveloper contract. Will be conveyed to city.

Henry: what about other 9K sq ft. that's required for min size lot?

Porter: no specific construction planned for site, so adequately layed out for purpose of open public space.

Serpico: mark Delaney's exhibits

Exhibit A-3: aerial views

Exhibit A-8: Subdivision plan

Exhibit B-2: Insite Board Engineer report

Galipo: can you divulge in what order these lots going to be constructed?

Porter: Delaney can say, but specific with the remediation being done

Delaney: 1.05 along heck 1st, 1.03 to east next, 1.01 will be final

Galipo: How did u arrive at sizes of lots? What would be considered front façades?

Delaney: based on site improvements. bldg. 2 fronting heck st.

Galipo: is it characteristic in area to see homes fronting on alleys?

Delaney: homes are all fronting on streets, one fronting on open space. Idea to hide the parking & other elements.

Porter: will be addressed in detail during site plan testimony

Galipo: seems like cart b4 horse, there are lot shapes, sizes, dimensions chosen not consistent w/ the general context.

Porter: WRP was amended in 2018 to allow lot by lot development, so don't have to do large scale developments

Galipo: meant to be consistent with area, so allowing subdivision puts cart before horse for us, locked site plan for this.

Porter: it was request of Planning dept that we present the applications in this order. Think if we can proceed with the Planner's testimony, would put things in perspective.

Miller: Said lot frontage is temporary can you tell us how it will be resolved?

Delaney: deviation is on lot 1.01, once other lots are developed & constructed, then all 3 lots will be consolidated into 1 lot, following dep approvals. Not going to be individual, clean up one site, start building, then quickly move onto next lot.

Porter: there are spec. requirements in subsequent developer agreement, time frames, open space must be completed.

Serpico: board is going to need to know contents of that document. So they know how long its going to take to build each structure.

Porter: we can provide entire document. Have portions already marked as Exhibit A-12.

Serpico: think best if could have timeline. This is received conceptual approval before it was forward to us, correct? Is there any req. in wra that remaining piece not developed now, will that be incorporated into these 3-4 tracts?

Miller: yes correct. Phase 1 requirement

Delaney: lot 1.02 will be stand alone project.

Serpico: so under WRA that is allowed. Proposed lot 1.02 will have its own project on it unrelated to rest.

Porter: Yes, correct. We can also have Mr. Delaney testify to spec. requirements & timeline & include into site plan testimony.

Galipo: Will there be required approval of subdivision?

Serpico: noticed together, Jennifer how do you feel?

Porter: don't have problem w/ board delaying approval of subdivision based on site plan testimony. That was how we originally applied.

Exhibit B-2: Insite report

Delaney: #s 1,2,3 on bottom of page, can agree to all of those conditions

Open to public Qs

Mignoli: one of board members asked Q about the undersize lot

Porter: min lot size variance, lot we are seeking variance for is public open space. Will never be developed will be conveyed to city & maintenance by develop for 5 yrs. Other lot

Next Q: team putting this together is 200' list from all directions from the parcel?

Porter: actually requested new list

Mignoli: how many sq ft. for capping?

Delaney: in terms of overall areas

Mignoli: said sent out less than 100 notices, is the city mgr. one of those?

Mr. Staehle: what would take to make that lot conforming?

Delaney: not asking for conforming lot

Lambert: not part of application. Not a negotiation.

Staehle: board would want to know if hardship

Porter: when orig. looked at development consideration given to increase development lots, but decided to make open space larger for public good.

Adrian Smith & Lee Winescott: residents of Monroe, are we going to hear about impervious coverage? % required per open space? What guarantees city going to receive from developer?

Lambert: that will be part of site plan

Porter: not Q for site engineer, as previously indicated, all requirements set forth are part of developer agreement which is public document. Only variance is in connection with open public space.

Miller: it is not requirement as part of site plan for open public space

Galipo: sense some confusion here- is there any open space required?

Porter: no requirement. However, the sda spec relates to this parcel, it doesn't mandate the size.

Galipo: so variance asked for is b/c lot is smaller than allowed however no required that land owner provide open space other than the sda

Porter: and this will all be set forth further in planning justification

Serpico: assume this parcel is approved at some point, I will make sure as conditions of approval, that parcel for open space will remain as such. My job to make sure that lot remains open space and maintained.

Smith: will 5 years maintenance period end at completion of phase 1?

Porter: yes, at end of phase 1

Smith: 3 lots 3 buildings phased, any guarantee all get finished?

Lisa Bovino, Monroe towers: how tall are buildings? When will building commence?

Lambert: that will be addressed in site plan review

Delaney: also discussed as part of site plan

Taylor: process Q for Serpico- if already memorialized in sda that this open space lot is designated as size, do we have options by board?

Serpico: Council looks over it & pass it on to us. Traditionally we still have to look @ variances. Some are temporary variances, you have to hear them out. Not concerned with SDA, if board deems not sufficient can be turned down.

Close public Q

Porter: would like to proceed with planner testimony

Keenan Hughes, licensed professional planner for applicant, sworn in

Hughes: spec purposes of land use law- in terms of adv gen welfare, create open space, purpose c – adeq light air & open space, E- approp residential. In terms of detriment, no substantial detriment to public good related to either of those. 15000 sq ft required not in order to demonstrate proofs for subdivision. Only need to look @ 2 requests- 1' setback on the temp lot.

Moor: if approved, will lot be added to ROSI list? Down line no restrictions so if wanted to make pocket park out of it?

Hughes: Up to city, would think they would want to add to ROSI. Don't see why can make it a pocket park, excellent opportunity.

Michael Sullivan, Board planner, sworn in

Sullivan: When WRP adopted, envisioned open spaces as large spaces such as boardwalks, lakes so as Keenan said, this is a bonus, agree that advances open space. Issue mayor raised w ROSI green acres- all likelihood would end up on ROSI at some point.

Taylor: want to add on to Sullivan, important to add to Rosi, ensure that open space. Design of open space to ensure it really is public.

Moor: why don't we go on and finish Keenan's testimony.

Taylor: is this same exhibit as engineer? Seems that outermost zone is AE. Just want to make sure its correct.

Hughes: yes will make changes

Henry: look at subdiv. Plans see that alleyway backs against lot 1.04, not sure what turning radius of fore trucks would be, something should be considered if going to approve 1.04 in current proposal.

Hughes: Getting outside of my expertise, not sure subdivision is pertinent. Ultimately will get your answer before the vote, once we get into site plan.

Henry: don't want to get locked into subdivision approval. Maybe something your engineer can address?

Porter: Yes, Delaney will testify to all your questions

Open to public Qs:

Rebecca Carvalho: what implication would this have?

Hughes: doesn't have any. Simply just defining areas for future development

Mignoli: well over 100k sq ft- when refer to public open space- why place at west end of lot to get some breeze?

Hughes: as indicated, the development is for western lot, this is not required open space, we thought it was acceptable.

Mignoli: will lot come w/ occupancy limit?

Hughes: that's up to city, not any occupancy that I know of for open space

Doug McQueen, Wesley court: save comments to end

Close public Q's

Motion to carry both applications to Special Meeting date of June 8, 2020 at 6:00pm without further notice:

Manzella Second: Taylor

All in favor None opposed

APPLICATION CARRIED to JUNE 8, 2020 6pm without further notice

E. **Adjournment**

Motion to adjourn: Manzella Second: Clayton All in favor

Meeting Adjourned: 9:19 pm