

Minutes of the Asbury Park Planning Board  
Special Public Hearing of  
**May 29, 2019**  
Council Chamber  
6:00pm

Announcement by the Chairman that the meeting is being held in accordance with the Open Public Meetings Act, Chapter 231, Public Law 1975. Adequate notice of the meeting has been provided to the Coaster and the Asbury Park Press. All notices are on file with the Board Secretary. Official action may be taken on the matters listed below.

Pledge of Allegiance

Roll Call

Members in Attendance: Mayor John Moor, Councilwoman Yvonne Clayton, Trudy Syphax, Alexis Taylor, Michael Manzella, Jennifer Souder, Chairperson Barbara Krzak

Members Absent: Rick Lambert

Members Recused: Jim Henry

Staff: Jack Serpico, Esq., Jason Fichter, (InSite), Michael Sullivan (CCH), Michele MacPhearson (State Shorthand), Irina Gasparyan (Board Secretary)

Meeting begins at 6:03 pm

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**A. Applications:**

**1. Asbury Partners, LLC**

**216 Cookman Avenue, block 3802 lot 1 and block 4004 lots 2 & 3, WRA Zone**

**Summer Experience Project**

Alexis Taylor arrived 6:08pm

Jim Henry recused

Motion for short recess: Manzella Second: Souder All in favor

Jennifer Phillips Smith, Esq. for applicant. Overview of application, introduced witnesses  
Stuart J. Lieberman, Esq. for SAW group, presented letter re: notices  
Serpico: statute speaks for itself. Notices sent correctly; service proper  
Lieberman: Ask for continuance to larger venue so everyone can attend  
Serpico: Fire official confirms. For the record, there are no people outside

Board Professionals sworn in.

Exhibit O-1: SAW attorney letter Stuart Lieberman

Exhibit A-1 applicants attorney response letter (Porter-Smith)

Gary Handel, architect for applicant Qualifications, described each page of arch plans submitted as part of the application

Waterfront prime renewal area

Exhibit A-2 Context plan

Exhibit A-3 Ground floor plan A1

Exhibit A-4 Ground floor coverage A1A

Exhibit A-5 roof deck plan A2

Smith: No mech equip outside

Exhibit A-6 Roof deck coverage (A2A)

Exhibit A7 West elevation A3

Exhibit A8 North Elevation A4

Exhibit A9 South elevation A5

Exhibit A10 East elevation A6

Exhibit A11 Fence detail A7

Handel: Solid fence, reaches 6.5' plus open picket tops 1'

Shutters open in, no glass  
Exhibit A12 Ocean ave rendering A8  
Exhibit A13 Boardwalk rendering A9  
Exhibit A14 Interior rendering looking south A10  
Exhibit A15 View looking east A11  
Exhibit A16 Interior rendering looking North A12  
Exhibit B1 CCH report dated 5/21/19  
Style of building- not Mediterranean. Clean, modern design. Describe types of materials used in design  
Smith: Waterfront redevelopment plan design guidelines  
Exhibit B2: Engineers report Insite pg 3. Q about mechanicals outside of the bulkhead. Pg 8 Q about operations?  
Hours will comply with city ordinances.  
# of employees, # of vehicles, parking, Site maintenance,  
Pg4 #15- demonstrate aesthetically pleasing elements  
#21- Room for 1 week of recycle. Pg6 #32b Q about fencing #37-ada access #40  
Open to board Qs:  
Manzella: Flood proofing V-zone  
Handel: deck level 1' above, breakwater, pile supported,  
Smith: supplicant submitting plans to DEP  
Manzella: utility screening  
Exhibit A-3 ground floor plan- screening w landscape mats  
Moor: Insite report #8- how high are screens around mech on roof?  
Handel: 6' tall. 33' above ground  
Souder: arch guidelines. Why not more openings to allow views. From street view to have access to ocean view  
Manzella: shutters- what do you see when open  
Handel: designed for ventilation & pattern  
Taylor: A-11 what is elevation of lowest horizontal member? Should have gaps in fencing for wind  
Sullivan: what  
Clayton: on ocean ave side 2 walls w/ vines? Ada access  
Handel: integrated into landscape. Slight slope so doesn't req handrails  
Taylor: parking not req. but should look into  
Manzella: is there a bar?  
Handel: currently  
Taylor: signage  
Smith: no signage proposed at all.  
Moor: InSite #10- hours of operation hasn't been decided, what are months of op?  
Handel: weather dep, mem day- labor day  
Krzak: what are hours of operation?  
Open to Qs from professional?  
Sullivan: any speaker system  
Handel: in compliance w music control act & dep regulations.  
Krzak: events, music, liquor.  
Krzak: signage  
Smith: intent to keep it clean, reduce  
Sullivan: public access is important. Address is important. And identification of the business and what it is  
Lieberman: represent organization, environmental organization  
Serpico: for sake of, but limit testimony to relevance. Let council cross-examine  
Lieberman: How many customers? Did u design for capacity?  
Handel: 17 Individual cabanas, number of deck chairs, subject to change.  
Smith: capacity?  
Lieberman: fire code capacity  
Handel: physical capacity of fire code is 400  
Lieberman: design what capacity usage  
Lieberman: How many cars will facility generate?

Smith: under redevelopment plan parking not required. Mr. Handel not qualified in traffic

Lieberman: sound system comply with?

Smith: ap doesn't have noise ordinance approved by DEP

Lieberman: A12- what would wall look like if it complied with guidelines?

Teresa Jones, resident of Neptune-knowledge of ABC lic requirements. Anyone familiar with charts that calculate occupancy?

Joseph Copely- access to boardwalk? No direct access to beach? Patrons need beach badge? Any future plans?

Jack Bredin, Heck ave ocean grove- when prof prepares plan do u review all rules and regs. Parking-does the city have special std to approve project without parking.

Sullivan: no state standards for commercial develop

Handel: yes, work with lots of professionals

Dave Zigler not part of saw: what is height of ramps- where are ramps? 2<sup>nd</sup> floor height? What do shutters open up to?

Handel: sloping walkway on ocean ave. height of roof deck is 14'6" above boardwalk elevation

Smith: A12-what is height

Handel: 33' from ocean ave. top of wall 22'

Werner Baumgartner: not saw: as arch do u design around surroundings? Wall in front single or double layer? Insects traverse thru wall. Articulation-brick & stucco? What is pattern? A13- boardwalk plan- fence. Do u consider boardwalk façade to be articulated?

Handel: designed to be clean, simple, elegant, appropriate to beach vernacular. Several layers. 2 layers of wood attached together. Some insects may go thru. No brick, there is stucco & solid fence up to 6.5', open 1' above that.

Werner: site plan- building envelope. In arch plan, any consideration to open boardwalk side to public interaction?

Steve Davis ocean ave, not saw: Boardwalk view A13- is it conceptual. elevation A10-

Smith: Exhibit A12

Handel: top of green wall is 20' from elevation of ocean ave.

Felicia Simmons, Sewall ave. Yes Saw: what does enclosed space look like? Roof deck look like. On 2<sup>nd</sup> floor, is there closure? What other purposes is it designed for? No covered eating area inside? How many seat? What is the tarp on 2<sup>nd</sup> floor?

Handel: Exhibit A4- cabanas are approx. 12' deep. Deck btw pool & wall- 16'. Cabana walls are permanent walls, doors open. Never discussed covering over pool. No enclosed eating area, but covered, can set 20-30

Tracy Rogers: Sewall ave not saw- gone to dep to finalize plans? Would they have a problem with use of what come up with? As architects what standards do they go give you? foundation- going to have to pour concrete? What type of resistance do breakaway walls support?

Handel: build & foundation fully supported. Worked w structural engineer. Have extra piles to support pool

Vans: Asbury park- what is project designed for? Is this bldg. going to be secure?

Krzak: not architect Q

Madeline Monaco: what is visual of height of wall facing ocean ave. what is? Did u consider making wall facing ocean ave be lower

Handel: shade structure is facing boardwalk. Sheltered behind pavilion so can't see on ocean ave. height of shade structure is 10' aligns w elevator enclosure. 4.5' higher than wall on ocean ave

Motion for 5 Min Recess: Taylor      Second: Souder      All in Favor

Call to Order 8:54pm

Roll Call

(cont.) Monaco: what are plans for greenery wall to look aesthetically pleasing? Testified would take 10 yrs to grow. Developer testified that line of sight not obstructed

Handel: we believe already aesthetically pleasing.

Maryann Roper, deal lake dr, not saw. What is timeline of project? Will this interfere w any public access to beach?

Handel: get thru board approval, then full approval, then construction, 6-12 months

Yvonne Shandrow: not saw: all other bldgs. Operated by Madison Marquette. Taken any considered to enhance community or art?

Kathleen Mumma, saw: have vibrant arts, if in design process, did u collaborate with public art committee? Is there reason they were excluded? Aware of any obstructions of view from any view?

Handel: as far as know, no conversations.

Scott Levine. Not saw- when purchasing unit, were told there could be beach club. Were told that would not exceed 20'

Jeff porter, saw household- how deep is pool? For lap swimming? A-11: pic of fence- where are shadows coming from? Wall on ocean ave side- is ivy on wall?

4' deep. 100' long- lapable. Ivy is on cable screens

Pam Lambertson, saw- boardwalk pic of fence. A13- how wide is boardwalk there? Are planters there to cover up ugly fence? Why don't u move fence in & use your own property to cover fence instead of taking public space to place planters.

Handel: boardwalk shown is not accurate. We find fence attractive

Smith: to knowledge council not approved final design of boardwalk

Katherine Kelly, saw: any arch leed cert & any sustain went into this project?

Kerry Butch, deal lake dr, saw: pool club being marketed as amenity to ocean club? Price & avail of membership disclosed?

Werner: as arch do u design other bldgs. Other than commercial? What other projects in ap? Why not taking advantage of east side views of ocean? Do u believe this will

Hendel: yes, ocean ave project. Have ocean views at ground fl & roof deck

Ernest Mignoli: deal lake dr: which fire official of ap did u work with in design? All wood structure? Systems tower? Is there fire supper system? Gas burning in kitchen? What would happen if there was no wall? Why need 2<sup>nd</sup> level if there was no wall? How are u getting wall thing passed? Did u consider having no walls?

What is purpose of the wall architecturally? Was pool designed to be higher? Is this an above ground pool?

Handel: believe beach front program best served by design. Creates privacy for members. Not above ground pool

Tereka Jones: calcs for 400 ppl is that correct based on sq ft. how many egress? width of doors?

Hendel: not assuming 400 ppl at any time, what has been designed for. Theres exit to ocean, exit to 7<sup>th</sup> st, 3 exits, 2 stairs.

Smith: bldg. must meet all of fire codes. Pb doesn't have prevue with bldg. fire codes.

Tracy Roberts not saw; which cafra permit did u design to? Any other beach clubs?

Polly Shlidge: where would breakaway walls go during storm? Green screen?

Handel: boardwalk is designed at flood elevation

Motion to close Public Questions: Krzak                      Second: Manzella  
All in favor

Motion to carry application:    Manzella                      Second: Taylor  
Application CARRIED to June 24, 2019, 7:00pm

**B. Discussions:** none

**C. Executive Session:** none

Motion to adjourn: Krzak                      Second: Taylor                      All members vote in favor  
Meeting Adjourned: 10:15pm