

Zoning Board Minutes
Regular Meeting- Virtual
June 9, 2020

Announcement by the Chairperson that “the meeting is being held by electronic means in accordance 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 the 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.”

Board Members in Attendance: Chris Avallone, Russell Lewis, Jill Potter, Brittany Ashman, Catherine Minervini, Bonnie Nach, & Christopher Gonzales

Board Members Absent: Daniel Harris, Tim Szlyk

Board Members Recused:

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

A. Roll Call

B. Minutes:

Approval of Minutes of May 26, 2020 regular virtual meeting

Motion to approve: Lewis Second: Ashman

All eligible in favor, Chris Avallone recused

C. Applications:

1. 1302 Mattison, LLC (CARRIED FROM May 26, 2020 without notice)

1302 Mattison Avenue, Block 1101 lot 23, R1A Zone

Use variance for three family structure, revised to exclude site plan for parking lot.

Motion to carry application to June 23, 2020 without further notice: Lewis Second: Ashman

All eligible members vote in favor

Chris Avallone recused from voting for this application only

APPLICATION CARRIED to June 23, 2020

2. 405 Sewall, LLC/407 Sewall, LLC

405 Sewall Avenue, Block 3202 Lot 9, 407-409 Sewall Avenue, Block 3202 Lot 10, R3 Zone

Major Site Plan approval for construction of an accessory parking lot with 12 spaces for the existing multi-family building located at 407 Sewall Ave. Expansion of non-confirming use for the merger of the two lots.

Board professionals sworn in

Andrew Karas, attorney for applicant calls

Michael Savarese, architect for applicant, sworn in

Exhibit A-4: prior resolution of approval

Exhibit A-1: Architectural plans dated

Savarese: exhibit, summarized plan. Repoint brick, bring building back to prior condition.

Avallone: is there work going on now? Where is refuse going?

Savarese: applicant can tell you. The refuse is going in cellar area.

Karas: can have Siegal tell how refused will work, maintenance.

Chris Gonzales: is building occupied now or empty?

Savarese: ask applicant

Miller: replacing light fixtures?

Savarese: will be replacing decorative fixtures typical to style

Open to Public Qs

Ernest Mignoli: is it occupied? For neighbors, will osha/epa

Peter Siegal, applicant, sworn in

Karas: go over garbage and location.

Siegal: when took over, it was located on w side of bldg. continue there, out of view easy access. Wanted to move to the basement, but have a legal apt there so cannot and also need additional requirements. So we will keep outside in current location.

Karas: willing to screen that?

Siegal: yes

Avallone: building has managemtn that will take out cans & bring back in.

Karas: is building vacant now?

Siegal?

Avallone: any work done now? Property next door to convert parking lot, do you own that?

Siegal: open permit for water damage demo work repair. Yes, the parking lot is owned by me.

Karas: owned by sep entities.

Avallone: will they be put together

Karas: part of application to merge lots

Miller: trash- prior application agreed to relocate trash from backyard area? In order to take out trash have to cross neighbor property?

Siegal: not correct, can take out through the parking lot or side. If want me to construct something, we will do it.

Karas: are u willing to put up say a 6' fence.

Siegal: correct

Fichter:

Siegal: happy to make that alleyway look as nice as possible for neighbors & residents

Karas: that area is next

Avallone: how many cans?

Siegal: for bldg. this size maybe ½ dozen

Karas: purchase bldg. how long ago?

Siegal: possibly fall of 2018?

Annie Condit:

Mignoli: how often is pickup?

Joseph Kociuba, licensed engineer for applicant

Exhibit A-2: Site plan

Karas: describe plan & what proposed

Kociuba: described area,

Avallone: have 1 handicap spot? Closest to ramp?

Kociuba: yes, correct. Described location & aisle, curb, apron, stalls.

Avallone: if car parked in stall closest to exit, how does car get into parallel spot?

Kociuba: N stall is longer at 22', intent for more compact cars. Idea to maximize parking given no street parking.

Karas: could be designate as compact stalls?

Kociuba: yes correct.

Avallone: is there enough room to pull out & turn around.

Karas: would have to back out of drive correct?

Kociuba:

Ashman: what was reason to change layout of parking?

Karas: originally on opposite side, neighbor to E requested that it be changed.

Kociuba: Described individual stalls & how to maneuver them.

Avallone: what are sizes of each?

Kociuba: 9x18, aisle are 28

Fichter: stall sizes are ok, other thing is scaled off aisles, that's where relief needed.

Miller: isn't there also relief for parallel space?

Kociuba: correct.

Miller: that raises another design excaption, not eligible to change to compact spaces.

Ashman: agree. Would u be able to do k turn if 1-2 of spaces taken out?

Kociuba: if 1 of stalls taken out, could maneuver. If both, then

Fichter: case where they're trying to fit as much space as possible. If provide 12, could work if someone has compact car or motorcycle. Think N parallel space is challenge.

Avallone: looking at from safety standpoint.

Lewis: think reasonable compromise- if dedicate one of them to motorcycle, then can fit in.

Fichter: one more suggestion: start space at 9' area.

Kociuba: so motorcycle parking area just gets reduced.

Karas: how many feet are we talking about backing out of that space?

Kociuba: maybe 60'?

Karas: so no diff than house driveway

Avallone: willing to compromise if anyone has

Minervini: bike racks?

Avallone: what about fence around?

Kociuba: 6' fence, request from planner to extend.

Avallone: how handle snow removal? Wheel stops?

Kociuba: utilize walkway or motorcycle. have no objection to provide stops...Landscaping- providing low shrubs, not much area for more. Showed landscape plan

Karas: how many existing? Can we change to what was recommended?

Kociuba: yes, correct.

Serpico: Q for Russell & donna- do we need approval for street trees?

Lewis: there is a list of trees, not necessary to send plan. Do know not a lot of sun there so recommend species that is low light.

Karas: what is other? Red maple?

Lewis: can unofficially say that maples are approved street trees.

Miller: there's likely to be changes to procedures as part of zoning ordinance changes. Were happy to coordinate with ESTC for trees.

Lewis: consistent watering plan

Ashman: do u know what is planted across street from Monroe? Are those bad? I would like to see a match

Miller: Honey locusts, yes they're fine.

Karas: any opposition to honey locust?

Kociuba: no. Move onto lighting- will provide shields around lights, can add mast, propose building mounted lights.

Karas: details of lighting on pg 5?

Kociuba: yes, correct. Can provide full light cut sheets.

Karas:

Miller: changes

Fichter: if go that route, would look for if photometric would mimic what is seen here.

Karas: would hate to come back for that

Avallone: if board is amenable to that, I would leave the design aspect for Miller to review

Karas: go over planners report

Exhibit B-1: CCH Board planner report

Karas: go over board engineer report

Exhibit B-2: Insite report

Ashman: is this in a flood zone?

Kociuba: no it's not we will reflect that

Karas: #23 comment can you address that?

Kociuba: there is a utility pole there, we will address that, curb may have to stop there

Ashman: so can't guarantee plantings in ROW? street trees can't guarantee that either? my biggest problem is taking a single family lot & turning into parking lot. What is the bldg. coverage? Impervious covg?

Serpico: all items in ROW have to go to council, so the applicant can't guarantee.

Kociuba: bldg. Coverage 6.2%. Impervious coverage now 6.3% proposed 82%, no zoning ordinance for that.

Ashman: so site now can withstand 2 yr storm? Possible to design for 5 yr storm? Jason, is that common what is your stance?

Kociuba: correct. That system size gets very large. Our opinion that is sufficient.

Fichter: this not being major development, typically this site would not run off site.

Ashman: whats going to happen when 80% covered?

Fichter: going to have same pre and post development water flow to gutter. Theres opportunity here with inlet across the street to tie into city line.

Karas: not going to flood site, that not testimony

Kociuba: wouldn't flood, it would be sheet flow moving. no would only see water flow down parking lot

Avallone: what is objection to connect to city system?

Kociuba: would have to open road, traffic control, large endeavor; this is not large project. We are compliant with the application requirements.

Karas: doesn't warrant. It would be significant investment.

Ashman: said going to take care of trash?

Kociuba: clarify we are proposing fence, no objection to creating enclosure for refuse area.

Potter: assume get approval for trees in ROW, install irrigation lines?

Karas: would be tough to install waterlines, could come up with plan for maintenance

Miller: applicant could provide irrigation that strays those shrubs

Karas: not sure if that would work with parking lot there

Lewis: when said irrigation, didn't mean in ground irrigation, only man maintained.

Fichter: believe neighbor to E has fence so would have fence up against, is there a plan?

Kociuba: our intent to install along our prop line. Would prefer to maintain our own fence in case neighbor takes down.

Fichter: does it have clearance underneath to maintain?

Miller: 11 spaces? And required parking is 20? Did you do any counts on street?

Karas: there are 23 on street. Planner will address

Judith Hull: is fence safe in case someone drives through? 2 parallel spots in back what are safety measures? Why not concrete wall?

Karas: the design presented is within city design requirements. Accidents can happen anywhere in the city.

Hull: no buffers

Karas: if someone tipsy, they would go right through landscape buffers

Hull: since parking lot is so close, what will do to make sure my basement will remain dry?

Kociuba: piping located so its far away from basement, expanding that to avoid that part concern

Karas: no existing drainage on site, correct? And what's proposed is conforming?

Kociuba: yes

Fichter: follow up- would be prudent to do mounting analysis to prove that there is no effect.

Kociuba: we can provide that.

David Roberts, Planner, sworn in

Exhibit A-3: planner presentation

Roberts: described/showed area & features. Proximity of lot & building makes it an opportunity in terms of shortage of parking. Essentially covers on street spaces on street available to public.

Karas: were 2 block from CBD, correct? And lends itself to severe parking shortage there?

Roberts: yes, every parking space is critical, especially in summertime. Continued to describe presentation.

Karas: c variances would also be warranted according to your testimony correct?

Roberts: yes

Ernest Mignoli: is there also a school there?

Roberts: not sure, within church

Mignoli: stated would be benefit? 12 parking spots, for 20 units would be benefit?

Roberts: best applicant can do, that much more spaces than what there is now.

Close Public Qs

Open Public Comments

Judith Hull:

Ernest Mignoli:

Close public comments, open to board comments

Lewis: one thing that's weighing on me is parallel spaces. I would suggest approve 10 spaces.

Ashman: have to decide if site is going to accommodate storm. Not comfortable approving.

Potter: going to echo those 2 statements, parallel spaces not sitting well with me.

Gonzales: I only have problem w the 2 spaces. Have seen myself that someone went through building. Only concern

Minervini: feel same about parking along the fence should be eliminated. I don't personally like white vinyl fence. Don't think wooden fence would work either. Design is thoughtless to put up vinyl fence.

Nach: agree w/ 2 parallel spots. Don't think wood fence is going to make a difference.

Karas: in terms of parking spaces, that's up to board, can eliminate up to board. In terms of concrete wall, can't do that. Brings up zoning issues. Don't think can take into account illegality of people driving drunk & going through a fence. Car parked in parallel space would prevent someone from going through it.

Minervini: clarify did not see concrete wall, said decorative concrete block, with fencing and landscaping. Maybe concrete block at base.

Karas: that's what curb does, it acts as barrier.

Miller: ask engineer and arch if can use low retaining wall. However, there isn't sufficient room to construct wall. Permits 4' wall, but needs to be 1' off the prop wall. Its tight enough already, don't want to constrain it further. I think there's only 1.5' between curb line & prop line.

Karas: There's diff types of fencing we can do.

Miller: as part of design standards, we are prohibiting vinyl in future.

Avallone: personally, have problem w 2 parking spaces. Also think should tie into city sewer system.

Siegal: to answer Q I do see that concern, and I will work with the board, tie into city sewer.

Karas: willing to concede on 2 parking spaces & tie into city, and fence?

Siegal: yes, willing to do whatever board wants to do.

Karas: can we agree upon a fence design? Mention stockade fence, does that work for everyone?

Avallone: I personally would like wood fence. Everyone agree?

Karas: wooden stockade fence

Serpico: I have the following conditions:

Plans change for eliminate 2 parallel parking space

Submit new engineering design to Change water plan per Insite

Plan change to show fence change stockade fence w lattice top

Compliance w/ outstanding conditions of engineer's report

Compliance w/ CCH report

Wheel stops in parking lot

Trash enclosure, trash maintenance

Bicycle rack

Lighting- in comments by engineer to be more appropriate to comply w/ engineer and planner comments, photometrics to CCH

ROW encroachments subject to Council

Landscaping- street trees will be honey locust

Fichter: mounting analysis to be provided

Karas: merger of 2 lots

Serpico: have 2 use variances, bulk variances for parking, design waivers, merger of lots, include everything in CCH report as amended as part of the approval

Motion to approve application with all conditions listed: Avallone Second: Lewis

All members vote in favor

APPLICATION APPROVED

Motion to Adjourn: Avallone Second: Ashman All in favor

Meeting Adjourned: 10:12pm