

Minutes of the Asbury Park Planning Board

August 12, 2019

Council Chamber

7:00pm

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, Trudy Syphax, Councilwoman Yvonne Clayton, Rick Lambert, Michael Manzella, Alexis Taylor, Chairperson Barbara Krzak

Members Absent: Jennifer Souder

Members Recused: Jim Henry

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

Meeting begins at 7:00 pm

A. Minutes:

Minutes of June 24, 2019 regular meeting

Motion to approve: Manzella

Second: Lambert

All in favor

B. Resolutions:

1. 406 Deal Lake Dr., 406 Deal Lake LLC,

Motion to approve: Henry

Second: Manzella

APPROVED

2. 722-724 Cookman Ave., C&C Cookman Development, LLC,

TABLED UNTIL REVIEW OF RECORD

3. 1183 Main St., 1105 Main Street LLC,

Motion to approve: Henry

Second: Manzella

APPROVED

4. 1100 Ocean Ave. (4th Ave Pavilion), Madison Asbury Retail, LLC,

Motion to approve: Lambert

Second: Manzella

APPROVED

C. Applications:

1. **Asbury Partners, LLC (Carried from May 29, 2019)**

1500 Ocean Ave., Block 4502 Lot 1.23, WRA Zone

Preliminary and Final Site Plan Approval for construction of a 6461 square foot Beach Club Pavilion (continuation of Engineer's testimony and public question session).

Jennifer Phillips Smith, Esq. for applicant. Express condolences for Detective Bird. Here today to continue public questions of engineering testimony.

Pam Lambertson: Sunset Ave- breakaway wall-design of pool, what is the design on bottom floor- is it going to take pool away w/ it in event of storm?

Delaney: Structural engineer designed; pool is separate structure, not tied to any of building. Pool attached to piles. Structure itself doesn't extend below flood zone.

Pam Lambertson: How does that happen? How do they break away? I can't imagine how it would breakaway w/ vegetation wall, metal wire, etc.

Delaney: Structural engineer designs the breakaway walls. The structure doesn't extend below the elevation. The wires are above the 12' elevation.

Pam Lambertson: elevations we've been shown show the greens growing up from the ground up.

Krzak: sounds like should have structural engineer present to explain.

Smith: next witness on 9/9 will be landscape architect can clarify
Lamberton: other Q is re: CAFRA permit.
Serpico: Always make all approvals of waterfront projects compliant w/ CAFRA. We don't get into CAFRA approval here. It is applicant's duty to submit CAFRA approvals
Lamberton: OPRA'd information to find this applications' CAFRA approvals & received a mix of documents related to beach club & fisherman's lot
Smith: applications submitted for both on same day, perhaps that is why received both. Will provide copy of cover letter
Madeline Monaco: Where will breakaway wall go during storm
Smith: not required to submit that. Ultimately construction code official that will review that.
Monaco: is construction review a public process?
Smith: if planning board grants approval, then we submit plans to construction dept, then will get a building dept. Not public
Monaco: We have a lot of questions
Manzella: Michael, you can jump on this only review site plan
Sullivan sworn in
Sullivan: just to be clear, unless there is a site plan involved, building permit never gets discussed
Lambert: Can person go to bldg. dept to get codes?
Sullivan: they will have access to it.
Monaco: have you investigated if anything buried under the ground? Another pool?
Delaney: borings done. In test pits there was info on some things found underground. My understanding is if anything interferes with construction, they will be excavated & removed.
Monaco: what kind of noise is going to be mitigated? Haven't heard any testimony as to
Smith: don't think we discussed noise mitigation with this testimony, I thought the architect addressed sound mitigation.
Krzak: Understand that board makes notes of all comments and questions, take notes, and look at all these things
Joyce Grant: Ocean ave., has environmental impact been done?
Serpico: not in scope he is a civil engineer, not environmental engineer.
Grant: overflow pipe going into Deal Lake-was deal lake commission consulted on this? Said handicapped access, but not ADA certified, correct?
Delaney: not aware of Deal lake commission. No ADA certification, only ADA compliant & access is compliant.
Sullivan: what they've done is created an access that is sloped access, not a ramp, but ADA compliant.
Barbara Cutler: is there comprehensive codes
Smith: the UCC is statewide comprehensive code & applies statewide.
Serpico: they're all statewide codes
Tracy Rogers: where would connection from new buildings re bathrooms, etc.
Delaney: term major development refers to stormwater. Look at all waterfront redevelopment area is compliant. As a result, have to comply w/ certain standards w/ stormwater only. Doesn't have to comply w/ water recharge system. As part of CAFRA permit approved over decade ago, all the water quantity has been accounted for the entire waterfront area. As part of TRC, we went ahead and supplied
Rogers: why is it 80%
Delaney: allowed up to 90% on our site based on CAFRA, we are less than that if counted wood decking, since water can flow thru it. Have less impervious than what we could put on here.
Rogers: What would be alternative for wood? What about underneath or inside piping? Is it concrete?
Delaney: concrete surface would be impervious. Not sure about the piping. As far as pool, it will be concrete around it.
Rogers: don't know if meeting 90% b/c don't know what piping, is pool included?
Delaney: impervious only accounts for surface. It prevents it from going into ground.
Rogers: said another engineer will deal w/ DEP, will that information be negotiated?
Krzak: have to comply with the codes, there is no negotiation.
Rogers: B4 FEMA map came in, did you see what was to be built
Smith: we are complying with whatever FEMA standards. Whatever is required, we will comply with.
Rogers: how much drainage do u expect for DPW?
Delaney: You mean the waste mgmt. system? working with city consultant now.
Smith: are we talking stormwater? Sean just answered waste water?
Delaney: provided flows to city engineer. We have to figure out how our design is compliant.
Rogers: how much concrete?
Warner Baumgartner: what utilities will serve this site?
Delaney: run all facilities from street to site w/ architect. I show those connections from street to structure. Explained connections on page 6/14 of grounding & utility plan. Sited utility room & mechanicals room?

Baum: is elevator tower supported or sunk into ground? What type of elevator?

Delaney: not me.

Baum: what came first? Did you design the utilities or how they were run?

Krzak: may I ask relevance?

Baum: trying to determine if there is anything locking in the design or can be redesigned?

Smith: architect testified to the design.

Catherine Murphy: deal lake dr.- sheet #4 bowman drawings- 12' wide area tied to boardwalk & staging area- testified estimated construction 12-18 months. How will this impact boardwalk access? Is city going to be compensated for lease of space?

Smith: no longer using that area & no longer going to. Lot 1.24 will not be used. There is an existing trailer on lot 1.25 that will be used.

Serpico: all documents submitted

Lamberton: amount of coverage at 80% is from when Asbury applied to become urban center designation. its important we get that information.

Ernest Mignoli: Deal Lake dr. – are you aware that saw attorney is EPA lawyer?

Delaney: not aware

Mignoli: he was asking Qs about grading. Wondering why not here tonight.

Serpico: if you were here at previous meeting, he was on vacation & fully aware of tonight's proceedings.

Mignoli: related to compliance w testing, was it all correct?

Delaney: did testify today that there was a correction.

Mignoli: what if something underneath site that is major like environmental impact?

Moor: since building new north ramp, will it support emergency vehicles?

Delaney: Yes

Smith: yes, agree to carry notices & waive all time constraints.

Motion for 2 min recess: Taylor Second: Manzella All in favor

Call to order 8:36pm

Roll Call

D. Old Business:

1. 1105 Main Street LLC

1101, 1105, & 1183 Main Street, Block 2804 Lot 2, MSRA Zone

Subsequent extension of condition number 18 (b) of resolution (approved February 27, 2017) change in phasing completion date of December 31, 2019 for building on lot 2.

Mark Steinberg, attorney for applicant. Applicant had extension until sept 2019

Krzak:

Moor: This is a continuation of last meeting? I voted against the change of plans, this is a no brainer. If extension for 6 months then let's just approve it & move on.

Steinberg: asking for extension until March 31, 2020 a little over 6 months but will bring it in before that.

Any questions from public?

None

Motion to approve: Moor Second: Clayton

Extension **APPROVED**

Motion to adjourn: Manzella Second: Taylor All members vote in favor

Meeting Adjourned: 8:41pm