

Minutes of the Asbury Park Planning Board

September 23, 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: Councilwoman Yvonne Clayton, Jim Henry, Rick Lambert, Michael Manzella, Alexis Taylor, Jennifer Souder, Trudy Syphax & Chairperson Barbara Krzak

Members Absent: Mayor John Moor

Members Recused:

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

Meeting begins at 7:00 pm

A. Discussion:

1. 2020 meeting schedule
2. Wesley Lake Commission & Surfrider Foundation letter regarding Cigarette receptacles as part of development process

B. Minutes:

1. Approval of Minutes of August 12, 2019 regular meeting

Motion to approve: Manzella Second: Clayton

Abstain: Henry, Souder

All in favor

2. Approval of Minutes of September 9, 2019 regular meeting

Motion to approve: Manzella Second: Clayton

Abstain: Henry, Syphax

All in favor

B. Applications:

1. **405 Sewall Avenue, block 3202 lot 9, SSRA Zone**

Amendment to the Scattered Site Redevelopment Plan to remove 405 Sewall Avenue from the plan.

Michele Alonso, Director & planner for the City of Asbury Park, sworn in

Alonso: described Scattered Sites Redevelopment Plan & background of plan. Reason for meeting is to remove one lot, 405 Sewall, from the redevelopment plan in order to use it as accessory parking for a multifamily building. Redevelopment plan doesn't permit accessory parking. Will come back to board with site plan. Proposing to remove from plan & remove from the map.

Krzak: apt building? That remains?

Alonso: yes, next to it.

Taylor: what barriers to removing from plan?

Krzak: Procedure?

Alonso described

Clayon: so they have to come back to board?

Alonso: correct

Public comments

Ernest Mignoli: what property? Is it spot zones?

Alonso: we are not in business of using eminent domain, so no longer need this

Krzak: to remove the property from SSRS redevelopment plan

Taylor: application is not before our board

Mignoli: come to meetings here in past where people have built
Taylor: suggest you come to the board meeting

Recommendation to remove from SSRA plan: Manzella Second: Henry
In Favor: Councilwoman Yvonne Clayton, Jim Henry, Rick Lambert, Michael Manzella, Alexis Taylor, Jennifer Souder, Trudy Syphax, Barbara Krzak
Opposed:
Recommendation **APPROVED**

All professionals sworn in

2. Waterfront Redevelopment Area

Amendments to the Waterfront Redevelopment Plan to include boardwalk improvements, offsite parking, revise development control maps, and other amendments.

Taylor: where is jetty stone? Is this best practices for stormwater mitigation?

Alonso: yes, it was part of boardwalk charettes and T&M recommendations

Alonso: 2nd part: parking 600' of project, considered walking distance

Henry: saying master developer determines where the lot can be?

Taylor: whats the process?

Application to master developer, has 1st review, then given to city. Then goes to council, voted, goes to PB for site plan approval. Then, if so please, can apply for tax abatement

Taylor: sounds like parking lot.

Alonso: may be decided before it comes to board, may be decided during TRC.

Taylor: know that removing ability to public comment on anything related to parking would not be good

Serpico: somebody comes in they need 40 spaces, comes to board, 30 spaces on site, other 10 is located somewhere else. Have to produce long term lease for deficiency.

Alonso: you're going to get in the future, an application for parking garage.

Henry: there is no garage yet, so why would be in there

Serpico: 1st is parking garage, then.

Serpico: 99 yr lease with option to renew so dont worry about rule of inperptuitues.

Alonso: triangle upcoming application for townhomes, currently in TRC

Parking garage: Item#5: Lot currently behind istar- this site is going to be redeveloped with large residential project. These are new proposed heights. Increase in 2 spaces. There is a small bump up in height but negligible in height

Henry: what is negligible height?

Alonso: 2 stories

Lambert: what was purpose of these heights?

Alonso: to preserve site lines.

Henry: looks like blocking views by changing

Alonso: reducing from 8 to 6

Taylor: don't think we should make decisions of heights without seeing clear diagram

Lambert: were going lot by lot, how does that fit in in large scope? think easier to relate when see overall plan. Going lot by lot seems arbitrary

Alonso: parking garage is very important project for much needed parking in waterfront

Alonso: changing heights but design stds & bulk stds stay same

Souder: hard because we have to take action

Krzak: would it be fair to ask for more context?

Alonso: truthfully, I didn't see any plans for garage, but I can envision what its going to look like.

Lambert: decrease on Kingsley is better

Taylor: I think they're all better, it makes sense.

Alonso: boardwalk construction cannot begin until these amendments are made & plan amendment needs approval from master developer.

Taylor: don't think that's a good enough reason to approve

Alonso: myself, municipal council found these amendments to be recommended & benign.

Clayton: think we found lower heights a positive, not negative

Manzella: maybe we can continue then come back to heights

Alonso: item #6-former relief from building height relief. If request breaks, board is given power to grant variance. This firms up language.

Manzella: variance instead of design relief.

Alonso: item#7- master developer can skip step 1st step in subsequent redeveloper process

Serpico: is it 100% entity?

Alonso: no not 100%. Basically if they are part of master developer in any way, they can skip the first part of process of applying to themselves to become subsequent developer. Doesn't relinquish any of other steps, just 1st part of process

Manzella: of applying to themselves

Alonso: item #8- modify conditions- talks about city not having to use eminent domain for taking lot portion from empress hotel

Henry: wasn't this changed in last redevelopment amendment?

Alonso: no said do it later, now time has come. That leads to #9 design to put in mural. Way that public art application goes

Krzak: good to put in every application

Taylor: is the piece you're leaving there develop-able? Want to make sure not creating something not developable.

Manzella: would we send recommendation back to council to leave 6. Lot across street is 8

Alonso: if want to make recommendation, then leave it at 6

Taylor: if want to mask parking lot/garage, put a building in front of it.

Manzella: I would make that recommendation.

Serpico: Procedurally, since has to be presented to council since no time to do resolution before the next council meeting so Yvonne and Michele will present this back to council.

Lambert: seems only one issue- leave height at 6

Souder: back to 3.2, boardwalk construction why need wording "shall not be limited to?" It seems that is wide open.

Alonso: it just makes sure those items are included. Boardwalk is city land. It would be up to council.

Open to public comment Move: Manzella Second: Henry All in favor

Mignoli: who is applicant #3? This seems profound and no one knows about it

Serpico: not an application. It's a referral from council, planning board then makes recommendations

Mignoli: when did you get this application? When did you get the documents from this?

What if doing inappropriate things all the time? My opinion that this is just a bait & switch. Seems this team is

Lambert: do you do any homework from applications? You have the opportunity to see all agendas & ability to view documents in office

Mignoli: Planner, secretary, lawyer seem to be doing a lot of talking. Shouldn't they be sworn? Is the parcel in question. I'm not the only one confused. All the talk is confusing and people like me don't understand.

Where is this model? Isn't there a physical model?

What is being held hostage what was comment that boardwalk was held hostage.

Mignoli: seems like things like this height issue and no one else from public knows about it.

Manzella: one in south end

Mignoli: I think there's too much conflict here, councilperson, parking person, etc. Planner needs to speak for herself.

Motion to close public comment: Manzella Second: Taylor All in favor

Recommendations:

Manzella: I'll make motion to approve recommendations to council with slight changes of changing to 6 stories in parking garage area

Krzak: not mandatory, recommendation of 6 stories if want instead of 2.

Taylor: can we ask for some refining of images

Krzak: as well as street names

Manzella: will amend motion to include that

Serpico: send me email saying what exactly will be sent to council?

Recommendation to approve amendments with revisions: Manzella Second: Krzak
In Favor: Councilwoman Yvonne Clayton, Jim Henry, Rick Lambert, Michael Manzella, Trudy Syphax,
Jennifer Souder, Barbara Krzak
Opposed: Alexis Taylor

Recommendation **APPROVED**

Motion for 5 minute recess: Taylor Second: Manzella All in favor

Resume 9:05pm

Roll Call

**3. Regional Development Group LLC (Carried to October 21, 2019)
213-215 First Avenue, block 3901 lot 11, WPRA Zone**

Major Site Plan to construct a 4 story, 24-unit residential condominiums with 41 parking spaces.

Kevin Kennedy, attorney for applicant

Kennedy: Demo & construction of new bldg. We are maiden venture for subsequent developer in waterfront area.

Fuller H. "Trip" Brooks, applicant & developer, sworn in

Luke Rudowsky, licensed engineer for applicant

Kennedy: Trip please describe the project.

Brooks: live in town, moved in 1991. Described property.

Exhibit A-1: Subsequent package with aerial views & landscape plan not included in original packet

Brooks: explained each of photos on screen. Current building, rendering of proposed bldg. idea to not have parking on street. Screens are arch feature, they slide for privacy & for views. Rear of bldg. has pool & amenity deck over parking deck.

Dan Caruso, professional civil engineer for applicant, sworn in

Any Q's for witness?

None

Board Professionals sworn in

Caruso: explain engineering concepts. 19,000 sq ft of coverage. Total parking 41, where 36 required
Serpico: how many total?

Kennedy: Insite report dated 9/16/19; want to go point by point or important elements?

Krzak: point by point

Caruso: #5, #8 operational, #9 landscape arch, #11 prepared access easements, 12- will provide, b, c, d,- structural engineer, 13- plans will be provided to show, 14- architect will explain, 15- no signage, 16- owner 17- lighting landscape arch will respond, 19- 20- 21-replace all existing sidewalk & curbing, 22- have submitted, 23- details will be placed on plans, 24, 25- architect will respond, 26- no loading spaces required, 27-entire area obtained cafra permit, will include letter, 28- will get letter from utilities, 30-b- landscape arch will testify 31-inlet in access drive portion

Krzak: concern after snow melt for that item

Caruso: 30c- arch, d-landscape, e- transportation planner comment.

Kennedy: have negotiated shared driveway easement, don't have that in ink.

Krzak: would be a condition

Caruso: 30g- arch will respond. 30h, 31a- will relocate as suggested, 31b- will provide, 31c- will provide, 31d-will provide corrections, 31e- will be taken care of, 31g- calcs provided, 31h- will provide calcs, 31i- clarify, 31j- stormwater design will indicate, 31l- will provide. 32-will provide, 33- will provide details 34- add note, 35- provide addl grade shots 36- landscape arch will provide 37- bldg. construction mats 38- structural engineer, 39- Trip will take care of, 40- will have to access from front of bldg. last- other approvals- will provide

Kennedy: will provide any and all other approvals as needed if approved.

Caruso: planners report. 2.6

Sullivan: just to clarify, need de minimus exception to provide that parking.

Sullivan: curbing is required pursuant to WRA, so suggesting as a solution to tight parking areas.

Caruso: item 3.1- will correct discrepancies. 3.2- will look into working with design. 3.3- no problem

Manzella: q about stairs- is there concern someone could drive into stairs there?

Brooks: will talk with property owner to see if can do something to take care of that. That wall is 2.5-3' high, then fenced.

Board Q's for engineer?

Henry: cafra permit, what will you do?

Fichter: around perimeter of parking lot-sheet piles- any thought how that will be managed?

Caruso: we have someone for that

Krzak: out of time, need to continue. Any Q's from public?

None

Brooks: I understand hard stop at 10:00, waiting 13-14 months to get in front of you. Just want to see if can have another meeting, even special meeting.

Krzak: I think we can put it in next meeting, other option is pay for special meeting. Between now and 10/21, if want another special meeting.

Brooks: Thank you so much, that would be fine.

Sullivan: also there are things you will be asking exceptions for, that's enough time to meet with us and discuss

Krzak: We would like everything to be addressed

Kennedy: waive all time constraints

Motion to carry to 10/21/19 without further notice: Henry Second: Clayton All in favor

Motion to adjourn: Lambert Second: Souder All in favor

Meeting Adjourned: 10:15pm