**WORKSHOP MEETING: 7:30 P.M.**

**Roll Call** **Members Present** – Dr. Kloby, Councilman Fligor, Mr. Hawley,
Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Pepe, Chairman Colangelo, Mr. Dougherty, Ms. Drew

 **Members Absent** – Mrs. Murray, Mr. McGoldrick, Mr. Illiano

Michael Steib was present as Board Attorney. Douglas Rohmeyer was present as Board Engineer.

Chairman Colangelo called the meeting to order and stated that the meeting is being held in compliance with the Open Public Meetings Act. Mr. Colangelo called for a moment of silent prayer followed by the Pledge of Allegiance.

**Public Comment** – Mr. Colangelo opened the meeting to any members of the public who wish to make comments. No comments were received.

**Pending Litigation** – Mr. Steib noted that there is no pending litigation at this time.

**Other Business** –

**Basement/Cellar Discussion** – Mr. Colangelo announced that this discussion will be carried to the June 13th meeting

Mr. Colangelo noted there is no further business to be discussed during the Workshop Meeting.

COUNCILMAN FLIGOR MOVED TO ADJOURN THE WORKSHOP MEETING, SECONDED BY MR. DOUGHERTY. BY VOICE VOTE ALL AGREED.

There being no further business to come before the Board, the Workshop Meeting Adjourned at 7:33 P.M.

Michelle Clark

 Planning Board Secretary

**REGULAR MEETING: 7:33 P.M.**

**Roll Call** **Members Present** – Dr. Kloby, Councilman Fligor, Mr. Hawley,
Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Pepe, Chairman Colangelo, Mr. Dougherty, Ms. Drew

 **Members Absent** – Mrs. Murray, Mr. McGoldrick, Mr. Illiano

Michael Steib was present as Board Attorney. Douglas Rohmeyer was present as Board Engineer.

Mr. Steib announced that there were two application which were going to adjourned and carried to the June 13 meeting:

 **PB18-13, Block 61, Lot 8, 77 Memorial Parkway (Grable)** – Application for Site Plan Approval and Use Variance. Mr. Steib noted that the notice in the newspaper was not published in time and they will need to republish for the June 13th meeting. He said that if anyone is here on behalf of this application it will not be heard tonight and is being carried to the June 13, 2019, 7:30 PM, in this same room and NO FURTHER NOTICE WILL BE GIVEN.

**PB19-01, Block 37, Lot 23, 24 East Avenue (Raymond)** – Application for Use and Bulk Variance. Mr. Steib said that an e-mail was received today that the applicants professionals were not available this evening and they have asked for a postponement. Mr. Steib said that he has reviewed service, service is in order and the Board does have jurisdiction to hear this matter. He said that this matter will be carried to June 13, 2019, 7:30 PM, in this same room and NO FURTHER NOTICE WILL BE GIVEN.

**Approval of Minutes for the April 11, 2019 Meeting**

COUNCILMAN FLIGOR MOVED TO APPROVE THE MEETING MINUTES FOR APRIL 11 2019, SECONDED BY DR. CETRON.

Ayes: Councilman Fligor, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Colangelo, Mr. Dougherty, Ms. Drew

Nays: None

Abstain: Dr. Kloby, Mr. Pepe

Absent: Mrs. Murray, Mr. McGoldrick, Mr. Illiano

**Approval of Attorney’s Voucher for March 2019 in the amount of $4,266.00**

MR. NEFF MOVED TO APPROVE THE ATTORNEY’S VOUCHER FOR MARCH 2019, IN THE AMOUNT OF $4,266.00, SECONDED BY MR. PEPE.

Ayes: Dr. Kloby, Councilman Fligor, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Neff,
Mr. Pepe, Mr. Colangelo, Mr. Dougherty

Nays: None

Abstain: None

Absent: Mrs. Murray, Mr. McGoldrick, Mr. Illiano

Mr. Steib asked that item #9 on the agenda be heard next. He said that he has a conflict with this application and has asked Mr. Pfleger, Zoning Board Attorney for Holmdel Township, to sit in for him on this application. To accommodate Mr. Pfleger he would like this item to be heard at this time.

Mr. Steib stepped down and Mr. Pfleger took his seat on the dais.

**PB18-08, Block 102, Lots 7 & 8, 188-190 First Avenue and Memorial Parkway (Atlantic Highlands Real Estate Partners, LLC) – Amending previously approved application to relocate a freestanding sign.** Ms. Drew recused herself and stepped down from the dais at this time. Mr. Pfleger announced that service is in order and the Board does have jurisdiction to hear this matter. Mr. Pfleger then listed the exhibits which the Board has received in connection with this application. Exhibit A-1, Preliminary and Final Site Plan, Prepared by James Henry, dated February 1, 2018 revised February 12, 2019, consisting of 17 pages. Exhibit A-2, Planning Board Resolution Granting Preliminary and Final Site Plan Approval with Variances and Waivers, dated September 13, 2018. Exhibit A-3 Report from CME dated April 29, 2019. Jason Tuvel attorney for the applicant was present. Mr. Tuvel said that they are here this evening for a very small amendment to their previously approved application. He said that their prior plans called for a freestanding sign within the State right of way along Route 36. The DOT has advised the applicant that the permitting process to put the sign in the right of way will take a significant amount of time and they now wish to move that sign back onto their property with a zero foot setback so that they do not have to wait for the DOT permit. Mr. Tuvel said that this change will reduce the magnitude of two of the previously granted variances. Mr. Tuvel called Christine Nazzaro-Cofone. Mr. Rohmeyer and Ms. Cofone were sworn in by Mr. Pfleger. Ms. Cofone gave an overview of the application. She said that the only change to the sign will be the location. Ms. Cofone referred to sheet 4 of Exhibit A-1. She said that because the DOT cannot give an approval in a timely matter they are proposing to move the previously approved freestanding sign which was negative 18 feet off the property line to the property line with a zero foot setback, which is more in conformance. Ms. Cofone said that the Board could use exactly the same criteria to grant this change as they did with the previous approval. She said there is no negative impact with this change and there will be no substantial detriment to the public good. Councilman Fligor asked if the 10.4 feet number was the distance from the easterly property line. Mr. Tuvel said that was correct. Dr. Cetron asked if they had worked with the neighbor with this change. Mr. Tuvel said that they had. Mr. Hawley asked if the neighbor was ok with this change. Mr. Tuvel said that she was. Mr. Rohmeyer said that the relocated sign appears to be located close to the sidewalk and asked if there would be adequate clearance with the base of the sign and the sidewalk. Ms. Cofone said that the Engineer has advised her that there will be ample clearance. Mr. Rohmeyer asked if they have received their DOT approval yet. James Henry, Engineer for the applicant, who was previously accepted by the Board was sworn. Mr. Henry said that they do have approval for their access permit they are just waiting for the bonds to be submitted. There were no other Board questions and Chairman Colangelo opened the Public question portion.

**Laurie Zydel**, 39 East Lincoln Avenue asked Ms. Cofone to show the exact location of the sign. Ms. Cofone used Exhibit A-1, page 4, to show Ms. Zydel the placement of the sign. Ms. Zydel said that she is concerned with seeing a 10 foot sign when coming around the corner. Ms. Cofone said that there is less of a concern with this placement than the previous plan. Ms. Zydel asked if this sign was really necessary and if they would be opposed to not having this sign. Ms. Cofone said that all aspects of the sign are conforming and that being this is right on 36 they want to make it safe for vehicles coming in and out. Mr. Tuvel said that there have been a number of revisions and concessions over the last three hearings. Ms. Zydel said that the 7-11 in Westfield does not have this kind of sign and that having this sign along with the one on the building so close together is not necessary.

Chairman Colangelo reminder everyone that this in a new application and they cannot go back and forth about the previous application.

**Donna King**, 43 Fourth Avenue said that the DOT didn’t want this sign in their right of way and asked if the Board will have to approve it. Mr. Colangelo said that the applicant is here seeking a variance. Mrs. King asked if a second sign was needed. Ms. Cofone said that there is only one freestanding sign and it is not because the DOT wouldn’t give approval, but it is a timing issue, since the DOT’s permitting process is not timely. She said that this is not a huge sign and it will be completely conforming. Ms. Cofone said the issue is that they have such a large right of way. Ms. Cofone said that yes, people will see the building, but there are multiple reasons for signage and they want the business to get the advertising. She said that they want the business to be successful and for people to get safely to and from that business. She said that signage contributes to both of those things. Ms. Cofone added that the Borough Ordinance allows for both freestanding and building signage. Mr. Pepe stated that they couldn’t stop 7-11 from putting up this sign. Ms. Cofone agreed, she said they would have to move it back if they didn’t have the approval to put it here, but they could still have the sign. Mrs. King asked if 7-11 always requires two signs. Mr. Henry said that it’s typical to have two signs, sometimes more. Chairman Colangelo asked if there were any questions from the public for Mr. Henry. There were none. Mr. Rohmeyer asked about the proposed directional sign waiting for DOT approval. Mr. Henry said that this hasn’t changed since the prior approval and that if they wanted to make this a conditional of the approval it would be ok. There being no other witnesses, Chairman Colangelo asked for comments from the Public.

**Laurie Zydel**, 39 East Lincoln Avenue, was sworn by Mr. Pfleger. Ms. Zydel said that there was a very lengthy discussion during the first approval process, and the major concern was illumination. Ms. Zydel said that the plans were changed multiple time to ease their concerns but she feels that the signage portion has fallen by the wayside. She asked if there will be someone overseeing the project to be sure they remain in compliance. Ms. Zydel said that it would have been nice to have had them put in writing that they were going to move forward with the concerns of the residents regarding signage, but that didn’t happen. She said that this is their last ditch effort to have any say on this project and maybe they could try to make everyone happy and not put that sign up at all. She asked that this be considered.

**Donna King**, 43 Fourth Avenue was sworn. Mrs. King said that this is the gateway to our town and she doesn’t feel that all these important people would be here if they didn’t have to come before the Board, she feels they are here because they want something and the Board holds the key. Mrs. King suggested that the Board not give this approval and let them wait for the DOT approval. She said that the Board should take a look at the number of signs on First Avenue and but the brakes on this.

**Mary Lou Sureano**, 20 East Mount Avenue was sworn. Ms. Sureano said that she agrees with this sign, that if it is put too far back it will become a public problem.

Chairman Colangelo closed the Public Comment Session and asked for Board comments.

Mr. Hawley said that there is going to be a sign so this gives the Board a little control.

Dr. Cetron said that it has been moved back considerably and his concern was with the neighbor, but this has been addressed. He said that this is less intrusive and there is no conflict with the Borough sign. Dr. Cetron said that this request is not out of line, the neighbors are in favor and there are no grounds to say no.

Mr. Pepe said that there are only two choices, have them move it back ten feet or give this approval.

Councilman Fligor said that the Jersey Slide could be a problem if the sign was too far back. He said that this is good for traffic reasons.

Chairman Colangelo asked if they would give up DOT approval if the Board agreed to this change. Mr. Tuvel said that they would agree to this as a condition of approval.

Mr. Caccamo said that this is unnecessary noise, it you can’t see it don’t do it. He feels that the business would get more praise from the residents if they chose not to put the sign there.

Mr. Pepe said that the signs wrapping the building would go a long way without the back lit building. He said that the sign should be put there and not further back.

Mr. Dougherty said that the safety issue is most important.

Mr. Caccamo said that there is not much room there and he doesn’t feel this sign is necessary.

MR. NEFF OFFERED A MOTION TO APPROVE THIS APPLICATION, SECONDED BY MR. DOUGHERTY.

Ayes: Dr. Kloby, Mr. Fligor, Mr. Hawley, Dr. Cetron, Mr. Neff, Mr. Pepe, Mr. Colangelo, Mr. Dougherty

Nays: Mr. Caccamo

Abstain: None

Absent: Mrs. Murray, Mr. McGoldrick, Mr. Illiano

Recused: Ms. Drew

Chairman Colangelo called for a 5-minute recess at this time, 8:21 pm.

Meeting resumed at 8:24 pm, with Mr. Steib back on the dais.

**Consistency Review – Affordable Housing Development Fee**

Mr. Steib explained the Development Fee Ordinance. He told the Board that the Governing Body has sent this to the Planning Board for a Consistency Review to be sure that it is consistent with the Master Plan. Mr. Steib said that this ordinance codifies the COAH Regulations.

DR. CETRON OFFERED A MOTION TO APPROVE THE CONSISTENCY REVIEW OF THE AFFORDABLE HOUSING DEVELOPMENT FEES, SECONDED BY MR. HAWLEY.

Ayes: Dr. Kloby, Mr. Fligor, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Pepe, Mr. Colangelo, Mr. Dougherty

Nays: None

Abstain: None

Absent: Mrs. Murray

**Master Plan Public Hearing**

Andy Thomas was present and still under oath. Mr. Thomas said that they had reviewed all sections and updates at the last hearing. He then met again with the subcommittee to include all the comments and make the relevant changes from the last hearing. Mr. Thomas said that these were all minor items and not of sustenance. Mr. Steib agreed, saying that the changes where just typographical errors that needed to be corrected. Mr. Thomas handed out the correction sheet and final changes. Mr. Thomas also noted that this public hearing had been properly noticed and serviced. There were no questions from the Board. Dr. Cetron stated that there were very few public comments that were not included. He said that Mr. Fisher and the Environmental Commission were very helpful. Councilman Fligor thanked Mr. Thomas for all his hard work. Dr. Cetron thanked the Community for their input. Chairman Colangelo thanked the Sub-committed for all their time and effort. Chairman Colangelo opened the Public Hearing.

**Jim Krauss**, 77 Bayside Drive was sworn by Mr. Steib. Mr. Krauss said that he had read the entire document and participated in the proceedings. He thanked the sub-committee and the board.

**Lori Hohenleitner**, 119A East Highland Avenue was sworn by Mr. Steib. Ms. Hohenleitner thanked the Board Members for working on this and for being a part of the Planning Board.

There being no other members of the public, Chairman Colangelo closed the Public Hearing.

DR. CETRON OFFERED A MOTION TO ADOPT AND MEMORIALIZE THE RESOLUTION APPROVING THE MASTER PLAN, SECONDED BY MR. NEFF.

Ayes: Dr. Kloby, Mr. Fligor, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Neff, Mr. Pepe, Mr. Colangelo, Mr. Dougherty

Nays: None

Abstain: None

Absent: Mrs. Murray

**Adjournment**

There being no further business to come before the Board, Mr. Colangelo asked for a motion to adjourn the meeting.

MR. NEFF MOVED TO ADJOURN THE REGULAR MEETING AT 8:46 PM, SECONDED BY COUNCILMAN FLIGOR. BY VOICE VOTE ALL AGREED.

 Michelle Clark

 Planning Board Secretary