

**PLANNING BOARD
BOROUGH OF ATLANTIC HIGHLANDS
May 7th, 2020**

The Regular Meeting of the Planning Board of the Borough of Atlantic Highlands, was held on May 7th, 2020 via ZOOM Conference Meeting. Instructions on how to join the meeting were posted on the Borough website, Borough Face Book page, and at Borough Hall.

WORKSHOP MEETING: 7:04pm

Roll Call **Members Present** – Mr. Dougherty, Mr. Boms, Mr. Hawley, Mr. Caccamo, Mr. McGoldrick, Mr. Neff, Mr. Pepe, Mr. Colangelo, Mr. Sonnek-Schmelz, Dr. Kloby, Mr. Krupinski

Members Absent – Mrs. Murray

Michael Steib was present as Board Attorney. Douglas Rohmeyer was present via Zoom Conference Meeting 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. Chairman Colangelo stated that notice of this meeting has been transmitted to the Asbury Park Press and the Two River Times, continuously posted in the Borough Hall on a bulletin board reserved for such announcements and filed in the office of the Municipal Clerk of Atlantic Highlands, on January 02, 2020. He read the “Open Public Meetings Act” compliance statement and stated that formal action would be taken. Mr. Colangelo made it known that himself, attorney Michael Steib, Planning Board Secretary Christine Burke, and two members from the Borough were present in the court room.

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.

Pending Litigation – Mr. Steib announced that we are still awaiting a decision on the Denholtz Trial.

Other Business: There was no other business.

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

There being no further business to come before the Board, the Workshop Meeting Adjourned at 7:07PM.

Christine Burke
Planning Board Secretary

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REGULAR MEETING: 7:08pm

Roll Call

Members Present – Mr. Dougherty, Mr. Boms, Mr. Hawley, Mr. Caccamo, Mr. McGoldrick, Mr. Neff, Mr. Pepe, Mr. Colangelo, Mr. Sonnek-Schmelz, Dr. Kloby, Mr. Krupinski

Members Absent – Mrs. Murray

Michael Steib was present as Board Attorney. Douglas Rohmeyer was present via Zoom Conference Meeting as Board Engineer.

Approval of Minutes for the March 5th, 2020 Meeting

MR. NEFF MOVED TO APPROVE THE MEETING MINUTES FOR MARCH 5TH, 2020, SECONDED BY MR. BOMS.

Ayes: MR. DOUGHERTY, MR. BOMS, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MR. COLANGELO

Nays: NONE

Abstain: MR. HAWLEY

Absent: MRS. MURRAY

Approval of Attorney's Voucher for February 2020 in the amount of \$3,280.50

MR. DOUGHERTY MOVED TO APPROVE THE ATTORNEY'S VOUCHER FOR FEBRUARY 2020 IN THE AMOUNT OF \$3,280.50, SECONDED BY MR. MCGOLDRICK.

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MR. COLANGELO

Nays: NONE

Abstain: NONE

Absent: MRS. MURRAY

Approval of Attorney's Voucher for March 2020 in the amount of \$2,443.50

MR. HAWLEY MOVED TO APPROVE THE ATTORNEY'S VOUCHER FOR MARCH 2020 IN THE AMOUNT OF \$2,433.50, SECONDED BY MR. MCGOLDRICK.

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MR. COLANGELO

Nays: NONE

Abstain: NONE

Absent: MRS. MURRAY

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PB20-01 Tahamont/Tenney Block 132, Lot 10-108 Bay Ave- Memorialize Resolution for Approval for Application for Bulk Variance

MR. NEFF MOVED TO MEMORIALIZE PB20-01, SECONDED BY DR. KLOBY.

Ayes: MR. DOUGHERTY, MR. BOMS, MR. CACCAMO, MR. NEFF, MR. PEPE, MR. COLANGELO,
DR. KLOBY, MR. KRUPINSKI

Nays: NONE

Abstain: NONE

Absent: NONE

PB18-02, Block 74, Lot 8, 58 Prospect Circle (Swanton Residence) – Request for One Year Extension of Approval for Bulk Variance

MR. MCGOLDRICK MOVED TO APPROVE A ONE YEAR EXTENTION FOR PB18-02, SECONDED BY MR. HAWLEY.

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MR. COLANGELO

Nays: NONE

Abstain: NONE

Absent: MRS. MURRAY

PB20-04 Block 8, Lot 36, 24 Belvidere Road (Kett) – Application for Bulk Variance

Mr. Steib made it known that this application had been carried to the June 4th, 2020 Planning Board meeting at 7:00pm at 100 First Ave, Atlantic Highlands with no further notice required unless a virtual meeting is held.

PB20-03 Block 37, Lots 16&17, 144-146 Wesley Avenue (Evergreen Builders/Hoffman) - Application for Minor Subdivision, Lot Line Adjustment and Bulk Variance

Mr. Steib made it known that this application had been carried to the June 4th, 2020 Planning Board meeting at 7:00pm at 100 First Ave, Atlantic Highlands with no further notice required unless a virtual meeting is held.

PB20-02 Block 97, Lot 17, 44-48 First Avenue (Urban Mane, LLC) - Application for Use Variance

Mr. Steib made it known that he had reviewed service for this application and service was in order, the board had jurisdiction to hear the application. Mr. Steib listed the exhibits which to his knowledge were to be presented: A-1 Zoning Review from Zoning Officer Michelle Clark dated January 22nd, 2020; A-2 Application for Variance of Urban Mane, LLC dated January 22nd, 2020 with Narrative of Operations; A-3 Survey prepared by Richard E. Stockton & Associates dated September 27th, 2018 revised November 1st, 2018; A-4 Floor Plan prepared by Melillo Architecture dated January 2, 2020; A-5 Technical Review #1 of CME Associates dated March 3, 2020; A-6 Affidavit of Ownership of Timothy McDanel; A-7 Conditional Completeness letter dated March 5, 2020; A-8 Site Plan Waiver Request dated January 27, 2020 with respect to Section 150-7.1 9D

Attorney Christopher Hanlon was present via Zoom Conference Meeting representing Urban Mane, LLC. Mr. Hanlon made it known that his client had signed a lease to occupy one of the commercial spaces to

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run a hair salon in a four story commercial and residential building that had been approved by the Planning Board in 2016. Mr. Hanlon made it known that a hair salon is not a permitted use in this zone, therefore his client was seeking a use variance.

At 7:22pm Michael Valeriani was sworn in. Mr. Valeriani made it known that he was the sole member of Urban Mane, LLC which was created to run a hair salon business. Mr. Hanlon asked that Exhibit 5, the Floor Plan, be brought up for all to view. Mr. Valeriani described the floor plan in detail, including a waiting area, working stations, a handicapped accessible bathroom, and an employee lounge. Mr. Valeriani made it known that the entrance from First Avenue was the only means of egress and ingress in the building, and that there will be four employees including himself on site, servicing 1-2 clients at a time. Mr. Valeriani stated he predicts he will have 1-2 bags of garbage per day consisting mostly of paper products, which will be kept on site until collection day, and he anticipates that any deliveries will come around once a week and will consist of small boxes, which will be brought in through the front door. Mr. Valeriani also stated that any signage will follow Borough guidelines and fit in with the neighborhood. Mr. Valeriani then described his plans for operating during the COVID-19 pandemic, if necessary.

At 7:33pm Borough Engineer Doug Rohmeyer was sworn in. Mr. Rohmeyer confirmed with Mr. Valeriani exactly which unit was being occupied, and confirmed that the ingress/egress would not be shared with any other businesses.

At 7:36pm Mrs. Murray signed in to the meeting.

At this point Mr. Colangelo asked for any board questions. Mr. Hawley asked if trash would be brought out from the front or the rear of the building, Mr. Valeriani answered the front. Mr. Colangelo asked Mr. Valeriani to confirm that he understood that he could not provide facials or spa services without additional use variances, Mr. Valeriani confirmed that he understood. At this point Mr. Colangelo asked for any questions from the public.

Brendan Lynch, 7 Second Avenue, asked if there will be any parking or deliveries on Second Avenue, Mr. Valeriani answered no, there will not be. Mr. Lynch asked about any odors coming from chemicals being used, Mr. Valeriani answered that the products that he uses do not give off any odor.

At 7:42 Timothy McDanel, Somerset, New Jersey, was sworn in. Mr. McDanel made it known that as per the original resolution, the garbage would be put out onto First Avenue, and that there will be one more commercial space available if Mr. Valeriani rented the unit in question. At this point Mr. Colangelo asked for any questions from the Board. Mr. Pepe asked if Mr. McDanel knew what kind of business will be going into the other unit, Mr. McDanel answered he does not know at this time. At this point Mr. Colangelo asked for any question from the public. Mark Fisher, 91 Third Avenue, asked if those in the commercial space would be able to access the residential part of the building, Mr. McDanel answered no, they would not. Jackie Jones, 22 Keystone Drive, asked about the number of approved parking spaces as per the original resolution, Mr. McDanel answered 51 spots, 49 of which were in the Borough public lot. A detailed conversation regarding parking requirements and ordinances followed, with Mr. Hanlon referencing State Supreme case Stop & Shop vs Springfield. Mr. Neff asked Mr. Valeriani if the space will have fire sprinklers installed, Mr. Valeriani answered yes, it will. In response to the parking debate, Mr. Valeriani made it known that the stylist will only work two at a time, and there will never be more than 16 people on the premise at one time. At this point Mr. Colangelo called for any questions from the public. Mark Fisher, 91 Third Avenue, made it known that he was the Chairman of the Atlantic Highlands Parking and Traffic Committee, and asked if the average number of vehicles for this space, which is 7, is covered by the 51 spaces approved when the building originally came to the Planning Board. Mr. Rohmeyer discussed this and discussed the payment in lieu of parking ordinance. Ms. Jones

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asked Mr. Rohmeyer to explain what is considered a permitted use, Mr. Rohmeyer answered retail, professional offices, banks- not personal services such as hair salons, nail salons, etc. Mr. Fisher asked if restaurants are a permitted use, Mr. Rohmeyer answered yes, they are. At this point Mr. Colangelo asked for any public comments.

At 8:24 Jackie Jones, 22 Keystone Drive, was sworn in. Ms. Jones commented that she is a current client of Mr. Valeriani, and a parking ordinance should not prevent him from opening a new business.

At 8:27 Joshua Leinsdorf, 60 Bayside Drive, was sworn in. Mr. Leinsdorf made it known that he believed that there is plenty of parking on Second Avenue during the day, as most people are at work.

At 8:29 Mark Fisher, 91 Third Avenue, was sworn in. Mr. Fisher made it known that he has been working with the Chief of Police regarding parking in the Municipal Lot and on Second Avenue, and he believed that something needs to be done in the future to provide more parking.

At this point Mr. Colangelo called for board discussion. Mr. Colangelo stated that he does not believe the pay-per-space applies to this application. Mr. Pepe commented that he believed that the pay-per-space amount is too high for small businesses. Mr. McGoldrick stated that parking is a big concern to the Planning Board and to the community, which is why any parking concerns should be settled now as opposed to in the future. Mr. Hawley stated he believed that the parking will be adequate. Dr. Kloby thanked Mr. Fisher for monitoring the parking situation on Second Avenue.

MR. PEPE MOVED TO APPROVE PB20-02, SECONDED BY MR. MCGOLDRICK.

Ayes: MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MR. COLANGELO, MR. SONNEK-SCHMELZ, DR. KLOBY, MR. KRUPINSKI

Nays: NONE

Abstain: NONE

Absent: NONE

Adjournment

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

DR. KLOBY MOVED TO ADJOURN THE REGULAR MEETING AT 8:44PM, SECONDED BY MR. BOMS. BY VOICE VOTE ALL AGREED.

Christine Burke
Planning Board Secretary