The Regular Meeting of the Planning Board of the Borough of Atlantic Highlands, was held on July 16th, 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, Mr. Krupinski, Mrs. Murray

 **Members Absent**- none

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 Kelly Snyder, Michelle Clark and Councilwomen Lori Hohenleiter to run the zoom meeting.

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. There was no public comment.

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

**Other Business**: There was discussion of a special meeting.

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.

Kelly Snyder

 Planning Board Secretary

**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, Mrs. Murray

 **Members Absent** – None

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

Meeting as Board Engineer.

**Approval of Minutes for June 4th 2020 Meeting**

MR. DOUGHERTY MOVED TO APPROVE THE MEETING MINUTES FOR June 4th, 2020, SECONDED BY MR. McGOLDRICK.

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO, MR. CURRY, MR. KRUPINSKI, MR. SONNEK-SCHMELTZ

Nays: NONE

Abstain: MRS. MURRAY

Absent: NONE

**Approval of Attorney’s Voucher for June 4th in the amount of $2322.00**

MR. MCGOLDRICK MOVED TO APPROVE THE ATTORNEY’S VOUCHER FOR FEBRUARY 2020 IN THE AMOUNT OF $2322.00, SECONDED BY MRS. MURRAY.

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO, MR. CURRY, MR. KRUPINSKI, MR. SONNEK-SCHMELTZ

Nays: NONE

Abstain: NONE

Absent: NONE

**PB20-10, Block 133, Lot 9, 95 Bay Ave (HRBEK**)-**Memorialize Resolution Granting Approval of Bulk Variance**

 MRS. MURRAY MOVED TO MEMORIALIZE PB20-10, SECONDED BY MR. MCGOLDRICK. .

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO, MR. CURRY, MR. KRUPINSKI, MR. SONNEK-SCHMELTZ

Nays: NONE

Abstain: NONE

Absent: NONE

Mr. Steib moved item #8 PB20-09 Block 34, Lot 7, 22 East Avenue to be next on the agenda.

**PB20-09, Block 34, Lot 7, 22 East Avenue (Bublitz) –** Application for Bulk Variance

Mr. Steib announced that he reviewed service, service is in order and the Board does have jurisdiction to hear this matter. Mr. Steib listed the exhibits which the Board has received to date. Exhibit A-1, Zoning denial of your Zoning Officer Michelle Clark dated 01/09/2020. Exhibit A-2 is a development permit application that’s dated 12/06/2018. Exhibit A-3 is an application for variance of Mark and Alicia Bublitz dated 02/25/2020. Exhibit A-4 is a survey prepared by Thomas Craig Finnegan dated 03/12/2020. Exhibit A-5 is a 5 plan elevation floor plan prepared by Paul A. Domiano architect dated 12/19/2019. Exhibit A-6 is review #1 of your engineers CME Associates that’s dated 04/29/2018. Exhibit A-7 are series of 4 photographs showing front side, and rear of the residents, and the front of the existing garage. Exhibit A-8 is an aerial photograph of the subject property and the property surrounding it.

Mr. Bublitz expressed his love for his neighborhood and home, just requesting addition space. Mrs. Bublitz continued by expressing her love for the town and neighborhood. Mrs. Bublitz informed the board her family is nearby and loved her home, but more space is needed.

Mr. Steib swore in Mark and Alicia Bublitz.

Mr. Steib swore in Paul Damiano. Mr. Damiano a licensed architect of Spring Lake, NJ listed his education and licensing background. The board approved Mr. Damiano’s credentialing.

Mr. Damiano referred to exhibit A-1 that is locating the property on the eastern corner of East Avenue and Asbury Avenue. It is a nonconforming lot, its 7,000 square feet. The existing foot print has a nonconformity front yard off East Avenue of 11.32ft and of Asbury Avenue of 12.08ft . The intent of the addition was a craftsman style house that has a 1 & 1/2 story roof line to complement the existing structure.

Mr. Damiano referred to the aerial photo. The proposed addition to meet front and side set back. The variance is for 3.6% over, which would be the 1 story garage. Existing footprint is an enclosed porch with a living area, bedroom, master bedroom in the back and 1 bathroom. The proposal is to turn the master bedroom into a living room, then the living room can become a proper dining room, then there would be another bedroom that the master would share, and an addition bedroom. Then all that living space would be on one floor. In terms of the elevation being proposed, restore some of the jalousie windows and have more traditional windows in the front. Then Push the base of the addition back and extend the roof line. 3.4in increase from the existing ridgeline. Trying to compliment what’s there and keep the craftsman style.

Mr. Rohmeyer sworn in.

Mr. Rohmeyer states violates front yard setback. Front porch intent is just to change the windows. No present heat or air conditioning, 3 season porch. Mr. Rohmeyer informed Mr. and Mrs. Bublitz additional variance could be needed.

Mr. Rohmeyer questioned the discharge of the new roof. Mr. Damiano explained the pitch is left to right towards Asbury Avenue. Mr. Rohmeyer confirmed downspouts go out to the road. Mr. Damiano will add that in the resolution.

Mr. Rohmeyer questioned any new landscaping in which Mrs. Bublitz replied they will remove and replant the plants. The new living area will connect the house and the garden.

Mr. Rohmeyer addressed parking in which there will be room for one car in the garage, and two spots in the driveway. Mr. Bublitz spoke to his neighbors as well.

At this point Mr. Colangelo asked for any board questions. Mrs. Murray to Mr. Damiano questions A-1 being first floor plan or foundation plan. Mrs. Murray questions height difference in basements and back staircase being removed. Mrs. Murray also questioned garage needing a variance in which Mr. Damiano replied there was no change. Mrs. Murray also questioned the trees in which Mr. Damiano explained the one large tree would be removed for the addition.

At this point Mr. Colangelo asked for any questions from the public. There were none.

At this point Mr. Colangelo asked for any comments from the public.

Board Discussion

Mr. Colangelo stated it’s not overly impactful and liked that they were keeping the craftsman style house.

MR. DOUGHERTY MOVED TO APPROVE PB20-09, SECONDED BY MR. MCGOLDRICK

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO, MR. CURRY, MR. KRUPINSKI, MR. SONNEK-SCHMELTZ

Nays: NONE

Abstain: NONE

Absent: NONE

**PB20-05 Block 104, Lot 1 & 2, 24 Bayshore Plaza (DDJ Management, Inc)** – Application for Bulk Variance

Mr. Steib announced that he reviewed service, service is in order and the Board does have jurisdiction to hear this matter. Mr. Steib listed the exhibits which the Board has received to date. Exhibit A-1, review of your zoning officer Michelle Clark that’s dated 02/21/20. Exhibit A-2, application for developing permit DDJ Management Corp. dated 01/27/20. Exhibit A-3 a boundary and topographic survey prepared by Dynamic Survey LLC dated 04/04/19 you were advised 1/31/20. Exhibit A-4 is a preliminary and final site plan prepared by Dynamic Engineering dated 01/29/20. Exhibit A-5 is a traffic impact and parking assessment prepared by Dynamic Traffic 01/29/20. Exhibit A-6 is review #1 of your engineers CME Associates dated 04/02/20. Exhibit A-7 aerial map prepared by Dynamic Engineering dated 01/29/20 revised 03/25/20. Exhibit A-8 is a site plan rendering prepared by Dynamic Engineering dated 07/06/20. Exhibit A-9 is a photo exhibit prepared by Dynamic Engineering dated 07/05/20 with 4 photographs of subject property taken on 04/17/19. Exhibit A-10 is a drainage statement prepared by Dynamic Engineering dated 01/2020.

Mr. Kennedy was present to represent the applicant.

Witnesses present were Dominick Sequiera, Nicholas Verderese, and Kevin Savage

Mr. Kennedy representing Atlantic Highlands Donut LLC. Client is looking to install a drive through access lane on the existing Dunkin Donuts establishment. The establishment and drive through are both a permitted use. The overall variance requested is for existing conditions.

Mr. Dominick Sequiera of Lincroft, NJ was sworn in. Mr. Sequiera is the owner and operator of Altantic Donut LLC of 14 years. Mr. Sequiera is very familiar with the shopping plaza and its establishments. Currently Mr. Sequiera’s establishment consists of 1500 square ft. interior space. Take out only. He listed his hours of operation, daily deliveries and trash removal. Mr. Sequiera stated there would be no changes if the drive through was approved but did mention he could possibly need to employee 1 or 2 more people during peak times.

Mr. Sequiera then explained the need for drive through lane. Explaining convenience, increased business, safer for employees and patrons during covid struggles.

Mr. Sequiera then addressed the parking lot spaces. With the drive through lane only one customer parking spot would be eliminated, but then added that less parking spots would be used with the drive through available.

Mr. Sequiera then explained his peak hours and how it was alternating from the other establishment’s peak hours.

At this point Mr. Colangelo asked for any board questions. Mr. Pepe questioned new landscaping being added. Mr. Kennedy explained the new landscaping plans. At this point Mr. Colangelo asked for any public comments. There was none.

Mr. Kennedy called Mr. James Henry. Mr. Henry was sworn in. Mr. Henry of Lake Como, NJ stated his credentials and the board approved. Mr. Henry reference the aerial map went over current landscaping and discussed new changes. Mr. Henry addressed all accesses to the parking lot. No change to existing structure other than the drive through window. Mr. Henry discussed the traffic flow and the stacking que for the drive through. Mr. Henry went over required parking spaces and thinks the drive through will significantly help with parking. Mr. Henry will request variance for required parking spaces.

Mrs. Murray questions entrance discrepancy. Mr. Henry addressing discrepancy, when Mr. Henry contacted DOT it was brought to their attention the lines were incorrectly painted.

Mr. Henry summarizes changes being made. Sidewalk being added, railing around drive through lane, 34 items such as trees and shrubs. Lightening is to comply with IES standards. Maintaining the large wooden bumper along the stream. No new signage modification. No change to trash pickups but adding a trash enclosure. Submitted to the DEP for wet land approval. Mr. Henry believes it will an overall be an improvement.

Mr. Rohmeyer states most comments have been addressed. Most specially, front door and drive through access. Mr. Rohmeyer questions new sign being added to guide people to the drive through. Mr. Henry confirms there is one new sign being proposed. Mr. Rohmeyer states the sign would be over the size permitted. Mr. Henry will discuss with his client if they could change the size of the sign. Mr. Rohmeyer questions lightening on signs. Mr. Henry explains they will be lit but not flashing. It will briefly change the menu and current featured items.

At this point Mr. Colangelo asked for any board questions. Mr. Boms questions if snow and snow removal will be an issue. Mr. Henry states they are still leaving a good portion in the back of the parking lot for snow removal. No issues of water draining.

At this point Mr. Colangelo asked if anyone from the public had questions. There were none.

Mr. Nicholas Verderefe was sworn in. Mr. Verderefe, a traffic engineer from Lake Como, NJ stated his licensing and credentials, the board approved. Mr. Verderefe referenced Exhibit A3 goes over existing conditions and identified differences with drive through. Mr. Verderefe then referenced exhibit A-8 site plan rendering and explained changes on site plan. Mr. Verderefe stated no change to adjacent roadways. 50-60% of traffic is already driving on highway 36. Mr. Verderefe explains that the drive thru would be set back far enough from the entrance to eliminate traffic at the entrance. Mr. Verderefe referenced other Dunkin Donuts establishments and also goes over a study done on peak parking times for the plaza.

At this point Mr. Colangelo asked for any board questions. Mr. McGoldrick questions entrance “do not enter sign” and Mr. Henry explains that’s a sign from the previous plans and new lines will be painted.

Mr. McGoldrick and Mr. Colangelo both concerned with safety of people coming in and out of that entrance. Mr. McGoldrick is concerned about traffic being backed up on the shoulder of Highway 36. Mr. Verderefe responded with redirecting with striping and signage, and making accommodations for 15 cars in the que.

Mr.Sequiera addresses concerns with other Dunkin Donuts establishments. Hazlet store in particular, does 3xs the business the Atlantic Highlands store does. Hazlet is the 2nd busiest store in the state. Mr. Sequiera understands the concerns and safety. Mr. Sequiera is willing to make all necessary requirements to direct the traffic as best as possible. Mr. Sequiera stated they could make a smaller sign or requested a variance. Mr. Kennedy requested variance for the sign.

Mr. Caccamo requested to be shown how he would exit the parking lot. Mr. Verderefe showed. Mr. Caccamo question the most favorable use and Mr. Verderefe showed. Mr. Caccamo explained there is an obligation to have clear direction and gave a solution.

Discussion continued about changing the sign from a two way to an entrance only and the mismarking on the signage. Mrs. Murray suggested the owner contact the company at fault for misuse of signage. Mr. Sequiera explained the time and expense that would create, and noted the property owner may not take on that financial responsibility. Mrs. Murray also questioned the flow from the Highway 36 and Leonardville Road merge.

At this point Mr. Colangelo asked if anyone from the public had questions. Mr. Leindorf of 60 Bayside Drive questioned why there were no sidewalks. Mr. Colaneglo responded it wasn’t related to the current topic.

Mr. Kennedy recalled James Henry. Two variances requested. One for parking, and the second for the over size of the sign. Mr. Henry feels both can be granted using C2. Mr. Henry continued to explain the benefits of the drive thru adding public health safety, convenience, free flow of traffic, no impact to Highway 36, improvements to the existing landscaping, and reduce parking demand. He also stated the improvements would be substantial.

At this point Mr. Colangelo asked for any board questions.

At this point Mr. Colangelo asked if anyone from the public had questions. Mr. Joshua Leinsdorf questioned again why there isn’t a side walk to the board. Mr. Colangelo interjected it wasn’t a question for the engineer.

Mr. Kennedy gave his summation.

Board Discussion

**MR. PEPE MOVED TO APPROVE PB20-05, SECONDED BY MR. KRUPINSKI**

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO, MR. CURRY, MR. KRUPINSKI, MR. SONNEK-SCHMELTZ

Nays: NONE

Abstain: NONE

Absent: NONE

**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 August 6th, 2020 Planning Board meeting at 7:00pm at 100 First Ave, Atlantic Highlands with no further notice required unless a virtual meeting is held.

**Adjournment**

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

MR. MCGOLDRICK MOVED TO ADJOURN THE REGULAR MEETING AT 10:23PM, SECONDED BY MR. BOMS. BY VOICE VOTE ALL AGREED.

 Kelly Snyder

 Planning Board Secretary