

Township of Manalapan

120 Route 522 & Taylors Mills Road
Manalapan, NJ 07726
(732) 446-8350

Planning Board Minutes

Virtual Meeting August 27, 2020

The meeting was called to order with the reading of the Open Public Meetings Act by Chairwoman Kathryn Kwaak at 7:30 p.m. followed by the salute to the flag.

Roll Call: Daria D'Agostino, Secretary

In attendance at the meeting: Barry Fisher, Todd Brown, John Castronovo, Daria D'Agostino, Kathryn Kwaak, Jack McNaboe, Barry Jacobson, Richard Hogan, Steve Kastell, Brian Shorr

Absent from the meeting: Alan Ginsberg

Also present: Ronald Cucchiaro, Planning Board Attorney
Brian Boccanfuso, Planning Board Engineer
Jennifer Beahm, Planning Board Planner
Lisa Urso-Nosseir, Recording Secretary

Mr. Cucchiaro swore in Brian Boccanfuso, Professional Engineer and Jennifer Beahm, Professional Planner.

Minutes:

A Motion was made by Mr. Fisher, Seconded by Chief Hogan to approve the Minutes of August 13, 2020 as written.

Yes: Fisher, Brown, Castronovo, D'Agostino, Kwaak, McNaboe, Jacobson,
Hogan, Kastell

No: None

Absent: Ginsberg

Abstain: None

Not Eligible: Shorr

Applications: **PMS1843EXT ~ The Grace M. Solinski Family
Ann Desjardins~Trustee
65 & 69 McCaffrey Road
Block 70 / Lot 35.01 and Block 70 / Lot 35.02
Extension of Time for Minor Subdivision**

Michael Paxton, Esq. appeared on behalf of his client this evening. This is a minor subdivision to legitimize two lots that are already on the tax maps as existing lots. His client's family has owned the properties since approximately 1940. The lots were divided and treated as two separate lots. The lots were never formally subdivided. There was an adjustment needed for the center lot line. A dedication of the frontage of the property for the ROW on McCaffrey Road resulted in additional variances. The Resolution was approved and memorialized July 25, 2019. Their engineer revised the plans to comply with the conditions of approval with the Board's engineer. Unfortunately, the plans were not finalized within the 190 days that are required and therefore this is why we are seeking an Extension of Time. Now, the maps are finalized and ready to be signed, filed and protected.

Mr. Cucchiaro said the applicant has diligently pursued the conditions of approval. Minor subdivisions can be tough due to the guidelines. He recommends that since the applicant has tried to comply with what is required, that the Board considers granting a one year extension of time, which is 190 days from July 25, 2019, or January 31, 2021.

A Motion was made by Mr. Castronovo, Seconded by Mr. Fisher, to approve the Extension of Time for PMS1843.

Yes: Fisher, Brown, Castronovo, D'Agostino, Kwaak, McNaboe, Jacobson,
 Hogan, Kastell
No: None
Absent: Ginsberg
Abstain: None
Not Eligible: Shorr

**PAM1907 ~ People Mover, LLC & Re-Hold, Inc.
Bridge Plaza Office Condominium
300 Bridge Plaza Drive ~ Block 3.03 / Lot 9.04
90 Bridge Plaza Drive ~ Block 3.03 / Lot 8.02
Amended Preliminary and Final Site Plan**

Salvatore Alfieri, Esq. represented his client, Michael Volvnik, this evening.

Mr. Cucchiaro swore in Michael Volvnik, corporate officer and managing member of the Bridge Plaza Condominiums. He is an engineer without a U.S. license. He is also a developer and builder. He came across Bridge Plaza in 1996 and he contracted the purchase and continued finishing the developments. Two units have been vacant for quite some time due to a parking deficiency. The units were owned by the development company. He could not sell the units, so he was forced to lease them out. He had difficulty extending their leases.

The building at 300 Bridge Plaza consists of three units. Originally, a potential client was Jersey Shore Hospital. They wanted to consolidate all three units to create a facility for Jersey Shore Hospital doctors. Consolidated, it would have been 6,200 sq ft. This space has been vacant since November 2011. The unit at 90 Bridge Plaza consists of 1,250 sq ft and it was occupied by a telemarketing group, but it has been vacant since June 2011. He has been prevented from renting these units since the zoning officer said there is a parking deficiency for these type of tenants.

Mr. Alfieri said there are currently 251 parking spaces on the premises, but per the Ordinance, there should be 300 required spaces. The parking counts were submitted to the Board. The counts were done by Mr. Volvnik in February 13-19, 2020; one count in the morning, one count in the afternoon. He counted the vacant spaces. Based upon those counts, there are consistently 87 vacant spaces on average. The daycare center does not use their spaces during the day. For example, LabCorp needs a majority of their parking early in the morning and then they close in the early afternoon. There are doctors with late evening hours, the hours are staggering throughout the complex to balance the parking. He wants to be able to rent, and/or sell, the units to professionals.

Ms. Beahm referred to the parking calculations and noted the parking demands are significantly higher, 394 spaces in fact. How do you reconcile that? Mr. Volvnik said that number came from the zoning office. Ms. Beahm said the 300 spaces required, is probably higher since it is for medical, and not general office. Ms. Beahm needs to have the right number for the variance. Mr. Boccanfuso said the 300 number in his report was based on Mr. Volvnik's parking study. There are a list of uses with their square footage. The different type of uses have different parking requirements. There are five vacant uses. If the three units are consolidated, the parking requirement would be 315.

Mr. Boccanfuso said this doesn't account for unit 435. Is that part of this application? Mr. Volvnik said it is not part of this application since there are no potential users at this time. Mr. Cucchiaro said look at the chart from CME. It sounds like the numbers in this chart have been redistributed and the square footage throughout the development was reviewed. The total parking

requirement would be 320. There are 251 existing. The variance relief would be 320 - 251, or relief for 69 spaces. Ms. Beahm asked if an expert planner is going to testify this evening. Mr. Alfieri said his client did not want to retain a professional at this time. Ms. Beahm said this is a C2 variance and there are requirements under the law for the positive and negative criteria to be met. Mr. Cucchiaro stated that from a legal perspective, an applicant is not required to have a professional, but the applicant is required to satisfy the positive and negative criteria and without an expert. Mr. Alfieri requested that they come back with a planner to satisfy this matter.

Mr. Boccanfuso said he does not see a daycare center on the list of uses that was submitted. Mr. Alfieri said the spots were taken into account and the daycare is about 7,000 sq ft. Mr. Boccanfuso asked Mr. Volvnik if he was aware of any complaints that have been made regarding parking issues? Mr. Volvnik said about one year ago, the zoning officer mentioned at the Zoning Board meeting that there were some complaints, but he does not know of the details of the complaints. Mr. Boccanfuso stated that most of the striping has faded away. Would you be willing, in your capacity, to restripe the parking lot. Mr. Volvnik agreed and said he does have some control as a member of the board to get this done.

The applicant is not seeking a decision this evening, rather they will return with a Professional Planner.

Mr. Cucchiaro stated that application PAM1907, PeopleMover, LLC and Re-Hold, Inc. will be carried to the September 24, 2020 virtual hearing at 7:30 pm. There will be no further notice to property owners. The virtual instructions will be posted on the Township website for interested parties.

**PBM1514A ~ Monmouth Heights Community Association
One Ryan Road ~ Block 1702 / Lot 50
Amended Final Minor Site Plan**

It was noted that two Board members, Todd Brown and Barry Jacobson, would be recusing themselves from this application.

Mollie Kamen, Board Member from the Monmouth Heights Community Association spoke about the modifications they are seeking approval for this evening. David Byrne, Esq. from Ansell & Graham is counsel for Monmouth Heights. Ms. Kamen gave a background of Monmouth Heights and stated there are 685 homes in the development and the entrance is on Ryan Road. There are two swimming pools and adjacent facilities for the members of Monmouth Heights. Monmouth Heights Community Association does their best to keep

the community satisfied. The improvements they are seeking include a shade structure 16 x 48. A 16 x 32 shade structure located by the snack bar is also requested. Four lights on poles that would light up the basketball court is part of this proposal as well. Also an additional 'lap lane' pool that would be no more than 4' deep and approximately 24 x 75 in proposed.

AJ Garito, PE for Two River Engineering is a licensed engineer in the State of New Jersey and has testified before Manalapan Boards previously. Mr. Garito shared his screen for the Board to see. Exhibit A1 is an aerial view of the site and how it currently exists. The property is about 5.5 acres in area and has two swimming pools. Exhibit A2 is sheet 3 of the site plan which shows the five improvements including the two cabanas, one is 16 x 32 and the other cabana is 16 x 48. There is an entrance way canopy, 12 x 18. The four lights on the basketball court are proposed as well as a lap pool. The only variance is for lot coverage of 52% vs 51%.

Mr. Cucchiaro asked Mr. Garito to speak about the design waiver relief needed for illumination for the basketball court. Ms. Beahm suggested that they request a design waiver for the parking while they are here tonight appearing before the Board.

Mr. Garito continued with Exhibit A3, the two cabanas proposed. They are open aired structures with a covered roof. Exhibit A4 is the entrance way, which is 12 x 18 and shown on the architectural. Mr. Garito agreed to comply with all the matters stated in both the Board engineer and planner reports. Ms. Beahm asked what time the lights would go off on the basketball court. Ms. Kamen said we are not looking to extend the hours of the pool club, the lights are just for convenience.

Mr. Garito reviewed the items listed in the engineer's review letter. Mr. Garito said there will be no improvements in the stream corridor buffer. Mr. Cucchiaro asked for confirmation that no relief is needed regarding the Township's stream corridor buffer and Mr. Boccanfuso said no improvements are proposed within the stream corridor buffer. There are some existing improvements in there, but they seem to pre-date the ordinance. Ms. Beahm also agreed with this statement.

Mr. Boccanfuso said in reference to the additional impervious coverage, there was an expansion of the patio on the left hand side. That portion of the patio was constructed in the last two years. Does that pertain to that additional patio area as well? Mr. Gatrio said he will compare all numbers and come up with a total percentage accordingly. The lights for the basketball court will comply with the ordinance requirements.

An affirmative Motion was made for application PBM1514A for an Amended Minor Site Plan with ancillary variance and design waiver relief by Mr. Castronovo and Seconded by Mr. Fisher.

Yes: Fisher, Castronovo, D'Agostino, Kwaak, McNaboe, Hogan, Kastell, Shorr
No: None
Absent: Ginsberg
Abstain: None
Not Eligible: Brown, Jacobson

Ordinance: **Ordinance 2020-19
An Ordinance Further Amending Ordinance 2020-07
Providing for Multi-Family Housing with an Inclusionary
Set-Aside of Affordable Housing to be Developed in the
Newly Created AH-Diocese Affordable Housing Overlay
Zone**

Ms. Beahm explained that this is the third amendment to this Ordinance. There was some language that the Fair Share Housing Center wanted included in the Ordinance. It isn't anything that affects the proposed development and it is consistent with the Settlement Agreement with Fair Share. She requests that the Board find the Ordinance substantially consistent with the Master Plan.

A Motion was made that Ordinance 2020-19 is substantially consistent with the Master Plan by Chief Hogan and Seconded by Mr. Fisher.

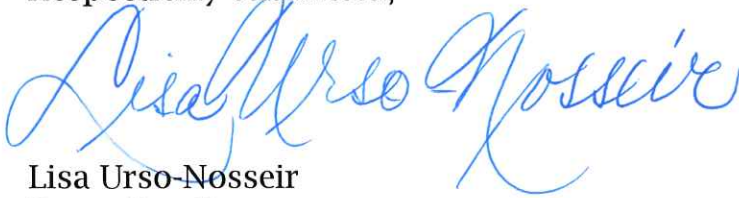
Yes: Fisher, Castronovo, D'Agostino, Kwaak, McNaboe, Jacobson, Hogan, Kastell
No: None
Absent: Ginsberg
Abstain: None
Not Eligible: Brown, Shorr

Chairwoman Kwaak opened the floor to any non-agenda items; seeing none, it was closed. She added that the next meeting will be September 10, 2020 and there are a number of pending applications at this time.

Adjournment

A Motion to adjourn the meeting was made by Chief Hogan and agreed to by all.

Respectfully submitted,



Lisa Urso-Nosseir
Recording Secretary

A recorded CD or DVD of the meeting is available for purchase by contacting the Planning Board Office.