

**PLANNING BOARD**

**APRIL 20, 2015**

**PRESENT:** Mr. Meyer, Ms. Sheridan, Mr. Campbell, Mr. Windas, Mr. Doherty, Ms. Rokoszak, Mr. Buke, Mr. Hoffman, and Mr. Reynolds

**ABSENT:** Mr. Forte

**ALSO PRESENT:** Board Attorney Douglas Kovats and Board Secretary April Claudio

At approximately 7:30 p.m. the secretary stated that adequate notice of this meeting of the Planning Board was sent by email to our official newspapers, the Coast Star, the Star Ledger, and the Asbury Park Press on December 22, 2014 and by posting a copy of said notice at the Municipal Complex on the same date.

The Board held a moment of silence for Jane Magovern, wife of Board member Brian Magovern.

Mr. Hoffman made a motion to waive the reading and approve the minutes of the March 16, 2015 meeting, which was seconded by Mr. Burke and approved by the following vote:

**AYES:** Mr. Meyer, Ms. Sheridan, Mr. Windas, Mr. Doherty, Mr. Buke, Mr. Hoffman, and Mr. Reynolds

**NAYS:**

**ABSTAIN:** Mr. Campbell and Ms. Rokoszak

Mr. Meyer made a motion to waive the reading and approve the resolution granting approvals to Federici's on Tenth, 705 Tenth Avenue, which was seconded by Mr. Doherty and approved by the following vote:

**AYES:** Mr. Meyer, Ms. Sheridan, Mr. Windas, Mr. Doherty, Mr. Buke, Mr. Hoffman, and Mr. Reynolds

**NAYS:**

**ABSTAIN:** Mr. Campbell and Ms. Rokoszak

**CHRIS BRANDL – 801 MAIN STREET**

Appearing with Mr. Brandl was his architect Tim McCorry. Mr. Brandl stated he would like to have an illuminated sign above the awning and a service window. Mr. McCorry stated they would also like signage on the window and a sign projecting off the building, both would be the logo for Jake's Downtown. There is also a menu board above the service window that is 4x18.

Mr. Kovats stated the property owner obtained variance relief by the Board for 15 signs on the property. He asked if these proposed signs are included in that or additional signage above the prior approvals. Mr. McCorry did not know. Mr. Kovats asked about the awning. Mr. McCorry stated there is no signage on the awning.

Mr. McCorry stated the proposed customer service window is 4 square feet. It would be fully open during business hours to serve customers.

Mr. Windas asked if the service window would be open late to serve people leaving the bars. Mr. Brandl stated it would probably mirror the hours of the brewery but doesn't know for sure.

Mr. Burke asked how this would benefit the town. Mr. Brandl stated it's something different to offer in town.

Mr. Reynolds asked if there is any obligation to give service windows to other restaurants on Main Street should they want them too. Mr. Kovats stated each application is voted on its own merits.

Mr. Hoffman asked how long would be the average wait time for a customer to be served. Mr. Brandl estimated 8 minutes.

**PLANNING BOARD**

**APRIL 20, 2015**

Ms. Rokoszak asked if there would be tables outside. Mr. Brandl stated he was unsure but if he did it would only be 2 or 3 tables.

Mr. Campbell asked Mr. Brandl if he would accept having the window with no tables. Mr. Brandl stated he would consider it but would like to have both. Mr. Campbell was concerned about congestion on the sidewalk. Mr. Brandl stated he doesn't want to have any obstructions. Mr. McCorry stated they could probably fit just one or two tables on the north side of the entrance doors which would be away from the window.

Mr. Doherty asked how long Mr. Brandl has been in business in Belmar. Mr. Brandl stated he has been in business since 2002. Mr. Doherty asked why he wants to open a location on Main Street. Mr. Brandl stated it's a different feeling to be on Main Street and feels it's a fun opportunity to pair up with the Brewery. He added this business would be different than Brandl Restaurant; it would be similar to the Jake's he had on the boardwalk.

Ms. Sheridan asked if there would be a trash can outside. Mr. Brandl stated he wouldn't want to have a garbage can outside to take up room but would have his staff make sure the area is clean. Mr. Burke asked where people would put their trash.

Mr. Doherty asked if people would stand in front of the window to eat the food or take it and leave. Mr. Brandl stated they would take it and leave. Mr. Doherty stated the garbage would probably then end up in a receptacle down the street.

Ms. Sheridan asked if the window would be open year round. Mr. Brandl stated it would not be open year round.

Mr. Doherty asked if the interior of the restaurant would be open year round. Mr. Brandl replied yes.

**Public:**

Mary Brabazon, C Street, stated it is something new and creative for the downtown and could increase foot traffic which we want.

**Board Comments:**

Mr. Meyer stated Mr. Brandl runs great businesses but he is having a hard time finding the public benefit to having a service window.

Ms. Sheridan stated she has concerns about the size of the menu board and what the advantage is to having the service window when people can just go inside to order.

Mr. Campbell stated he is okay with the window but is concerned about having tables outside and it becoming crowded.

Ms. Rokoszak stated she appreciates the uniqueness of the window but is unsure about it.

Mr. Doherty stated he has no problem with the window. He feels it's great that he wants to open another business in town. He added that Mr. Brandl is a smart business man and if the window doesn't work he won't use it. He stated he doesn't see any downside or harm.

Mr. Reynolds stated he appreciates Mr. Brandl wanting to open a new business however he doesn't like the idea of opening up the idea of having service windows on Main Street. He is also concerned about garbage.

Mr. Burke stated he did hear from some people who had objections such as it being unseemly. He feels Belmar has a boardwalk and a Main Street which should be separate and feels the service window is more of a fit for the boardwalk.

Mr. Hoffman believes it will be well managed but people could easily just go inside too. He would hope that there wouldn't be congestion on the sidewalk.

**PLANNING BOARD**

**APRIL 20, 2015**

Mr. Kovats stated there is no testimony on how the proposed signage fits in with the prior approvals granted by the Board and that it should be treated as additional signage and a "c" variance. Mr. McCorry stated the projected sign, the menu board, and the window glazing are above and beyond what the Board previously approved for the building.

Mr. Windas asked if the Board did not approve the service window would they still want the menu board. Mr. Brandl replied no.

Mr. Windas stated he agrees that Mr. Brandl has done great things for the town but doesn't think a service window on Main Street in the main business area is what we want to see in that area. He stated he might feel differently if there was no seating inside and more room on the sidewalk. He also stated he would be concerned about setting a precedent. He added he is okay with the signage.

Mr. Kovats summarized the application and stated the Board would vote on the service window and menu board as one part and the additional signage as a second part.

Mr. Campbell made a motion to approve the application, which was seconded by Mr. Doherty and received the following vote:

Mr. Meyer voted in favor of the signage and against the service window.

Ms. Sheridan voted in favor of the signage and against the service window.

Mr. Campbell voted in favor of the signage and in favor of the service window.

Mr. Windas voted in favor of the signage and against the service window.

Ms. Rokoszak voted in favor of the signage and against the service window.

Mr. Doherty voted in favor of the signage and in favor of the service window.

Mr. Reynolds voted in favor of the signage and against the service window.

Mr. Burke voted in favor of the signage and against the service window.

Mr. Hoffman voted in favor of the signage and in favor of the service window.

The signage was approved, the service window was voted down.

**INFORMAL HEARING – RICHARD WEBER, 213 16<sup>TH</sup> AVENUE**

Mr. Weber stated he is looking to purchase this property with the contingency that he would be able to upkeep and enact the original approvals granted by the planning board to subdivide the lot. Mr. Kovats stated these approvals were granted in 2004-2005 and nothing was done to perfect the subdivision or preserve the variance approvals. Mr. Kovats added the lot is currently a vacant 60x100 lot with a lost opportunity.

Mr. Weber stated he would like to get the Board's opinion on whether or not the town wants two 30x100 lots or not.

Mr. Kovats added that since the application was originally approved the town added a floor area ratio ordinance which should be taken into consideration. Mr. Weber stated he believes he may be able to build the homes in conformance. Mr. Kovats stated if he could not comply he would have to obtain a variance from the zoning board.

Mr. Kovats stated the original approvals was for the subdivision and variances for lot size, building coverage, front yard setback, side yard setback, and impervious coverage.

Mr. Kovats also offered that the town has adopted an ordinance that attached garages cannot make up more than 50% of the front façade and that should be considered on this proposal. Mr. Weber stated he could reduce the size of the garages so there's no additional variance.

Mr. Doherty stated the lot has been vacant for a long time and would like to see something built there.

Mr. Weber stated he could get rid of the garage and have a bigger porch.

Mr. Kovats asked if there was an opportunity for a shared driveway. Mr. Weber liked that idea.

**PLANNING BOARD**

**APRIL 20, 2015**

Mr. Campbell stated he would like to see something built.

Mr. Windas asked if there was a way to eliminate the front yard setback. Ms. Sheridan suggested if they remove the garages it gives more living space in the house which could mean the house doesn't have to be as long.

Mr. Windas suggested looking into building smaller homes that are for moderate incomes.

Mr. Meyer added that he is not averse to approving two homes on this lot.

Ms. Rokoszak stated she agrees but would be concerned about having too much house on these lots.

Mr. Weber felt if he removes the garages he could build a smaller home that would still get him some profit.

Being there was nobody from the public present, no public comment session was held.

Mr. Windas made a motion to adjourn the meeting, which was seconded by Mr. Meyer and approved unanimously.