

**PLANNING BOARD  
MARCH 16, 2015**

PRESENT: Mr. Meyer, Ms. Sheridan, Mr. Forte, Mr. Windas, Mr. Doherty, Mr. Burke and Mr. Reynolds

ABSENT: Mr. Campbell, Mr. Hoffman, Ms. Rokoszak and Mr. Magovern

ALSO PRESENT: Board Attorney Douglas Kovats, Esq., Board Secretary April Claudio, and Borough Engineer Joseph Venezia

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.

Oath of Office was administered to Board Member Doherty.

Mr. Meyer made a motion to waive the reading and approve the minutes of the February 9, 2015 regular meeting, which was seconded by Mr. Burke and approved by the following vote:

AYES: Mr. Meyer, Ms. Sheridan, Mr. Windas, Mr. Burke and Mr. Reynolds

NAYS:

ABSTAIN: Mr. Doherty and Mr. Forte

FEDERICI'S ON TENTH – 705 TENTH AVENUE

Appearing for this application was attorney Brian Wilton, owners James Wishbow and Mike Federici and Wade Mclellan of Shore Awning. Mr. Wilton submitted an additional drawing, drawing of existing outdoor dining area, and some photos to the Board.

Mr. Wishbow stated they currently have approval for outdoor dining in front of their building for 52 seats. It is only used from about May to September. The proposal is to add a canopy over the existing outdoor dining area. It would be 47 feet by 14.5 feet. The reasons for this are it allows for additional seating when it's raining, wind damages umbrellas on tables, and would be a better safety feature. The area will not be heated. The canopy would be made of a galvanized steel frame with a steel truss system and a typical canopy. It would be attached to the building with six posts into the ground. The west side of the canopy would have a clear panel to block wind and a privacy panel along the bottom to prevent people from walking into their driveway. The east side would just a privacy panel on the bottom. He explained a privacy panel is a piece of awning material about 32-36 inches high. Facing north there would also only be a privacy panel. The westside clear panel would only come down during times of high wind and rain. It will have a five foot area between the canopy and sidewalk to allow for pedestrian access. The existing light pole near the driveway will not decrease the pedestrian access. There will be cutouts to not interfere with the two existing trees. There will be no additional lighting added at this time and no changes to signage.

Mr. Burke asked for distance between posts and curb. Mr. Wishbow stated it would be about 6.8 feet.

Ms. Sheridan asked what color scheme would be used. Mr. Wishbow stated it will be subtle colors to match the building.

Mr. Forte asked if the canopy will be up all year. Mr. Wishbow replied yes. Mr. Forte suggested removing the privacy panels in the winter so pedestrians can walk through when it's not being used.

Mr. Kovats stated if there is lettering on the canopy it would have to be included in their allowable signage. Mr. Wishbow believes they may be very close to the allowable signage. Mr. Kovats stated they need to determine if a variance would be required or not. Mr. Wishbow stated they will conform to the ordinance.

Mr. Mclellan explained the construction details of the canopy. The canopy will be tan, brown and white.

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Mr. Venezia stated all of the questions he had in his review letter have been addressed. He recommended a condition that the Building Inspector confirm they meet the required 5 feet pedestrian access. He also suggested the Building Department be allowed to request additional lighting under the canopy if so needed for safety.

Public: Walter Magowan, 925 Main Street, stated Federici's have been good neighbors and feels this would be good for them.

Board Comments: Mr. Meyer stated his concerns were addressed and he likes the application. Ms. Sheridan agreed and stated she has no problems with the application. Mr. Forte stated all of his questions have been answered and he is in favor of this. Mr. Burke stated he has no problem with it as long as the sidewalk is clear. Mr. Reynolds and Mr. Windas stated they are fine with it.

Mr. Kovats stated the Board would be voting to approve the variance to allow the canopy and the granting of a waiver from the submission of a full site plan application.

Mr. Burke made a motion to approve the application, which was seconded by Mr. Meyer and approved by the following vote:

AYES: Mr. Meyer, Ms. Sheridan, Mr. Forte, Mr. Windas, Mr. Doherty, Mr. Burke and Mr. Reynolds

NAYS:

ABSTAIN:

Public: none

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