

## PLANNING BOARD

December 19, 2022

PRESENT: Kathleen West, Rick Meyer, Jay McDermott, William Lindsay, Bob Forte, Lou Fierro, and Mike DeBlasio

ABSENT: Tom Carvelli and Ted Protonentis

ALSO, PRESENT: Board Attorney Doug Kovats, Esq., Borough Engineers Jerry Freda and Christine Bell, and Board Secretary April Claudio

At approximately 7:00 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 and the Asbury Park Press on December 14, 2021 and by posting a copy of said notice at the Municipal Complex on the same date.

Workshop: Mr. Kovats explained the application on the agenda. No variances are being requested, just some design waivers. Received a submission earlier today from Sam Marzarella who is an objector.

At approximately 7:10 pm Mr. Meyer made a motion to go into Executive Session, which was seconded by Ms. West and approved unanimously.

At approximately 7:35 pm Mr. DeBlasio made a motion to go back into public session, which was seconded by Ms. West and approved unanimously.

Roll call was taken and all were still present.

Mr. Meyer made a motion to waive the reading and approve the minutes of the October 17, 2022 meeting, which was seconded by Mr. Lindsay and approved by the following vote:

AYES: Ms. West, Mr. Meyer, Mr. DeBlasio, Mr. Forte, Mr. McDermott, Mr. Lindsay and Mr. Fierro

NAYS:

ABSTAIN:

Mr. Lindsay made a motion to waive the reading and approve the resolution establishing the 2023 meeting dates, which was seconded by Mr. Meyer and approved by the following vote:

AYES: Ms. West, Mr. Meyer, Mr. DeBlasio, Mr. Forte, Mr. McDermott, Mr. Lindsay and Mr. Fierro

NAYS:

ABSTAIN:

### 613 10<sup>TH</sup> AVENUE LLC – 613 10<sup>TH</sup> AVENUE

Appearing for this application was Ms. Targonska, attorney William Shippers, engineer Rich DiFolco, and architect Brian Berzinskis.

Exhibits marked: A1 application, A2 survey, A3 site plan, A4 Grasso elevations, A5 colored rendering, A6 computer traffic rendering, PB1 Avakian review letter, and O1 Marzarella letter.

The LLC consists of one member:

The application is for 168 square feet commercial space and parking on the first floor, with 12 residential units above. The commercial space would be for a walk-up ATM.

Mr. DiFolco stated the site currently has a one-story office for a former eye doctor, a garage and parking. All will be removed. The lot is 75x150 in the CBD-1 Zone. They meet all the bulk requirements. Simply seeking approval for site plan and some design waivers. Twenty-six parking spaces are required and 27 are proposing using the new EV credit. The first floor would have the commercial space, a lobby, trash and mechanical room and an elevator. Above would be three floors with four residential units each. There would be a 6ft. fence around the perimeter. There is currently an easement to the west side of 3.6 feet which they will honor.

## PLANNING BOARD

**December 19, 2022**

Mr. Shipers gave the history of the easement between this application, lot 8 and lots 9 and 10 to the west. They will actually better the easement by having 4 feet of space. Mr. DiFolco stated there will be 14 feet from their fence to the neighboring property.

Ron Gasiorowski, attorney for Patty Cavanaugh, 1002 Main Street, asked that his client be shown the plans so she could understand the access to her property. She was advised by Mr. DiFolco and Mr. Shipers that her access would not be blocked.

Mr. DiFolco stated there will be 12 parking spaces for electrical vehicles with 6 of them having charging stations. There will also be one handicap parking space with one 8 ft. wide space next to it; which when combined makes 16 feet to meet the handicap accessibility requirement mentioned by the Borough engineer. He asked for a design waiver for landscaping. There will be some landscaping at the east and west sides and some on the 10<sup>th</sup> Avenue side, but it has not been determined yet. The parking area and driveway will be concrete. The walkways will be permeable pavers to allow water to infiltrate. The proposed impervious coverage will be 5% less than what exists today. Roof drains will discharge onto the concrete and down the driveway to the street and landscaping areas. Ceiling lights will be mounted in the garage. There will be no light spillage onto the neighboring properties. There will be some spillage onto the driveway and easement but can put up shields if needed.

Ms. Bell and Mr. Freda were concerned about the two parking spots at the back of the property not being big enough to allow for a vehicle to turn around. Mr. DiFolco felt another parking space could be used to turn around, so a vehicle doesn't have to back out the driveway. He would agree to dedicate one parking space as a turnaround area. The board discussed if a few things could be moved around to allow for them to pick up some additional space to making the parking spots larger.

Ms. Bell asked Mr. DiFolco how this application can be considered mixed use with commercial space on the first floor and apartments above. Mr. DiFolco felt this proposal was a less intense commercial use that would be a good transition from the Main Street commercial zone to the neighboring residential zone. It won't impact the residential use next-door.

Mr. Freda would like to see a plan for the column location in the garage. He suggested the roof gutters be piped underground out to the street. Mr. DiFolco stated they will use a bubbler system with perforated pipe.

Ms. Bell suggested adding a trellis with vines to the rear fence to block light spillage from the vehicles.

Mr. Freda suggested the private trash hauler be limited to twice a week for trash and once a week for recycling.

Ms. Bell asked about affordable housing. There are no affordable units proposed. Mr. Shipers will work with the town to make sure they comply with the ordinance.

Mr. Freda would like to see the water service increased to the appropriate size. Mr. DiFolco agreed.

Mr. Kovats asked about the rooftop HVAC units. Mr. DiFolco stated they will be centered in the roof and shielded.

Mr. Berzinskis explained the architectural plans. Each unit facing 10<sup>th</sup> Avenue will have a balcony. Parapets on the roof will shield the a/c units. Can add additional shielding to block noise.

Mr. Freda asked if there was plan for moving trucks and delivery trucks because they won't fit in the garage. He did not want to see the driveway access blocked. Mr. DiFolco suggested dedicating one parking space on the street for the ATM and a loading zone. Mr. Freda stated that would have to be reviewed and approved by the Police Department and Mayor & Council.

## PLANNING BOARD

December 19, 2022

The Board discussed putting a gate on the garage if the parking space for the ATM is moved onto the street.

Ms. West would like to see clear signage that you don't have to have an electric vehicle to park in one of the EV spots.

Mr. Fierro would like to see a stormwater report.

There was discussion about making changes to the trash room and having the trash wheeled out to the street for pickup.

Mr. McDermott asked if the building could be moved back so it's in line with the buildings on each side. Mr. Berzinskis stated they would lose the balconies by doing that. Mr. DiFolco suggested they move the whole building back and request a variance for the rear yard setback.

There was discussion about adding a stop sign at the end of the driveway where it meets the building.

Mr. McDermott would like to see the elevations altered to fit more with the seashore look of the town.

Public: Marvin Vanhise, 610 11<sup>th</sup> Avenue, lives directly behind the project. Doesn't understand how it can qualify as a mixed-use building with only 168 square feet of commercial space. He was concerned about the four-inch curb at the rear of the property by his property won't be enough. He would like to make sure there is no light spillage onto his property. Mr. McDermott suggested a guard rail or bollards along the rear fence.

Mr. Berzinskis submitted exhibit A7, side elevations. He showed that the rear elevation will mirror the front minus the balconies and the east and west side elevations will be the same.

Sam Marzarella, 602 10<sup>th</sup> Avenue, felt the application should include change of use. He would like to hear how this will affect the surrounding buildings. Spoke about his issues with 1000 Main Street and the approvals they did or did not get. Mr. Shipers stated his issues with 1000 Main Street have no relevance to this application. Mr. Kovats asked how it affects this application. Mr. Marzarella felt this project will aggravate the existing issues in that area and the Board needs to understand the impact it will have. If the Board approves the application, he would like them to put a stay on the resolution to allow him time to appeal. Mr. Kovats advised the Board does not have the ability to do that.

Patty Cavanaugh, 1002 Main Street, clarified some of her concerns about the easement. Submitted photos of her property and the easement area. She was concerned about the easement being blocked because there have been issues before. Mr. Shipers pointed out that the concerns she has involves 1000 Main Street which is not the subject of this application.

Board Comments: Mr. Meyer did not feel 2.5% of the building being commercial was in the spirit of the ordinance.

Mr. DeBlasio was concerned making the one street parking space for loading/unloading, the ATM and trash might be too much. He would like to see the building step back more.

Mr. Lindsay felt it was a quality application. He would like more clarity on the one parking spot and the easement.

Ms. West agreed with the other comments. She would like to see the building in line with the others. Felt it's a contemporary design and doesn't add to the transition.

Mr. Forte referred to the permitted uses schedule in the ordinance for the CBD-1 zone. He was concerned that they should be seeking a "D" variance from the Zoning Board of Adjustment instead.

## **PLANNING BOARD**

**December 19, 2022**

Mr. Fierro agreed with the other comments made. Would like to see a formal stormwater study done. Would like more information on trash removal and snow removal. Would like to see a picture of how the building would impact the easement.

Mr. McDermott stated it is rare to see an application with no variances. The one spot on the street being a multi-functional spot is key to the application. But may also be too much for one spot. The 168 sq. ft. of commercial space misses the spirit of the ordinance. There were a lot of conditions and details discussed that the Board would need to see.

Mr. Shipers suggested he be given time to review the transcript and reconvene with his team. He requested to carry the application and he will renote if necessary. The January meeting will be too soon.

Public: None

Mr. McDermott stated the terms of several board members are ending and he's not sure who is and who isn't coming back so he thanked everyone who served.

Mr. DeBlasio made a motion to adjourn the meeting, which was seconded by Ms. West and approved unanimously.