

PLANNING BOARD
APRIL 20, 2021 4 PM

The Manasquan Planning Board held a zoom meeting on April 20, 2021 at 4:00 pm with Chairman Neil Hamilton presiding.

Chairman Neil Hamilton stated that notification of this meeting was given to the Asbury Park Press and the Coast Star and the agenda for this meeting has been posted on the official website of the borough.

Chairman Neil Hamilton welcomed everyone and asked that everyone join him in a Salute to the Flag.

ROLL CALL: Present: John Muly, Robert Young, Greg Love, Mark Apostolou, Kevin Thompson, Leonard Sullivan, Neil Hamilton, and John Burke.

Mark Larkin arrived at 4:13 pm.

Absent: Mayor Ed Donovan, Mark Larkin and Mayor's Alternate Barbara Ilaria

Also present was Board Attorney George McGill and Board Engineer/Planner Albert Yodakis.

Mr. McGill read the Sunshine Laws for the meeting and the process to be followed for the zoom meeting.

OLD/NEW BUSINESS

Vouchers – Mr. Apostolou made a motion to approve the vouchers, seconded by Mr. Young.

AYES: Mr. Muly, Mr. Young, Mr. Love, Mr. Apostolou, Mr. Thompson, Mr. Sullivan, Mr. Burke, and Mr. Hamilton.

NAYS: None

ABSTAIN: None

RESOLUTIONS

#29-2021 – Union Avenue LLC (Sepe) – 33 Union Avenue

Mr. McGill stated that this resolution was approved at the last meeting.

#33-2021 – Howard, Thomas and Deirdre – 329 Euclid Avenue.

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Mr. McGill stated that there is an amendment to this resolution to reflect the southerly side of Euclid Avenue which would make the driveway at the westerly side.

Mr. Apostolou made a motion to approve the resolution as amended, seconded by Mr. Sullivan. Motion carried unanimously.

APPLICATIONS

#25-2021 – The Committed Pig – 165 Main Street

Appearing for the applicant is Attorney Keith Henderson, architect Mary Frizzell, Applicant Gerald Rotunno, and Engineer Joseph Kociuba.

Mr. Henderson asked questions of Mr. Rotunno.

Mr. Rotunno stated that he currently owns a restaurant in Manasquan which has been open since 2012. He stated that he will be moving The Committed Pig from 168 Main Street to the old Maria's site at 165 Main Street. He advised that he acquired 165 Main Street in January 2020 and that he is looking to move the business to expand the sitting capacity and have outside seating. He stated that the building will be fully renovated with a second floor open air dining area with the hours of operation being inside Monday through Friday, 9 am to 2 am, Saturday and Sunday from 8 am to 2 am with the outside dining opening at the same time with last seating at 10 pm.

Mr. Henderson asked questions of Ms. Frizzell.

She stated that the proposal for this project is to completely gut and renovate the first floor leaving the kitchen in the back where it currently exists, renovating the bathrooms to add more stalls and accessible stalls, and then adding a second floor which would include outdoor dining. She stated that there will be 2 new stair cases to the second floor. She stated that the total number of seats will be 86 seats on the floor area including the bar seats and 42 seats on the second floor in the indoor area and 52 in the outside dining area with 16 seats in the alley between the 2 buildings. She stated that the outside seating on the west side of the building will be within the applicant's property line and there is 5.5' on that side of the building. She advised that the signs would be approximately 16" tall and about 7' wide above each of the overhead doors with 2 overhead doors on the front and one on the side. She stated that there will be graphic of a pig on the awning over the front door which is approximately 21' square feet. She stated that the total signage would be approximately 50 square feet and there is no variance need for the signage.

Mr. Apostolou asked if the brick could be used for the whole building to stay in conformity with the other buildings. He inquired about a covering on the outside dining second floor. He stated that in his opinion the dark color is not something that he likes.

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Ms. Frizell stated that the retractable awning was looked into but they are very cost prohibitive, but they are looking into other options.

Mr. Burke inquired about the stairs going to the second floor and since the second floor is over a restaurant and kitchen and if there needs to be outside stairs for an exit.

Ms. Frizell and Mr. Yodakis both stated that they are not aware of such a requirement.

Mr. Yodakis stated that it could be reviewed by the construction department and the fire official, but he does not believe there is a requirement for outside stairs.

Mr. Rotunno stated that the second floor does not go over the kitchen which is in the back of the building.

Ms. Frizell stated that the kitchen is a single story structure in the back.

Mr. Muly asked if there would be an elevator.

Ms. Frizell stated that there will not be an elevator as there is not enough room for an elevator.

Mr. Larkin inquired about restrooms on the second floor.

Ms. Frizell stated that there will be 2 bathrooms on the second floor which would be unisex.

Mr. Yodakis inquired about the seat count.

Ms. Frizell stated that this is the maximum seats allowed but during COVID it would be less.

Mr. Henderson asked questions of Mr. Kociuba.

Mr. Kociuba stated that he reviewed this property and the adjacent properties. He advised that the property is 6,105 lot with 45 feet of frontage, conforming in both lot area and frontage. He stated that it is undersized in front yard setbacks with an existing condition of 8.3' where 10' is required. He also stated that it is undersized in side yard setback .2' and 5.5' where 3' and 7' are required. He advised that these are all existing conditions and there is no explanation of the footprint proposed. He stated that the coverage is also over 60.75% where 40% is permitted and 94.75% impervious where 60% is permitted. Again, he stated that these are all existing conditions and they are not looking to expand vertically. He stated that the use is permitted in this zone and the applicant does own the rights to the parking behind the property, specifically there are 32 parking stalls that the applicant has a lease for on the adjacent parking immediately to the southwest of the property as well as public parking in the Plaza. He stated that there would be 66 required parking spaces for this establishment which would be covered in the lease parking area and the Plaza as well as parking on Main Street throughout the downtown area. This is the variance that the

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applicant is seeking. He stated that there is nothing in Mr. Yodakis's letter dated April 13, 2021 that will be an issue. He went over the items in Mr. Yodakis's letter which included garbage pickup. He advised that the applicant will have a fence around the dumpster area. He stated that the benefits outweighed the detriments with regards to the Land Use Act which promotes purpose "I" desirable visual environment as the property has not been improved for some time now. He stated that a fire suppression system will be added to the building which currently does not exist. He advised that it also promotes purpose "G" provide sufficient space for a number of uses in the area.

Mr. Hamilton inquired about the lease parking spaces.

Mr. Kociuba stated that the parking spaces will not be marked and will be shared with the businesses on the property.

Mr. Apostolou commented on the brown wood and believes that it doesn't match the rest of the town.

Mr. Rotunno stated that he will take this suggestion into consideration.

There was discussion on the parking and leasing of the parking area in the back of the building.

Mr. Apostolou requested a copy of the parking lot lease to include with the resolution.

There was discussion on the parking lot and who owns what part of the parking lot and what would happen if the applicant purchases the property west of their restaurant.

Mr. Apostolou made a motion to open the hearing to the public, seconded by Mr. Burke. Motion carried unanimously.

There being no comment, Mr. Apostolou made a motion to close the public portion, seconded by Mr. Burke. Motion carried unanimously.

Mr. McGill requested clarification on the documents that have been requested from the applicant.

Mr. Apostolou stated that the owner testified that there are written documents that afford the applicant certain rights as it relates to the rear parking lot that is shared with other businesses. These are the documents he is requested be submitted for the resolution.

Mr. Henderson stated that all of the written documents are recorded and he presented his closing statements.

Mr. Apostolou made a motion to approve this application subject to the submission of the easements, seconded by Mr. Sullivan.

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AYES: Mr. Muly, Mr. Young, Mr. Love, Mr. Apostolou, Mr. Thompson, Mr. Sullivan, Mr. Larkin, John Burke, and Mr. Hamilton.

NAYS: None

ABSTAIN: None

#18-2021 – Ralco - 21 North Main Street

Appearing for the application was Attorney Kevin Starkey, Engineer/Planner Ray Carpenter and Envirotactics Director of Site Remediation Basil Ellmers.

Mr. Starkey stated that this application is very similar plan to a plan that was presented and approved in 2005 by this planning board.

Exhibits: B-1 – Boro Engineers Report dated March 12, 2021, A-1 application, A-2 Denial letter from zoning officer, A-3 preliminary and final site plan from Mr. Carpenter dated 10/13/2020, A-4 elevations prepared by Grasso Design Group dated 12/21/2020, and A-5 Storm Water Management Report.

Mr. Starkey stated that Mr. Ellmers is here to address the historic contamination of the property.

Mr. Ellmers stated his credentials and advised that his firm has worked on this property since the early 2000's when it was part of the original Clarke Brothers gas station and auto repair facility. He stated that his firm did some additional investigation in 2009 and reviewed documents associated with past environmental investigations. He advised that there were 8 areas of concern identified at the property and that there were 5 underground storage tanks that were investigated, remediated and ultimately given a "no further action" letter from NJDEP in October 2007. He stated these have all properly addressed in accordance with DEP requirements and obtaining the "No Further Action" letter closed out those cases for that investigation. He stated that there was remediation done for the offsite dry cleaners just to the north and contamination was migrating onto the subject property and was remediated by that responsible entity and was given closure from a licensed site remediation professional in June of 2019. He stated the remaining area of concerns consisted of former heating oil tank former hydraulic lifts which have all been investigated, sampled and were all below all applicable NJDEP standards and therefore no remediation or further investigation was necessary. He stated that all known areas of concern have been investigated in accordance with DEP requirements and that the environmental end of this site has been adequately addressed.

Mr. Starkey brought up a question from the Board Engineer regarding the groundwater and Mr. Ellmers stated that there should not be any impact on the storm water system as all ground water has met DEP standards.

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Mr. Burke inquired about the tanks and asked if they have been removed as well as the hydraulic lift pits.

Mr. Ellmers stated that the tanks were removed in 2000 and the DEP issued the “No Further Action” letter in 2007.

Mr. Apostolou asked if this information satisfies Mr. Yodakis concerns and approvals and does he see any additional issues that need to be addressed by Mr. Ellmers.

Mr. Yodakis stated that he is satisfied with all the testimony with regards to the contamination of the property.

Mr. Starkey asked Mr. Carpenter to give an overview and then go into the comments from Mr. Yodakis’s March 12, 2021 letter.

Mr. Carpenter advised that the subject property is in a B-1 zone, 14,172 square foot property with 80’ of frontage and it is a vacant conforming lot. He stated that the applicant is proposing to put a combination of retail and residential with approximately 2700 square feet of retail and 4 residential units on the site. He advised that the parking is close to conformity but is off by .17 parking spaces which will be addressed during the review of Mr. Yodakis’s letter.

Mr. Starkey asked Mr. Carpenter to go over the variances being requested.

Mr. Carpenter went over the variances that are being requested and advised that there is 60’ bike path next to the property which would be a good buffer for the property on that side. He voiced his opinion on the variances and why they are requesting them. He went over the remainder of the items on Mr. Yodakis’s letter dated March 12, 2021.

Mr. Hamilton inquired about being able to utilize any vacant retail space for professional offices.

Mr. McGill stated that in a B-1 zone you can mix the use of the space with retail and professional offices with residential on the second floor.

Mr. Carpenter continued to go over Mr. Yodakis’ letter dated March 12, 2021. He went over a water fountain placement for the bike path. He stated that the applicant would rather have a dumpster enclosure instead of road garbage pickup. He went over the signs and advised that they will meet all requirements. He went over the grading and drainage requirements as well as the landscaping, lighting and signage. He also went over the traffic impact for the site as well as the bike path sign being moved. He went over the balance of the miscellaneous items in the letter.

Mr. Yodakis stated that if the suggested walkway to access the patio is pavers there will not be a need for a coverage variances.

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Mr. Carpenter went over the trees that will need to be removed and stated that any damage to the sidewalks or curbs will be replaced as necessary.

Mr. Apostolou inquired about the basement and the storage for each tenant.

Mr. Carpenter stated that there will be cages built in the basement for each tenant with a lock on each one.

Mr. Yodakis asked that Mr. Carpenter provide him with a conceptual layout of the basement to make sure there is sufficient space.

There was discussion on the elevator and the stair locations. There was also a discussion on the patio in the back as well as the balconies.

Mr. Apostolou made a motion to open the meeting to the public, seconded by Mr. Burke. Motion carried unanimously.

There being no comment, Mr. Apostolou made a motion to close the public portion, seconded by Mr. Burke. Motion carried unanimously.

Mr. Love voiced his concerns on the traffic and stated that the corner is tight and there is a traffic light there and thinks it is too much for the area.

Mr. Hamilton agrees with Mr. Love's concerns and has concerns with the outdoor space and the garbage collection. He voiced his concerns with size of the structure in that area.

Mr. Burke voiced his opinion on the area and to get it cleaned up and that the structure should be scaled back.

Mr. Hamilton suggested doing away with the retail portion of the plan and have 5 apartments with the ground level as storage with decks for each tenant.

Mr. McGill stated that apartments cannot be done on the first floor as that would be a use variance request.

Mr. Starkey stated that the applicant is trying to design a nice building which is in compliance with the Borough ordinances. He stated that this application fully complies with mix used ordinances and the size of the building.

Mr. Apostolou inquired about balconies on the back side the building and removing the patio. Mr. Starkey stated that there was another alternative that was considered, a rooftop deck which would be in the rear of the building which would be accessed by way of stairs which would be

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available to the residents in the building. He stated that he thought that this would be used less than the patio. He stated that if the board would like them to consider this they would.

Mr. Hamilton stated that he is not in favor of the rooftop deck.

Mr. Larkin stated that he likes the idea of the balconies in the back of the building and voiced his concern on the traffic and there is no way of knowing if the tenants will be going left or right out of the parking lot.

There was discussion on traffic and forcing them to make a right turn as well as the impact on Main Street with the traffic being forced to make a right.

Mr. Starkey stated that the applicant would be willing to install balconies on the rear of the building but that would create a need for a setback variance from the rear property line.

There was discussion on the balconies in the rear of the building and the planning board would be in favor of this.

Mr. Starkey stated that if the balconies are moved to the rear of the building that this would eliminate the variances for the setback for the patio and side. He stated that the balconies would be off the bedroom in the back.

Mr. McGill stated that this change would require a new notice and a new application. His recommendation would be to carry the application.

Mr. Starkey stated that the applicant will notice and provide a new set of plans. He stated that the dumpster will be hauled out by a company from the parking lot and will be handled by the owner.

Mr. Apostolou made a motion to carry this application to May 18 at 4 pm, seconded by Mr. Sullivan.

AYES: Mr. Muly, Mr. Young, Mr. Love, Mr. Apostolou, Mr. Thompson, Mr. Sullivan, Mr. Larkin, John Burke, and Mr. Hamilton.

NAYS: None

ABSTAIN: None

OTHER BUSINESS

Mr. Hamilton stated that the zoning office needs clarification on the Snitsky Resolution on Brielle Road as it relates to the drainage.

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Mr. Apostolou made a motion to authorize a letter stating that the planning board is waiving the drainage requirements for this property, seconded by Mr. Young. Motion carried unanimously.

Mr. Sullivan made a motion to close the meeting, seconded by Mr. Apostolou. Motion carried unanimously.

Date Approved: AUGUST 17, 2021