

**PLANNING BOARD
TOWNSHIP OF BARNEGAT – COUNTY OF OCEAN
STATE OF NEW JERSEY**

**MINUTES OF MEETING
OCTOBER 23, 2012
7:30 P.M.**

MEMBERS PRESENT: Ralph Dawes, (Chair), Anthony Altomare (Vice Chair), Jerry Harper, Albert Bille, Louis Fischer, Jack Leonardo, Jan Wicks, Robert Doherty, William Wiseman, Dorothy Ryan (Alternate I), Sara Winchester (Alternate II)

ALSO PRESENT: Stacey M. Daniels, Acting Secretary to the Board, John J. Hess, P.E., P.P., C.M.E., (Birdsall Engineering, Inc.), Board Engineer, Michael McKenna, Esq., (Hiering, Gannon & McKenna), Board Attorney

FLAG SALUTE

OPEN PUBLIC MEETINGS ACT

NOTICE OF CURFEW

FIRE EXITS

ROLL CALL OF MEMBERS AND CONSULTANTS

BUSINESS OF THE BOARD: TENTATIVE 2013 MEETING SCHEDULE

Motion by Mr. Altomare to adopt the 2013 meeting schedule; second by Committeeman Bille.

Aye: Altomare, Bille, Doherty, Fischer, Harper, Leonardo, Ryan, Wicks, Winchester, Wiseman, Dawes

Motion carried.

MASTER PLAN/LAND USE ORDINANCES:

Mr. Dawes commented the Master Plan subcommittee is continuing to meet and is making great progress. The Historic Design standards are ready to be moved along; progress is also being made with the Commercial Design standards for the Town Center area. A Vision Statement will begin to be worked on.

APPROVAL OF MINUTES: NONE

CORRESPONDENCE:

Mr. Dawes noted all correspondence received is listed on the agenda.

RESOLUTIONS:

RESOLUTION NO. P-2012-31
DOCKET No. PB 01-11
FOUR SEASONS AT SEA CREST PINES
(FORMERLY FIFTH AVENUE TRACT)
VARIOUS BLOCKS & LOTS
WEST BAY AVENUE
CONVERSION OF PLANNED ADULT COMMUNITY
TO NON-AGE RESTRICTED DEVELOPMENT
REMAND HEARING ON SETTLEMENT PLAN

Mr. McKenna summarized the resolution.

Motion by Mr. Altomare to adopt; second by Mr. Leonardo.

Aye: Altomare, Leonardo, Doherty, Ryan, Wicks, Winchester, Dawes

Motion carried.

INFORMALS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

- A. **DOCKET NO. PB 12-10
DR. GORDON SANGREE
BARNEGAT DENTAL
BLOCK 210, LOTS 20.03 & 33
498 NORTH MAIN STREET
MINOR SITE PLAN**

Richard Visotcky, Esq., of Kelly & Visotcky, representing the Applicant.

Mr. Visotcky explained the Applicant is looking to expand the parking lot to the north. Currently there are fourteen parking spaces, the ordinance requirement based on the square footage is twenty-two; the proposal is for twenty-nine spaces. An approval of the minor site plan could be conditioned upon a lot consolidation.

Mr. Hess summarized his October 8, 2012 review letter.

James D. Brzozowski, P.E., P.P., Horn, Tyson & Yoder, sworn.

Mr. Brzozowski placed his credentials on the record.

Motion by Mr. Fischer to accept as an expert witness; second by Ms. Ryan.

All voted aye. Motion carried.

- A-1 Photo depicting current site conditions
- A-2 Photo depicting ingress/egress
- A-3 Site Plan (dated 7/26/07 latest revision 9/10/12)

Mr. Brzozowski testified to the location of the site describing the surrounding area. He explained the proposal is to expand the parking lot to the north of the existing parking lot. The zoning requirement is for twenty-two parking spaces, the expansion of the parking lot will provide twenty-eight spaces. No variances are being requested and the zoning requirements for the zone are met. Mr. Brzozowski testified that exhibits A-1 and A-2 depicted the current parking lot and site conditions. Mr. Brzozowski testified the requirements for a major site plan are not pertinent to an expansion of the parking lot. The lots would be consolidated, the location of the dumpsters is ideal for the site configuration. The Applicant is willing to install the curbs and sidewalks. Landscaping would be provided in the islands, but perimeter landscaping should not be required as the site is already wooded. Mr. Hess commented for the majority of the site that is accurate, but on the westerly side of the property, he feels there could be a future impact if no landscaping is installed. Mr. Brzozowski testified a detailed lighting plan would be provided, and explained the drainage design, advising the state has issued a permit to fill the wetlands on the property. The Board expressed concern regarding a small portion of adjoining frontage, which would leave a gap in the sidewalks.

Motion by Mr. Fischer to open to the public; second by Mr. Harper.

All voted aye. Motion carried.

Mr. Dawes noted for the record there was no public comment.

Motion by Mr. Harper to close to the public; second by Ms. Ryan.

All voted aye. Motion carried.

Mr. McKenna charged the Board.

Motion by Mr. Wiseman to approve; second by Mr. Fischer.

Aye: Wiseman, Fischer, Bille, Doherty, Harper, Leonardo, Wicks, Altomare, Dawes

Motion carried.

**B. DOCKET NO. PB 03-19
PARAMOUNT HOMES
PARAMOUNT ESCAPES OCEAN BREEZE
BLOCK 90.22, LOTS 2.06, 2.07 & 2.08
BLOCK 90.43, LOTS 46 & BLOCK 90.54, LOTS 1 & 2
FIELD CHANGE REQUEST – PHASING SECTION 2**

A-1 Field Change Map (dated 10/4/12)

Ian Borden, Professional Design Service, sworn.

Mr. Borden placed his credentials on the record.

Motion by Leonardo to accept as an expert witness; second by Mr. Harper.

All voted aye. Motion carried.

Mr. Borden testified Ocean Breeze in the Barnegat side contains sections 2-10. Currently the Applicant is building section 2, which is the first work to be performed on the Barnegat side of the site. Section 2 consists of 80 lots; the applicant is seeking to have a change in the phasing plan, allowing the map to be filed in two phases for section 2. This request will not change the construction or design layout. Exhibit A-1 depicts the section limits and the two phases being proposed. The reason for this request is due to the pace of sales and taxes. The intent is to file the map once the site improvements are substantially completed. Mr. Hess explained to the Board this project was subject to the Permit Extension Act and it was recently extended through the end of 2014, but once under construction this no longer is an issue as long as the bonds are posted and the maps are filed. He also advised even though the lots are to be phased in the streets will all go in upfront.

Motion by Committeeman Bille to open for public comment; second by Mr. Altomare.

All voted aye. Motion carried.

Mr. Dawes noted for the record there was no public comment.

Motion by Mr. Harper to close to the public; second by Committeeman Bille.

All voted aye. Motion carried.

Mr. Hess commented that Mr. Borden had also had a request in regarding curbing. Explaining the original approval was for vertical Belgium block curb, the proposal now is for mountable curbing. The RSIS does permit this type of curbing.

Motion by Mr. Fischer to approve; second by Mr. Harper.

Aye: Fischer, Harper, Bille, Doherty, Leonardo, Wicks, Wiseman, Altomare, Dawes

Motion carried.

**C. DOCKET NO. PB 96-15
HERITAGE POINT, L.P.
HERITAGE POINT NORTH
BLOCK 93, LOT 2
FIELD CHANGE REQUEST
MODIFICATION TO STORMWATER BASIN MAINTENANCE**

Mr. Doherty recused himself from the application.

Neil Brodsky, Esq., of Carluccio, Leone, Dimon, Doyle & Sacks, LLC, representing the Applicant.

Frank J. Baer, P.E., WSB Engineering, sworn.

Motion by Mr. Fischer to accept as an expert witness; second by Mr. Harper.

All voted aye. Motion carried.

Mr. Baer testified the original plans as approved provided for basin maintenance criteria requiring cutting or mowing of the vegetation on the basin floor whenever the height reached three-and-a-half to four-and-a-half inches and side slopes mowed once in June and once again in September. However, those approvals were obtained in the late 90's and stormwater regulations have changed. The more current regulations allow the vegetation to remain in its natural state without cutting. Pinelands has issued a letter stating they have no objection to the change and the maintenance plan. Mr. Hess informed the Board that the new regulations do allow the basins to remain vegetated; sand bottoms are also now being promoted to help with the recharge. Trimming would occur approximately four to six times a year.

Donald McEwan, President of the Board of Trustees, sworn.

Mr. McEwan testified the HOA is in full agreement with the proposal, providing there is the eight-foot cut around the top. He explained the HOA currently has five basins that have been turned over to them and they currently cut those three to four times a year and would like to keep that consistent throughout the site.

Motion by Mr. Harper to open for public comment on the application; second by Mr. Wiseman.

All voted aye. Motion carried.

Mr. Dawes noted for the record there was no public comment.

Motion by Mr. Harper to close to the public; second by Mr. Wiseman.

All voted aye. Motion carried.

Motion by Committeeman Bille to approve; second by Mr. Fischer

Aye: Bille, Fischer, Harper, Leonardo, Wicks, Wiseman, Altomare, Dawes

Motion carried.

OPEN MEETING FOR GENERAL PUBLIC COMMENT:

Motion by Mr. Altomare to open the meeting for public comment; second by Mr. Fischer.

All voted aye. Motion carried.

Rose Jackson, 12 Marblehead Place, sworn.

Ms. Jackson commented that she could not attend the meeting for the conversion application for K. Hovnanian and felt it was very irresponsible of the Planning Board to hold a meeting on the highest Jewish holiday of the year. As president of the Home Owners Association, she did want to attend and express the HOA's opposition to allowing this conversion. She commented that the HOA may be contesting the Board's decision.

Motion by Mr. Wiseman to close to the public; second by Mr. Harper.

All voted aye. Motion carried.

APPROVAL OF VOUCHERS: **P-2012-32**

Motion by Mr. Harper to approve the vouchers; second by Mr. Wicks.

Aye: Harper, Wicks, Bille, Doherty Fischer, Leonardo, Wiseman, Altomare, Dawes

Motion carried.

LITIGATION/EXECUTIVE SESSION: NONE

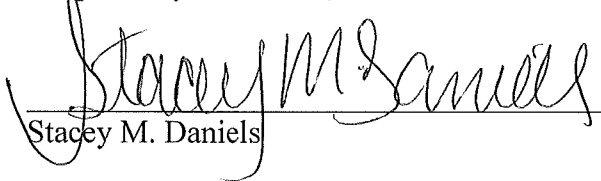
ADJOURN MEETING:

Motion by Mr. Fischer to adjourn; second by Leonardo.

All voted aye. Motion carried.

Meeting adjourned at 8:43 p.m.

Respectfully Submitted,


Stacey M. Daniels