

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

**MINUTES OF MEETING
APRIL 26, 2022
6:30 P.M.**

MEMBERS PRESENT: Al Bille – Committeeman, Robert Doherty - Vice Chairman,
Louis Fischer - Class II, James Goldstein, Jack Leonardo - Chairman, George Perez,
Fred Rubenstein - Mayor’s Designee, Lou Scheidt, Glenn Swank, Phillip Grasso - Alternate II

MEMBERS ABSENT: William Wiseman - Alternate I

ALSO PRESENT: Stacey M. Cole, Secretary to the Board, Michael J. McKenna, Esq., Hierung,
Gannon & McKenna, Board Attorney, David Barry, P.E., CME Engineers, Board Engineer

FLAG SALUTE

OPEN PUBLIC MEETINGS ACT

NOTICE OF CURFEW

FIRE EXITS

ROLL CALL OF MEMBERS AND CONSULTANTS

BUSINESS OF THE BOARD: **NONE**

MASTER PLAN/LAND USE ORDINANCES: **MASTER PLAN MINUTES JULY 14, 2021**

Motion by Mr. Doherty to approve; second by Mr. Scheidt.

Aye: Doherty, Scheidt, Perez

Motion carried.

APPROVAL OF MINUTES: **MARCH 22, 2022**

Motion by Mr. Rubenstein to approve; Committeeman Bille.

Aye: Rubenstein, Bille, Goldstein, Grasso, Swank, Doherty, Leonardo

Motion carried.

RESOLUTIONS: **NONE**

OLD BUSINESS: NONE

NEW BUSINESS:

**A. DOCKET NO. PB 22-05
BARNEGAT TOWNSHIP BOARD OF EDUCATION
ELIZABETH V. EDWARDS SCHOLL
382 NORTH MAIN STREET
BLOCK 250, LOT 13
DEMOLITION OF ELIZABETH V. EDWARDS SCHOOL
COURTESY REVIEW**

Jeff Williams, Speizel Architect Group, sworn.

Ben Fazio, Facility Director, sworn.

Mr. Williams testified a facilities analysis was performed to see if the was cost to renovate the school and it is not feasible. In the matter of safety, the best thing to do is demolish the building. The Board inquired if the proposal is to use the land as a park. Mr. Fazio confirmed that is the current plan along with the buses using the driveway. The aboveground diesel tanks were questioned and the tanks being a safe distance away from what would be a public park. Mr. Fazio addressed the Board's concerns regarding the asbestos advising they are working with an environmental agency who will do the abatement prior to the demolition. The Board inquired as the numbers submitted for the project and if they feel this is an accurate estimate. Mr. Williams explained they use historical data from previous projects to estimate the budget and also verify their numbers with contractors who have performed similar work. The demolition will take approximately a month, however they will be looking to salvage as much as they can from the building that is not contaminated. Returning the area to lawn will be dependent on the time of year but the infill will happen right away.

Motion by Mr. Fischer to open for public comments; second by Mr. Committeeman Bille.

All voted aye. Motion carried.

Mr. Leonardo noted for the record there was no public comments.

Motion by Mr. Fischer to close to the public; second by Mr. Goldstein.

All voted aye. Motion carried.

Mr. McKenna charged the Board.

Mr. Barry commented permits will be required from the Building Department and revegetation of this area will trigger the new stormwater management regulations. He stated the township engineer will also want to be in the loop with the concept plans to help guide the Board of Education.

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

Aye: Doherty, Fischer, Goldstein, Perez, Rubenstein, Scheidt, Swank, Leonardo, Bille

Committeeman Bille inquired if this will look like the town is encouraging the demolition of the building. Mr. McKenna explained this is a courtesy review the School Board is permitted to do what they are proposing; advising there is a function within the MLUL for other governmental agencies to present their projects to the planning board. He reiterate the town is not sanctioning the demolition. Committeeman Bille commented he is voting yes for the safety factor for the town. Mr. Rubenstein requested to change his vote to an aye. Mr. McKenna advised that would be acceptable.

Motion carried.

**B. DOCKET NO. PB 22-04
WALTERS DEVELOPMENT Co., LLC
13 & 15 STAYSAIL AVENUE
BLOCK 92.56, LOTS 1.01, 1.02 & 1.03
MINOR SUBDIVISION WITH VARIANCES**

Steven Ward, Esq., Giordano, Halleran & Ciesla, representing the Applicant.

Mr. Ward advised the Board as the location and zone of the property; explaining the Applicant proposes resubdivide the three lots into four advising of the proposed lot square footage for each; all four of the proposed dwellings will front on Lookout Avenue.

Mr. Barry summarized his review letter.

John Kornick, P.E., P.P., K2 Consulting Engineers, sworn.

Mr. Kornick placed his credentials on the record.

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

All voted aye. Motion carried.

A-1 Plan of Minor Subdivision 2/8/22

Mr. Kornick testified this is a resubdivision of the properties identified; explaining in 2008 this Board approved a subdivision of the four lots into three lots. He testified to the location and zone of the property advising single family homes are a permitted use. The interior lot is a 9,000 square foot lot which is permitted within the RH zone; under the 55-47e allows the development of the lots under 10,000 square feet providing that a Pinelands credit is purchased or 2 other existing lots in the RC zone need to be permanently protected by deeding them as open space. Mr. Kornick explained Walters owns a majority of the lots in the RC zone which surrounds the Ocean Acres area and if this is approved they submit to the Pinelands Commission and identify two of the lots. The ordinance has a unique definition for a corner lot where lot depth and lot width are taken from both frontages the minimum lot depth is 120 feet for which a variance being requested sought from Catalina Avenue. Mr. Kornick testified they are requesting a C2 variance; testifying the lot is suited for the use and this is consistent with the neighborhood and existing homes being developed. He testified to the positive and negative criteria commenting in his professional opinion this is a minor deviation with no impact as proposed and the benefits of the deviation outweigh any detriments.

There was a discussion regarding runoff and drainage as there has been substantial issues with grading and drainage recently all over town. Mr. Ward explained to the Board Ocean Acres has a unique approval process as most of the subdivision and improvements predate the Municipal Land Use Law. The Applicant has gone over some of the ordinances with Mr. Otto to determine what is applicable to certain sites.

Motion by Mr. Rubenstein to open to the public; second by Committeeman Bille.

All voted aye. Motion carried.

Mr. Leonardo noted for the record there was no public comments.

Motion by Mr. Rubenstein to close; second by Mr. Fischer.

All voted aye. Motion carried.

Mr. Kornick advised the Board that the Applicant is aware of Mr. Taylor's comments in regards to street trees and they would prefer not to have to install street trees as they become problematic.

Ed Walters, sworn.

Mr. Walters testified DR Horton is installing trees as part of the overall subdivision. He commented there is only three feet from the curb and the sidewalk and overtime this becomes an issue and to single out these four lots does not make sense. The Board has a discussion regarding the street trees and the problems which have arisen for the township as the township is ultimately responsible for the trees. After a discussion on the street trees the Board felt this was not a necessary condition of approval.

Mr. McKenna charged the Board.

Motion by Mr. Scheidt to approve; second by Mr. Goldstein.

Aye: Scheidt, Goldstein, Fischer, Perez, Rubenstein, Swank, Doherty, Leonardo, Bille

Motion carried.

NEW BUSINESS: NONE

APPROVAL OF VOUCHERS: **RESOLUTION NO. P-2022-9**

Motion by Mr. Goldstein to approve; second by Mr. Scheidt.

Aye: Goldstein, Scheidt, Fischer, Perez, Rubenstein, Swank, Doherty Leonardo, Bille

Motion carried.

OPEN MEETING FOR GENERAL PUBLIC COMMENT:

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

All voted aye. Motion carried.

Mr. Leonardo noted for the record there was no public comments.

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

All voted aye. Motion carried.

LITIGATION/EXECUTIVE SESSION: NONE.

ADJOURN MEETING:

Motion by Mr. Doherty to adjourn; second by Committeeman Bille.

All voted aye. Motion carried.

Meeting adjourned 7:35 pm

Respectfully Submitted,



Stacey M. Cole, Board Secretary