

ZBA Meeting 2-20-2014

**TOWNSHIP OF OCEAN
Zoning Board of Adjustment
Minutes
February 20, 2014**

7:00 P.M.

PLEDGE OF ALLEGIENCE

The regular meeting of the Zoning Board of Adjustment was held on the above date and time;

STATEMENT: Pursuant to the provisions of the New Jersey, Open Public Meetings Act, sending copies of the notice of meeting properly provided adequate notice of the meeting to the Asbury Park Press and the Press of Atlantic City. Notice was posted on the bulletin board in the Administration Building.

ROLL CALL

Members Present	Stanley Anderson	Ronald Bruno
Stanley Bystrek	Edward Covitz	Antonio DeAlmeida
Raymond Roskowski	Brian Higgins	

Absent: Albert Linck, John Petrosilli

Professionals: Attorney Brian E. Rumpf, Esq.
Engineer Patrick Jeffrey
Landscape Architect Scott D. Taylor

Chairman Edward Covitz asked for a motion for the minutes of the Regular meeting on January 16, 2014. Ron Bruno made a motion to approve and Antonio DeAlmeida seconded the motion. Roll Call: (Ayes) Bruno, DeAlmeida, Anderson, Bystrek, Roskowski, Higgins, Covitz.

Chairman Edward Covitz asked for a motion for the minutes of Reorganizational meeting on January 16, 2014. Antonio DeAlmeida made a motion to approve and Ron Bruno seconded the motion. Roll Call: (Ayes) DeAlmeida, Bruno, Anderson, Bystrek, Roskowski, Higgins, Covitz.

Chairman asked for a motion to approve the bills. Antonio DeAlmeida made a motion to approve and Ronald Bruno seconded the motion. Roll Call: (Ayes), DeAlmeida, Bruno, Anderson, Bystrek, Roskowski, Higgins, Covitz.

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CORRESPONDENCE - NONE

MATTERS OF THE BOARD - NJPO Winter-Spring Programs, Mandatory Training Programs and Experienced Sessions held on April 5, 2014 at Ocean County Fire Academy.

BOARD COMMENTS:

None

RESOLUTIONS

Resolution Number 2014-1-BA, Authorization from the Zoning Board of Adjustments to direct the execution of Contracts of Agreement with the following Professional for their services for year 2014 in the following Resolutions.

Chairman asked for a motion to approve the Resolution 2014-1-BA. Stanley Anderson made a motion and Raymond Roskowski seconded it. Roll Call: (Ayes), Anderson, Roskowski, Bruno, Bystrek, DeAlmeida, Higgins, Covitz.

Resolution# 2014-7-BA
Eileen Molloy & Donald J. Molloy
Docket# 08-13-BA
90 Oregon Avenue
Block 200 Lot 16
Bulk Variance, 1 Front Yard, 2 Side Yards, and Lot Coverage

Chairman asked for a motion to approve the Resolution 2014-7-BA. Antonio DeAlmeida made a motion and Ron Bruno seconded it. Roll Call: (Ayes), DeAlmeida, Bruno, Anderson, Bystrek, Roskowski, Covitz.

OLD BUSINESS

None

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NEW BUSINESS

Lord of Lord's Community Bible Church
Docket # 09-13-BA
442 Route 9
Block 195 Lot 1.04
Preliminary and Final Major Site Plan

Chairman asked the applicants to come up to the stand. , Richard Hyer Esq. represented the Applicant and was sworn in by the Board Attorney, Brian Rumpf. The witnesses were also sworn in: Bruce Jacobs from Gavett Consulting Group, Pastor Dayle Tate and Craig Brearly from Craig Brearly Architect.

Richard Hyer had Bruce Jacobs explain the applicants' request.

Bruce Jacobs let the board members know where the proposed project is located with a brief description of the surrounding residents and businesses.

Mr. Jacobs described the property in question. He stated that the property was a Single Family Dwelling proposing to be converted to a Church. He explained how the applicant is proposing to create a parking area in front of the building site from Route 9 and proposed it be a gravel parking lot. He continued to discuss the ADA ramp, site lighting, and access to the building. Mr. Jacobs explained the entry walkway that is being proposed.

Mr. Jacobs stated that the proposed landscape is to utilize the existing and proposed some street trees. He explained the wetlands line that traverse along the back of the property. He explained that the LOI has been applied and it is under review at this time and the applicant is expecting a 50 foot buffer. He then explained that the applicant is seeking three variances.

The first variance is in regards to the loading space where the applicant seeks variance. Mr. Jacobs asked for a waiver on behalf of the applicant because they do not require a loading space since it will be used as a Church. The existing shed will be housing for the garbage cans. They do not need a dumpster; garbage cans will be used just like any other resident in Waretown.

He explained that the applicant proposed LED lighting that is energy efficient with an acorn shape.

He explained the parking lot being washed gravel which will be cleaner with no dust. There will be no curbs to allow proper drainage. Sidewalk will be proposed for pedestrians to have a walkway to the entry. The applicant will comply with storm water management. The water flows effectively. He stated there will be sufficient parking space. He explained that the entrance would be to the north and one way exit on the south.

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He then explained that in the winter time they would just have to be careful with the gravel parking lot. Two handicap parking spots with the appropriate signage. He explained the circulation of vehicles. That will allow better sight distance and visibility. He explained that the applicant is seeking waivers from the DOT. Chairman Covitz had a concern with the making a left turn over a double solid line on Route 9. Mr. Jacobs explained that it is up to the DOT once they receive their determination.

Mr. Jacobs provided the Board with Exhibits A-1-A-5 consisted of 19 photographs that were taken by him the day of the Zoning Board Meeting, February 20, 2014. He provided the members with a brief description of each picture taken. The third page provided a picture of the proposed parking lot. Jacobs described that the patio to the rear of the current Single Family Dwelling will stay and not be removed.

Mr. Hyer explained that he did not have any other questions to ask Mr. Jacobs. The Chairman asked if any board members had any questions for Mr. Jacobs. Board Attorney Brian Rumpf asked if the current overrun vegetation was and Mr. Jacobs explained it use to be used as a dirt driveway and it is now over grown. Mr. Rumpf asked if any of the asphalt would be removed and DeAlmeida had a concern about the vegetation. Mr. Jacobs clarified by that a section of it will be removed to show uniformity for the parking lot. He explained that they are trying to keep as much vegetation as possible.

Scott Taylor, the board landscape/architect told the Chairman that the applicant did not provide proposing curbing and that there was no bumper/bollard to prevent an individual from driving up onto the pedestrian sidewalk. Mr. Taylor had a concern for the pedestrian walkway with the parking lot not having bollards proposed. Mr. Jacobs said that they would offer bumper blocks and have free access for pedestrians to walk to the entry. The Chairman needed more clarity on the curb stop/bumper blocks. Mr. Jacobs explained to the Chairman that they will provide some type of bollard to maintain safety and separation.

Mr. Taylor described the various types of bollards that could be used to maintain safety and separation. Mr. Higgins clarified that the east and south of the parking lot would be the concern with the bollards being in place. Mr. Higgins gave a few examples of bollards that other sites have used. The board Engineer, Patrick Jeffrey, explained that the applicant proposed a wooden bollard, although a pressure treated timber would be suitable. Mr. Taylor explained that either bollard would be suitable.

Pastor Tate explained that any bollard would be reasonable to consider. Mr. Taylor suggested that if it be acceptable to the board that they do either bollard therefore the applicant has time to price out the bollards. The Chairman stated that something is needed. Mr. Higgins suggested 17 plus bollards.

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Mr. Jacobs clarified that they could raise the retaining wall six inches instead of it being flush with the ground. He explained that the building would be a earth tone color or something of the sort. He explained that the municipal will be picking up the trash and the applicant will bring the trash to the road just like any other resident. Pick up of the trash he explained, will be picked up in the morning during the week. Mr. Taylor wanted to make sure there were going to be no beeping of a truck that would disturb the residents around the property and Mr. Jacobs clarified that, that would not be an issue.

Mr. Taylor discussed the excavating of the trees could cause issues with the tree because of the disturbance of the roots. Mr. Jacobs stated they can work that out. Mr. Taylor stated we do not want something to fall into the highway. Mr. Jacobs explained that there will be security lighting on the building and lighting in the parking lot and it will turn off at 11:00 p.m.

Mr. Taylor asked if the applicant could change the shrubs proposed to an evergreen shrub and Mr. Jacobs had agreed to make those changes. That concluded Mr. Taylor's report.

The Chairman asked the applicants Architect to explain his architectural. Craig Brearly explained that they would be redefining and repurposing the rooms. They would comply with the proper Township subcode regulations with handicap accessibility, the proper exiting doors, and the exterior change is to provide the handicap ramp.

Mr. Anderson had a concern in regards to the leaving the doors they are currently to the Sunday school classrooms and sanctuary, because it could be a safety hazard in case the individuals had to leave due to an emergency. He then asked if the front door swung in or out and Mr. Brearly answered with the doors will swing out. Mr. Rumpf needed clarity on the adequate egress for the building and Mr. Brearly explained that there will be adequate egress. He added that there would be emergency lighting. He explained that there would be no signage on the building itself.

Mr. Taylor explained that the proposed sign would be a freestanding sign that meets the sign requirements.

Pastor Tate explained that he had been the Pastor of the church for eight years and they have been meeting at the Priff School with 70 members and typically 40-50 in attendance. He stated that they are a smaller church and are looking for a place for them to call home. He explained that he appreciated everyone's patients. He stated that there will be no cooking in the building of any sort. The kitchen no longer has stove tops/ovens. He stated that he had a total of two requests. Pastor Tate asked relief for the lighting and landscape proposed to be held off for about six months, until funding came available as of the time of the CO.

Mr. Taylor went over some conditions and had a few questions about the future use. He wanted to clarify that there will be no school, daycare or soup kitchen, that there be no permanent resident on site, and that the sanctuary would not exceed one thousand square feet. Pastor Tate agreed to those conditions. Mr. Taylor read condition number four that the applicant would

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come back in front of the board if the parking became an issue/concern. He recommended that condition four be carried over.

Mr. Rumpf asked Mr. Jeffrey when the applicant anticipates receiving the DOT and DEP approvals. He asked when Mr. Jacobs sent the application the DOT. Mr. Jeffrey clarified that the DOT approval could change the site plan, but he said he could not determine the outcome until the DOT states what they approve. Mr. Rumpf explained that if there were to be change that the applicant may have to come before the Zoning Board again. Mr. Jacobs stated they did receive a letter that indicated some changes. They will receive further clarity from the DOT.

OPEN TO THE PUBLIC

Adele Shaw from 170 Main Street stated they are looking forward to having a permanent home. She continued to explain that they love Waretown and she believes that this will be a positive impact.

CLOSED TO THE PUBLIC

BOARD COMMENTS:

Mr. Higgins indicated that there be a discussion on the time line in regards to the landscape and lighting. Mr. Jeffrey explained that in the past, other applicants were granted the allotted time to allow relief in the extension of time. Mr. Higgins explained that since daylight savings in coming that the lighting would not be an issue and that the landscape can be planted in the next planting season. The Chairman asked if they are aware of indigenous planting. Pastor Tate stated his landscape architect is aware.

The Chairman explained his concern with the double line on Route 9 being crossed.

Mr. Rumpf shared the resolution with Mr. Hyer and the board professionals to make sure everything was captured that were discussed. He stated the applicant will come back next meeting to make sure everything had been addressed.

The Chairman asked for a motion on the approval of the final major site plan. Antonio DeAlmeida made a motion to approve and Ron Bruno seconded it. Roll Call: (Ayes), DeAlmeida, Bruno, Anderson, Bystrek, Roskowski, Higgins, Covitz.

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OPEN TO THE PUBLIC FOR GENERAL COMMENTS:

Seeing none

CLOSED TO THE PUBLIC

Next Regular Meeting March 20, 2014

Motion to Adjourn

All in favor

Meeting Adjourned at 8:30PM.

Respectfully Submitted,

Renée Dronebarger
Board Secretary
RD