

TOWNSHIP OF OCEAN
PLANNING BOARD
REGULAR MEETING
February 4, 2010

Meeting began at 7:30 PM

The meeting of the Ocean Township Planning Board was held on the above date and time. The meeting was called to order.

Pledge of Allegiance

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

ROLL CALL

Members Present: Vince Anepete Joe Lachawiec Ken Bynoe
Ralph Avellino William Sneddon
Robert Knowles Rita Sweeney

Members Absent: James Eckert, Dennis Tredy, Gordon VonSchmidt, Craig James

Chairman Anepete asked for a motion to take action on the minutes of the January 5, 2010, Re-Organization Minutes. Mr. Sneddon made the motion to approve the minutes. Mr. Avellino seconded the motion. All in favor: (aye) Sneddon, Avellino, Knowles, Lachawiec, Sweeney, Bynoe, Anepete.

Chairman Anepete asked for a motion to take action on the voucher list. Mr. Avellino made a motion to approve the vouchers. Mrs. Sweeney seconded the motion. All in favor: (aye) Avellino, Sweeney, Knowles, Lachawiec, Sneddon, Bynoe, Anepete.

Correspondence list was attached in the board's packet and the Chairman offered that if anyone would like to review the correspondence it is always available in the board office.

BOARD COMMENTS

Seeing None.

OLD BUSINESS

Resolution No. 2010-03-PB – Authorization from the Planning Board to direct the execution of Contracts of Agreement with the following Professionals for their services for the year 2010 in the following Resolutions:

Resolution 04-10-PB, Haines & Yost Law Firm, Board Attorney
Resolution 05-10-PB, Eric Bernstein & Associates Conflict Attorney
Resolution 06-10-PB, RV&V, Wayne McVicar, Board Engineer
Resolution 07-10-PB, Birdsall Services Group, Board Conflict Engineer

Resolution 08-10-PB, Taylor Design Group, Scott Taylor Board Landscape Architect

Chairman Anepete asked for a motion to take action on Resolution 2010-03-PB. Mr. Bynoe made a motion to approve. Mrs. Sweeney seconded the motion. All in favor: (aye) Bynoe, Sweeney, Avellino, Knowles, Lachawiec, Sneddon, Anepete.

NEW BUSINESS

Lennar Homes – Greenbriar Oceanaire, Section 8, Final Major Subdivision, Docket No. 02-10-PB.

Under advice from Mr. Yost, Mr. Bynoe recused himself because he is a resident of Greenbriar.

Mr. Michael Bruno, attorney for Lennar Homes addressed the board. Section 8 is the last section of Greenbriar Oceanaire. It contains 90 new lots. Mr. Brian Murphy of FWH, Associates was sworn in by Mr. Yost. Chairman Anepete accepted Mr. Murphy's credentials. Mr. Murphy identified exhibits to be marked in as evidence:

- A1 – Aerial Exhibit
- A2 – Section 8 Overall Plan
- A3 – Overall Storm Sewer Plan

Mr. Murphy briefly gave the location of the property. Preliminary approval was received back in May 2009. This phase will be accessed through the extension of Bayville Lane and Ship Bottom Lane. Basins are located on the northern and southern ends of Section 8. Mr. Murphy stated that they have no issues and can comply with all the comments of Mr. McVicar's review letter of January 28, 2010. At the time of Preliminary approval, questions were raised concerning drainage. Mr. Murphy explained how they are working with the board's engineer to provide an extensive network of drainage. Applicant has agreed to have a note on the plan with regards to drainage that if during construction the Township Engineer determines that a grading and drainage issue exists; the developer shall take appropriate remedial actions to correct the condition.

Chairman Anepete raised a question regarding the pedestrian paths and golf cart paths. There is no issue in this section concerning either of these types of paths.

Mr. McVicar's biggest concern was having the note on the plan with regard to drainage and the applicant has agreed to comply with that request. Mr. Yost spoke that for the record he would like it stated that no area or bulk variances are being requested as part of this Major Subdivision. Mr. Bruno stated like the Preliminary, this is a fully conforming layout.

Anthony Mignone, Vice President of Lennar, approached and was sworn in by Mr. Yost.

Mayor Lachawiec spoke regarding a piece of land that the Township owns and has leased to the Fire Department. Due to the Rail Trail, it is now landlocked and the Fire Department cannot access it. Mayor Lachawiec asked Mr. Mignone if Lennar would consider allowing access along the Jersey Central Right-of-Way for the Fire Department to get into their property. This is not contingent on the application. Mr. Mignone and Mayor Lachawiec agreed to walk the Rail Trail so Mayor Lachawiec could show Mr. Mignone the area he was speaking about.

Chairman Anepete asked for a motion to open to the public. A motion was made by Mr. Avellino, seconded by Mrs. Sweeney. All in favor: (aye).

PUBLIC COMMENT OPEN

Laura Casey – 90 Pancoast – was sworn in by Mr. Yost. Ms. Casey spoke regarding a meeting she and Mr. Mignone had previously. She has concerns regarding the clearing limit. Mr. Mignone said he said he will stake out the property.

Tony Corbisiero – 15 Millstone – was sworn in by Mr. Yost. Mr. Corbisiero spoke regarding concerns of Amended Section 7. Mr. Yost explained that Section 7 would be discussed next month at the March meeting.

Mr. Yost explained that Section 7 Amended will be heard next month. Mr. Bruno will ask the board to carry the application to next month later in the meeting.

A4 – Overall Plan of Oceanaire was marked into evidence by Mr. Murphy and explained where Section 7 is located. Mr. McVicar gave some history to Section 7 regarding the acquisition of Section 8 and the agreement to develop as part of Greenbriar. This was the Edgemont parcel.

Nick Bonamassa – 32 Belmar – was sworn in by Mr. Yost. Mr. Bonamassa's concerns involved the transition of the association of Greenbriar and the basins throughout the community.

Peter Smith – was sworn in by Mr. Yost. Mr. Smith questioned the cul-de-sacs wanted to make sure that no more houses would be built in this section. His concerns were the already crowded capacity of the pool or ballroom/clubhouse.

Ronald Schmidt, 75 Pancoast was sworn in by Mr. Yost. Mr. Schmidt spoke regarding the ballroom and pool and the accommodations.

Raymond Wojcik, 8 Cape May Court was sworn in by Mr. Yost. Mr. Wojcik inquired about the commercial zone mentioned in the notice.

Chairman Anepete asked for a motion to close to the public. A motion was made by Mr. Sneddon and seconded by Mr. Avellino. All in favor: (aye).

PUBLIC COMMENT CLOSED

Chairman Anepete asked for a motion to take action on this application. Mr. Sneddon made a motion to approve the application. Mr. Avellino seconded the motion for approval. Roll Call: (aye) Sneddon, Avellino, Knowles, Lachawiec, Sweeney, Anepete.

Mr. Bruno asked the board to formally carry Section 7 Amended Major Subdivision to the next meeting in March without further notice. Chairman Anepete asked for a motion to take action on this request. Mr. Sneddon made the motion to carry to the March 4th meeting. Mrs. Sweeney seconded the motion. All in favor: (aye) Sneddon, Sweeney, Avellino, Knowles, Lachawiec, Anepete.

Chairman Anepete asked for a motion to open the meeting to public comment. A motion was made by Mr. Sneddon, seconded by Mr. Avellino. All in favor: (aye).

PUBLIC COMMENT OPEN

Seeing None.

Chairman Anepete asked for a motion to close the meeting to public comment. A motion was made by Mr. Sneddon, seconded by Mr. Avellino. All in favor: (aye).

PUBLIC COMMENT CLOSED

Mr. Bynoe returned to the dais.

During the education session by our professionals, Mr. McVicar spoke to the board about lot coverage and impervious coverage and Mr. Yost spoke about conflicts of interest and Piggett vs. Borough of Hopewell.

Secretary read into the minutes Resolution 09-10 that states the Planning Board will retire into closed session to discuss certain matters involving property and/or matters of possible litigation.

Mrs. Sweeney made a motion to retire into closed session and Mr. Avellino seconded the motion. All in favor: (aye). The board then retired into Closed Session.

CLOSED SESSION

Mr. Sneddon made a motion to re-enter open session and Mr. Bynoe seconded the motion. All in favor: (aye).

OPEN SESSION

A motion to adjourn was made by Mrs. Sweeney and seconded by Mr. Sneddon.

Meeting Adjourned at 9:30 P.M.

Respectfully submitted,

Beth O'Connor