

Township of Ocean Planning Board Meeting Minutes

October 7, 2021

Prepared by Ashley Harper

Start Recording: 7:03PM

Chairman Lippincott calls the meeting to order, followed by The Pledge of Allegiance.

NJ Open Public Meetings Act read by Mrs. Clune: Pursuant to the provisions of New Jersey open public meetings act the notice of the meeting has been properly provided by sending copies of the notice of the meeting to the Asbury Park Press and the Press of Atlantic City. Notice was posted on a bulletin board in the administration building.

Roll Call

Robert G. Beck: Here

Nicholas Bonamassa: Here

Anthony DeCondo:

Dr. Shawn Denning, Jr.:Here

Lydia Dodd: Here

Dr. Ben LoParo: Here

Peter Nese: Here

Donald Lippincott: Here

John Petrosilli: Here

Aaron Shapiro:Here

Mrs. Clune : Let the record reflect that the professionals present this evening are Steven Yost from Haines & Yost, Jason Worth, engineer from T&M Associates and Scott Taylor from Taylor Design Group.

Approval of Meeting Minutes for September 2, 2021; Motion to approve made by Mr. Shapiro, Seconded by Mr. Beck.

Roll Call

Mr. Shapiro: Yes

Mr. Beck: Yes

Mr. Bonamassa: Yes

Dr. LoParo: Yes

Mr. Petrosilli: Yes

Mr. Lippincott: Yes

Approval of Bills: Motion to approve made by Dr. Denning, Seconded by Mr. Shapiro.

Roll Call

Dr. Denning: Yes

Mr. Shapiro: Yes

Mr. Beck: Yes

Mr. Bonamassa: Yes

Ms. Dodd: Yes

Dr. LoParo: Yes

Mr. Petrosilli: Yes

Mr. Lippincott: Yes

Correspondences attached, No informals, No old business.

New Business

A.) Docket No. 06-21-PB Douglas Rieck, Magic Wash @ Waretown, Block 47 Lots 1.01 & 1.02, Minor Site Plan

Attorney Richard Visotcky from Visotcky & Kelly law firm representing Mr. Douglas Rieck. Mr. Visotcky states that this application is for a minor site plan to expand one of the existing self-serve car wash bays. Currently, has a total of 5 bays, one automatic and 4 self-serving. Wants to turn the one self-serving into an automatic one. In order to do so, needs to expand 7 feet in the rear to accommodate the mechanical part. Currently in the C1 zone, with an oversize lot. No variances are required for this minor site plan.

Frank J. Little was introduced, engineer of Owen Little Associates of 443 Atlantic City Blvd, Beachwood, NJ.

Mr. Little noted that this car wash is at the intersection of Clearwater and Route 9. That they would need / proposing 7 feet in the rear of the building, with a concrete pad with a kiosk as well. Taking out one of the self-serve bays and adding the automatic system, which uses less water and is more environmentally acceptable. Putting over existing impervious services, no change in drainage either. We have no variances, no permitted use, and qualifies as a minor site plan.

Mr. Visotcky passes out two photos, marked as A1 and A2. A1 is a picture of the back of the existing car wash on the left side, which is where the extended bay will be for the automatic wash. The bottom of the photo is looking south from the north side of the same bay. Photo A2 is still the back of the carwash, left side where the new bay will go, the bottom right side shows the front - the north end where the addition will be.

Mr. Visotcky noted that Mr. Rieck developed this property back in 1985 and has been operating for 36 years.

Dr. Denning asked if the front would be enclosed like the other automatic car wash and if so, will it have doors or no doors and or will it match the other. Mr. Little said he would let Mr. Rieck answer that question.

Mr. Worth noted that the applicant was granted prior approval, but that they did not go through with it. The approval was essentially abandoned.

Mr. Worth also noted that the site circulation is not impacted by this addition. Has no change with storm water, waste water goes into sewer system, and the drainage site is functioning. He did ask if there is going to be any change in the signage. Mr. Little said not that he is aware.

Mr. Petrosilli asked Mr. Worth how someone could abandon a prior approval. Attorney Mr. Yost believes they have the right to do so. Mr. Worth states that similar has happened, that any developer may get the approval to build and that they go through with all the expenses to get the approval and never go through with it and then it expires through zoning.

Mr. Shapiro noted that the first approval included landscaping; this one has nothing for landscaping.

Mr. Visotcky states the major site plan had landscaping, this minor site plan does not. Mr. Little believes the expense of landscaping and sidewalks may be why he abandon the prior approval. The board members continue discussion about landscaping, sidewalks, prior approvals and the current application.

Mr. Taylor noted that sidewalks with depressed curbs would trigger DOT approval, which could be quite expensive. Mr. Taylor suggested that the board could require the applicant to put a few trees in that would grow over time, perhaps high branched tree's that wouldn't affect the site view of traffic. The board could make recommendations on size etc. and time so that they can grow and phase it in. Dr. LoParo notes that the site triangle is already a problem. The board members continue discussion about the line of site at that intersection. Dr. Denning said to piggy back off of Mr. Taylors comment, he thinks high branch trees, not obstructing the line of site would look nice there.

Chairman Mr. Lippincott asks Mr. Worth his opinion, Mr. Worth states if the applicant is inclined that maybe there is an appropriate area, perhaps behind the basin, and that he understands the point & concern of the intersection of Clearwater and Route 9.

Mr. Taylor noted that having some type of low hedge would break up the asphalt/lawn that Mr. Worth and Mr. Little could discuss and review that if so.

Owner Douglas Rieck was introduced. He resides at 123 W 54th Street, Brant Beach, NJ; He has owned the carwash since 1985. He has one part time employee for cleanup, works about 15 hours a week. The car wash is open 24/7. The standards for the door will be a high-speed vinyl door, controlled with sensors. He has no objection to landscaping; he would like it to look good as well. The greatest reason for this proposal is that it is much more energy efficient.

Mr. Taylor asked if the brick he is using for the expansion would match what is currently there. Mr. Rieck replied yes it would. The general color on the doors are a medium to a dark red.

Motion to open for public comments: Motioned by Dr. Denning, seconded by Mr. Shapiro All in favor.

No one came forward.

Motion to close for public comments: Motioned made by Mr. Shapiro, seconded by Dr. Denning. All in favor.

Motion to approve based on the conditions; Approve without landscaping from the North side of the south entrance, to the south end of Clearwater Drive, but we encourage landscaping and trees behind the basin along route 9. No trees and no hedges between both entrances, so that it remains a clear view.

Dr. Denning commented that he thinks it needs additional landscaping, but he supports the project.

Motion to Approve: Motion to approve made by Dr. LoParo, Seconded by Ms. Dodd.

Roll Call

Dr. LoParo: Yes

Ms. Dodd: Yes

Mr. Beck: Yes

Mr. Bonamassa: Yes

Dr. Denning: Yes

Mr. Nese: Yes

Mr. Petrosilli: Abstain

Mr. Shaprio: Yes

Mr. Lippincott: Yes

B.) Docket No. 07-21-PB Haines Real Estate LLC, "Master Craft" (Owner of the property is Fonte, LLC) Block 130 Lot 5, 534-540 Route 9; Pre/Final Major Site Plan.

Attorney Lauren Dooley from Novins York Jacobus & Dooley representing Donald and Linda Haines, who are the contract purchasers of the property of the site plan for this application. Mr.

Haines owns lots 6.03 and 6.04 already and currently operates Master Craft. He is proposing similar use of the 7700sq ft. of land. He has been operating 6.03 and 6.04 for 6 years and servicing the local community.

Mr. Donald Haines of 46 Oak Ridge Lane, Manahawkin, NJ.

Attorney Ms. Dooley asked Mr. Haines to explain the purpose of the proposed site. Mr. Haines stated that it is for general maintenance of cars and light duty trucks, oil changes, tire changes, tune ups etc. No bodywork. Applicant confirms No body repairs, confirms service of the work will be done indoors, any testimony of any storage of waste on site including oil will be in a dual wall storage tanks which is pumped inside to outside. It is above ground and air controlled. The only noises will be air guns, cars running etc., but that is inside the building. Hours of operation will be 8am to 5pm Monday through Saturday, off Sundays. Right now, there are four employees but proposing that he will have between six or seven employees. Ms. Dooley asked about deliveries. Mr. Haines stated that he gets deliveries from local auto part stores all day during business hours. Mr. Worth asked about how the tires are delivered, Mr. Haines noted that they are delivered by box trucks and pickup trucks. The disposal of tires will be picked up every two weeks. Deliveries will only be during business hours. Any trash pickup will not be until around 7am. Mr. Haines has an independent contractor for trash and recycling. Any waste oil to be removed by a licensed company. Mr. Worth asked if he is going to have any storage in the rear, such as boats and or RV's. Mr. Haines commented that he may store his own RV there but he is not renting any space out. Dr. LoParo asks about vehicles sales. Mr. Haines noted no sales. Dr. Denning asked about any towing. Mr. Haines said no not at this time.

Mr. Nese asked if there would be bollards in front of the tanks. Mr. Haines noted the tanks would be in the back of the building, no consumer traffic. Dr. Denning asked what is the industry standard for that? Mr. Haines said it is not needed unless in a direct path. Mr. Worth noted for safety practice could put one there if deliveries are backing up in the rear, etc. Mr. Haines has no objection to that.

Engineer, Frank Little comes forward. Starts speaking about the property. Explains the driveway is off Route 9, will be a two way. It will have 38 parking spaces marked, rear enclosure for some vehicle storage. All repairs and or work on vehicles will be inside. Draining system has to have a green infrastructure component, it is a complicated drainage system, and we have a bio retention facility along the front and bio retention along Route 9. It is all interconnected with solid piping no perforated piping. In the engineer letter, the only comment would be that we did do a test on soil, and soils are consistent throughout the site, so we would ask for a waiver so we do not have to dig holes all over. Mr. Worth confirms with Mr. Little that he did two tests in the basin? Mr. Little said yes. Mr. Worth asked in an overflow situation, it would go towards Route 9 and not neighboring properties. Mr. Little said he will check on that but he can tell you no impact on residential properties. Mr. Taylor noted all operations would comply with DEP requirements.

Mr. Little said on page 4 of the review letter, he had some questions and concerns. The parking area on the south property line, he knows that there is a sign on the property just to the south, the letter stated something about a 10-foot buffer, if we have to reconfigure we would lose a few parking spaces.

Mr. Worth notes that it is more about the angle that cars could back into each other. The ordinance speaks to the parking requirements, section 410-49z, requires five parking spaces per bay. 38 spaces in front and side. He would like to see the rear of the building outlined and marked / detailed where vehicles will be stored and parked, so he can see vehicles are not stacked up all over the place. If you have more than 49 spaces, you will need CAFRA.

Mr. Little said he does not have an issue with that. Mr. Taylor said in the rear, could even be employee spaces back there. Mr. Little will make sure he has 49 or less parking spaces.

Dr. Denning commented on the parking spaces on the north / right side, customers will have to back up awkwardly, because it is tight and close to the building. If people are pulling in, you have the handicap space right there; perhaps maybe take away one space. Mr. Little said he can work with the engineers, he does not think that will be an issue to reconfigure.

Dr. Denning asked if they will be anticipating a lot of consumer parking or is it more of a drop off and go. Mr. Haines said it is more of a drop off and go, they will fix it within that day, and they will pick it up before 5pm. Sometimes bigger jobs will take a few days though. Dr. Denning asked if he lost a couple spaces in the reconfiguration, would that negatively affect the business.

Mr. Haines said no.

Mr. Little speaks about the aisle width in the rear, that employees would be the only ones that would bring cars back there. It does not meet the normal 24ft width, would ask for a waiver for that. The public will not be going back there. Mr. Worth asks in your professional opinion the 24ft width is adequate for two-way travel. Mr. Little said yes.

Mr. Little said he is not proposing sidewalks along Main Street in the rear; he will have it on Route 9 along the front, so he would be requesting a waiver for that as well.

Board continues to discuss sidewalks.

Mr. Little comments on the trash location, that they are proposing a vinyl fence around it. In addition, vinyl fence for the tire enclosure as well. Mr. Taylor notes that the original plan shows board on board fence, now applicant would like solid vinyl to the ground, Mr. Taylor thinks that is a good balance and would also suggest a couple of bollard in the front to protect long term.

Mr. Petrosilli asked if they would be storing any fleet trucks. Mr. Haines stated he is not running his towing business out of this property. It is more residential then it is commercial vehicles, but he will have some light duty trucks. Mr. Nese asked him to elaborate on light duty. Mr. Haines said nothing bigger than a plumber box truck.

Dr. LoParo asked if there would be any fencing in the rear of the building. Mr. Little said they are proposing 6ft high vinyl. Mr. Worth said the plans say chain-link but you are now proposing vinyl. The fencing around storm drain, Dr. Denning suggest split rail with no wire. Mr. Little has no issue with that. Mr. Taylor also noted the fence around the basin; he would suggest a pressure treated or something durable.

Mr. Worth asked about security lighting. Mr. Haines said he would have motion sensor lights in the rear. Mr. Worth recommends decorative lights up front. Mr. Taylor said just in the first row. Dr. Denning commented that the lighting on the side of the building maybe make it more decorative, possibly a nautical theme, not just a commercial looking light on the side of the building. Mr. Worth also would suggest grass pavers; Mr. Little said he is fine with grass paver with turf. Mr. Worth also noted a gate for access to the basin. Dr. Denning commented on the north and south; residential houses possibly proposing thicker tree buffer, maybe foliage trees. Mr. Taylor said it is something that he and Mr. Little can work on.

Traffic specialist, Scott Kennel, of McDonough- Rea Associates of 1431 Lakewood Road, Manasquan, NJ. On June 28, 2021, our office prepared a traffic report along the Route 9 frontage; during the morning peak hours around 1000 vehicles, and afternoon peak hours 1400 vehicles. As far as this type of property with estimating size of the building and number of parking spaces, this will generate around 20-25 trips of movement both in and out. That is a low traffic generator. The traffic signal to the south helps with the flow of traffic as well. Mr. Worth noted the DOT would review as well. Dr. Denning asked if he thinks during peak hours if a left turn would be difficult. Mr. Kennel said at times it will be self-regulated, giving we are a shore community. However, he does not think you should have to prohibit left turns. Dr. Denning had a question for the applicant, if Mr. Haines would be ok with signing a waiver to allow traffic enforcement to be able to come onto his property to take care of any violations. Mr. Haines said yes absolutely.

Motion to open to Public comments – Motioned by Ms. Dodd, seconded by Dr. Denning. All in favor.

David Shaw of 170 Main Street. Mr. Shaw had questions about if they are curbing and or putting sidewalk on the Main Street side. The reason he is asking is that his house on Main Street already has water flow issues with the curbing from Oceania development. Dr. Denning replied with that the applicant is requesting a waiver for that.

William Field and Joan Field of 167 Main Street. Mrs. Field stated after reviewing the maps, they do not show their house on the maps and the description of their property is wrong. That she has a three-story residence and operates a business in the back. There is also a house north that has just been restored and people are moving in. That this is a commercial building that is

coming into the historic district of Main Street and now is in between two homes. She understands businesses coming to Waretown, with that in mind it is affecting the Main Street historical district. There are 22 homes that predate the civil war. She does not want Main Street to become commercial looking.

Dr. Denning understands the historical concept of Main Street, asked if the split rail fence around the dry basin would jive with the look of Main Street? Mrs. Field noted she would leave it up to the architects and planning board. She also asked about the holding area. Mr. Worth replied that it will not be more than 11 spaces and that he has asked for a layout. Mrs. Field asked about paving with asphalt. Mr. Worth said DEP has changed its rules in the past year. Mr. Taylor said for higher usage with cars coming in and out, it is hard to use something other than asphalt. Mrs. Field asked if the lights would be on all night long. Mr. Taylor said that they would have an outside shield around the perimeter, which will be turned off over night but will have motion sensors for safety. Mrs. Field asked if the trash/recycling/tire area could be moved, that it is very close to the property line. Mr. Taylor said the front parking lot is a little too tight for that, but could move the dumpster closer to the middle, flipping the basin access. Mr. Taylor noted the solid fence around it would help as well. Mrs. Field asked if there is any rule on how many tires can be stored. Mr. Haines said there is no rule or law, that he has tire pickup every two weeks and that he does sell up to 500 tires a month. Mr. Taylor asked Mr. Haines if the tires would not be stacked higher than the fence. Mr. Haines agreed to that. Mrs. Field also noted that she could hear cars being dropped off during the night, if there is any way to move that to a designated area further from her house. Mr. Haines said he deals with multiple towing companies and that would be hard to do. Mr. Taylor noted that they would not be going through the back. Mr. Worth also noted that the rear would be locked and drop off will be in the front.

Ms. Dodd asked if there would be any greenery by the split rail fence. Mr. Taylor said scattered plants, but he will have to drive by and that many historical areas will also put hedges. He will work with Mr. Little's landscape architect and they can make changes to help make it look historical.

Mrs. Field asked if they would correct the plan to show their house on the map?

Dr. Denning said yes, that is important. Mr. Little said he would correct that. Dr. LoParo mentioned they are still within all the setbacks.

Mr. Shapiro recapped conditions, stating dumpster will be moving to the middle, tires not to be higher than the height of the fence, light will not be on all night but will have motion sensors.

Mr. Chairman noted more trees to help with buffer.

Closed to public discussion- Motioned by Mr. Shapiro, seconded by Dr. Denning. All in favor.

Dr. Denning also noted that if they could make a condition as if the North or South of the property would ever put in sidewalks that they would have to put sidewalks. Also noted no wire fence around basin, garbage moving to the middle, tires not over the height of the fence.

Motion to Approve: Motion to approve made by Mr. Shapiro, Seconded by Dr. Denning.

Roll Call

Mr. Shaprio: Yes
Dr. Denning: Yes
Mr. Beck: Yes
Mr. Bonamassa: Yes
Ms. Dodd: Yes
Dr. LoParo: Yes
Mr. Nese: Yes
Mr. Petrosilli: Yes
Mr. Lippincott: Yes

c.) Ordinance No. 2021-18: Amending the Route 9 Phase I Redevelopment Plan for Trade Winds at Waretown, Block 131 Lot 4.

Mr. Worth speaks about ordinance, developer reviewing up front commercial that the current zone restricts drive through for businesses. This ordinance will take out the prohibition of drive through. Recommended it is necessary for this change of the redevelopment plan for drive through businesses.

Dr. Denning asked about parking lot management, assuming drive through business will bring traffic through. Will they have to provide an application on how they would enforce that? Mr. Worth said they would have to present that to the board.

Motion to Open to Public comments – Motioned by Dr. LoParo, seconded by Dr. Denning. All in favor.

No public comments – No one came forward

Motion to Close to Public comments- Motioned by Ms. Dodd, seconded by Mr. Bonamassa. All in favor.

Motion to Approve: Motion to approve made by Ms. Dodd, Seconded by Dr. Denning. All in favor.

Roll Call

Ms. Dodd: Yes
Dr. Denning: Yes
Mr. Beck: Yes
Mr. Bonamassa: Yes
Dr. LoParo: Yes

Mr. Nese: Yes
Mr. Petrosilli: Yes
Mr. Shapiro: Yes
Mr. Lippincott: Yes

d.) Resolution No. 2021-226, Referring to the Planning Board Pursuant to N.J.S.A 40A:12 A-1, Block 7, Lots 2,3,5,6.02 And Block 6, Lots 4.04 And 4.05 For Review As To Whether It Should Be Designated An Area In Need Of Redevelopment.

Attorney Mr. Yost noted, to his understanding anything that has to do with redevelopment, we have to have a full resolution to refer back to the committee. Attorney Mr. Yost has prepared a resolution, passes out resolution to other board members.

Chairman Mr. Lippincott: **Motion to Open to the Public.** All in favor.

No one came forward

Chairman Mr. Lippincott **Motion to Close to the Public.** All in favor.

Chairman Mr. Lippincott commented, this is something we need to give to the township committee, Motion to approve based on the actual resolution that Attorney Mr. Yost has brought.
Resolution # 2021-07-PB - Tradewinds

Motion to Approve: Motion to approve made by Mr. Shapiro, Seconded by Dr. Denning. All in favor.

Roll Call

Mr. Shapiro: Yes
Dr. Denning: Yes
Mr. Beck: Yes
Mr. Bonamassa: Yes
Ms. Dodd: Yes
Dr. LoParo: Yes
Mr. Nese: Yes
Mr. Petrosilli: Yes
Mr. Lippincott: Yes

Resolution # 2021-08-PB – Landfill

Mr. Worth gives overview: the old landfill west of the parkway on Wells Mills has a redevelopment plan in place for the past 10 years, recently a redeveloper designated by Township Southern Ocean Waretown Solar redevelopment plan, plans for a solar facility on that

site. Mr. Worth recommends this to be included in the redevelopment plan Attorney Mr. Yost has prepared a resolution. Passes out resolution to board members.

Motion to Approve: Motion made by Ms. Dodd, seconded by Mr. Nese. All in favor.

Roll Call:

Ms. Dodd: Yes

Mr. Nese: Yes

Mr. Beck: Yes

Mr. Bonamassa: Yes

Dr. Denning: Yes

Dr. LoParo: Yes

Mr. Petrosilli: Yes

Mr. Shapiro: Yes

Mr. Lippincott: Yes

Motion to Open to the Public. Motioned by Mr. Shapiro, seconded by Dr. Denning – All in favor

No one came forward.

Motion to Close to the Public. Motioned by Mr. Shapiro, seconded by Dr. Denning – All in favor

Secretary Mrs. Clune speaks about the November meeting, notes that there is a conflict in the room, and to move the November 4th meeting to November 15th. Chairman Mr. Lippincott suggest to move the meeting time to 7:30pm.

Motion to Approve to move the meeting to November 15 2021 at 730pm: Motioned by Mr. Shapiro - All in favor.

Motion to adjourn- Motioned by Dr. Denning, seconded by Mr. Nese. All in favor.

End of recording at 9:08PM.

Next scheduled meeting will be November 15 2021 @ 7:30PM.