

MEETING MINUTES

TOWNSHIP OF OCEAN REDEVELOPMENT COMMITTEE

JULY 14, 2010

6:00 PM

1. CALL TO ORDER

- ROLL CALL

Tina Wetter X Dennis Tredy X Joseph Lachawiec X

FLAG SALUTE

OPEN PUBLIC MEETING ACT – PURSUANT TO THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING WAS PROPERLY PROVIDED BY SENDING COPIES OF THE NOTICE OF MEETING TO TWO NEWSPAPERS, THE ASBURY PARK PRESS AND THE PRESS OF ATLANTIC CITY. THE NOTICE WAS POSTED AT THE OFFICE OF THE TOWNSHIP CLERK AND ON THE BULLETIN BOARD OF THE ADMINISTRATION BUILDING.

NEW BUSINESS

- National Liquidators, LLC
 - o Pennsylvania Avenue
 - Marina and Townhouse

Mark McGowan, representative for the applicant, Anchorage Harbor. The applicant is still reviewing names associated with the project. The title holder is National Liquidators and has some affiliation with the local community, Mariner's Village. Frank Filla is a majority member of the LLC. Mike Crohn is the minority member. Mr. Jacobs is the civil engineer.

Mark McGowan is sworn in by Township Attorney McGuckin.

A site plan dated March 2, 2010 was submitted to the Township by the applicant and prepared by Gravatt Consulting Group. Architectural elevations and floor plans were submitted as well.

Mayor Lachawiec stated the proposed use is to operate as a marina and construct two buildings. Phase II is to construct remaining units.

Mr. McGowan stated the project actually consists of three phases. The first phase is a temporary marina. The second phase is a marina and partial development of a condominium complex consisting of two buildings and approximately seven units.

Phase III is the elimination of the temporary marina and full build-out of the condominiums of approximately 30 units. The marina use will revert to the condominium association and used privately by members of the condominium association.

Mr. Jacobs stated in October 2005, there was a prior applicant, Surf & Turf Inc., who sought approval from the DEP and received a CAFRA Waterfront Development and Freshwater Wetlands permit to allow the construction of 22 townhomes and 24 boat slips. At that time, the applicant was heard by the Redevelopment Committee but never pursued the application any further than construction on the bulkhead and the gabian wall proposed along one of the lagoons. The applicant fell into hard times and sold the project to the applicant. A modification was made in detail to the CAFRA permit to allow 30 boat slips, which was received in January 2010. The applicant is seeking approval prior to modifying the CAFRA permit in its entirety and seeking site plan approval.

Mr. Jacobs displayed a mounted aerial photo of the property and surrounding properties and submitted handouts for the Redevelopment Committee.

The property is surrounded by marinas to the north and to the east. There are residential dwellings across the street on Pennsylvania Avenue to the South. There is an existing dwelling immediately to the west of the site, Lot 7.03 on an easement road entitled Evergreen Way. The property is wooded with a gravel road to the bulkhead construction. There is a boat ramp to the east that has existed for a number of years.

The property located across the street, Block 191, Lot 13, is entirely encumbered with wetlands and is not being developed as part of this project even though it is included.

Phase I Development is a temporary marina with 30 boat slips that have been approved by the DEP and 48 parking spaces in the main part of the property. Parking will be provided on a stone surface for the use of the temporary marina. There is approximately 16 feet of bulkhead that was not constructed by the prior owner. The docks would be completed. A stone path with lights provides public access to the site along the waterfront.

There will be a construction-type trailer that will be parked on the site and a handicap ramp with handicap parking spaces, as well as portable toilets. There is a well on the property.

Mr. McGowan stated there will be a gravel parking lot with the trailer and no parking stops. The applicant desires to operate a temporary nature for at least four years.

Mr. Jacobs stated the applicant is seeking four years while in the process of modifying the CAFRA approval and seeking site plan approval for the other phases.

Mr. McGowan stated if the condominium dwelling units were never constructed, the applicant would return to Redevelopment for approval to construct a permanent marina with permanent facilities, as far as office use and sanitary facilities. The bulkhead is 80%-90% complete. There is 60+ feet left to complete.

The side of the property entails a gabian wall and a bulkhead constructed from the westerly property line until boat slip 17.

Mr. Jacobs stated the boat ramp is in good condition according to the applicant. The applicant desires to initially complete the construction of the bulkhead and install finger docks. There is public sewer and water within Pennsylvania Avenue to service the condominium dwellings or permanent marina facility.

Phase II is a proposed minor subdivision. The irregularly shaped lot separates the seven townhouse units from the temporary marina. The minor subdivision will create two lots. One is for the marina lot and one for the townhouse units to separate the use.

Mr. McGowan stated assuming the condominium complex builds out in Phase III, the applicant would then do a consolidation deed to reconsolidate the parcels into one parcel. For purposes of Phase II, in the event the balance of the condominium units do not construct in Phase III, this project would then have two separate ownerships of the condominium association and unit owners and the marina, which would build out to a permanent marina. ‘

Mr. Jacobs stated three townhouse units will be built along the westerly side of Pennsylvania Avenue and then four more units would be proposed near the boat ramp. Those units will be accessed off Pennsylvania Avenue and would have water and sewer connections directly off Pennsylvania Avenue. Very few infrastructure improvements would be required for these units. The units are designed to have two tandem parking spaces underneath the building and one space in the driveway. The length of the driveway is 25 feet from the property line.

Seven additional parking spaces would be constructed near the present boat ramp area, which would be public parking to utilize the waterfront.

Mr. McGowan stated the public parking could also be utilized for visitors of the condominium units. There is no turnover of the marina to the condominium association. The marina would remain in the hands of the owner and operator of the marina.

Mr. Jacobs stated Phase III – Evergreen Way would be constructed into the development. Nineteen townhouse units would be built. A gazebo would be built associated with the waterfront. A drainage basin would be constructed, lighting, additional parking, seven off-street parking spaces would be provided and an additional four parking spaces in front of 7.03, which would also provide public access to the facility. A sidewalk will be provided from Evergreen Way to Building 6.

The CAFRA permit, the Waterfront Development permit, and Freshwater Wetlands Permits would all have to be modified.

Mr. McGowan stated at that time, the temporary marina use would be dissolved and the marina use would revert to the condominium association for purposes of the administration of the slips to the unit owners.

Mr. Jacobs stated the buffers are in the central portion of the property and associated buffers and tree preservation areas are adjacent and would be delineated by fencing, as required by the DEP and would also be deed-restricted, in accordance with the DEP.

A proposed walkway to access the four units in Building 7 to the main facility would require an elevated walkway through the wetlands and get additional DEP approvals or it can extend through road-widening a sidewalk along Pennsylvania to connect them. Both would require DEP permits.

Phase III has two public access portions. One would be through the culdesac and would access between Buildings 2 and 3 to the waterfront through a paver walkway to the docks. The second one would be on the westerly side of the boat ramp through a paver walkway to the docks.

Mr. McGowan stated the boat ramp would remain in private ownership. There was a prior DEP permit that gives public access to the boat ramp.

Mr. Jacobs stated the prior applicant was going to deed a certain portion of the property to the town that had the boat ramp on it. That is the only amendment.

Mr. Jacobs reviews a report from Scott Taylor, Taylor Design Group, the Township Landscape Architect. Mr. Taylor's report raised a number of concerns – the operations of the marina, time limitations, and four-year time limit for temporary marina.

The marina will be handicap accessible. There will be handicap access to the boat docks as well as the marina office. There will be no boat repairs on site. There will be some boat storage on trailers and blocks during the winter months. If Redevelopment requires, the parking area can be fenced in during the boat storage.

Jim Oris, T&M Associates, inquired if boat repairs would include bottom painting and boat preparation under the temporary marina. That impacts the use of the site.

Mr. Taylor inquired if there is retail use within the office.

Mr. Jacobs stated no.

Mr. Taylor stated the applicant needs to look at the subcodes to make sure that a public marina is not subject to different requirements than private boat slips. Were there any local approvals requested or obtained for the construction of the existing docks?

Mr. Jacobs stated there is an application submitted by the prior applicant to the Construction Official for the construction of the bulkhead – not the docks. The permit was obtained a number of years ago. The applicant is seeking approval from the Redevelopment Committee to allow the construction of the bulkhead to continue.

Mr. McGowan stated the applicant has requested the construction office to issue permits for the balance of the bulkhead to be constructed. The construction office is not willing to do so until the Redevelopment Commission takes a look at it.

The ownership of the boat slips will be the homeowners association at the time of full build out. The condominium documents will be prepared and submitted for the Township Attorney to review. That includes boat slip sales and rentals and is confined to unit owners only. Out of the thirty condominiums, there might be 12 that have vessels. There are more than enough slips available. Vacant slips will not be filled.

A complete signage package can be submitted if needed. Signage would conform to the zoning requirements.

There is no proposed lighting other than what is provided on the office building itself. The use of the marina will be during the daylight hours. The boat ramp will be for the marina use. There are no proposed improvements to the boat ramp.

The townhouses would require a variance due to the height being 8 feet higher than the maximum of 35 feet. Unit #1 setback would be pushed to 18 feet. The peak, shape and cosmetics of the building would look better with a higher roofline.

The DEP is requiring the applicant to dedicate and deed-restrict the open space. If the Township wants to be included in the dedication or have access to the easement, that is fine. The DEP requires a tree preservation area. The deed restrictions would be recorded in the County Clerk's office. The plans indicate the public access easement is in the favor of the Township.

Mr. Jacobs stated the applicant is putting in for both.

Mr. Oris stated it says proposed public access and utility easement dedicated to Ocean Township.

Mr. Jacobs stated that is because there is an existing drainage pipe with no easement. That is why the applicant is proposing an easement. The other public access is at the end of the culdesac.

Mr. Taylor stated the lands will not be dedicated to the Township. The homeowners association will own and maintain all of the lands. There will be an easement granted for the benefit of the Township. There is no dedication.

Mr. Jacobs stated that is what was envisioned. It is stated incorrectly on the plans.

Mr. Oris suggested the conservation easement description be reviewed by the Redevelopment Committee as well. That pipe does drain Pennsylvania Avenue. The Township would want the drainage dedicated to the Township of Ocean.

Mr. Jacobs stated the applicant would own the marina and all maintenance responsibilities of the common areas of the entire project. As the condominium association takes over in Phase III, the responsibilities will revert to the condominium association.

The area of the boat launch would be restricted to the marina use and the homeowners association.

Mr. Taylor stated the Redevelopment Committee should look at the driveway opening for boat trailer maneuvering within the confines of the public roadway, which is not in a desirable condition. There are potential safety concerns.

Mr. Jacobs stated it is 25 feet from the top of the ramp to the right-of-way, which is the reason why the applicant does not want the ramp open to the public.

Mr. Taylor stated on the left side of the project there are 22 units and only 20 boat slips. The other 2 units would have to walk all the way around and down Pennsylvania Avenue to access their boat slips.

Mr. Jacobs stated there is parking available if they wanted to drive to the boat slip.

Mr. McGowan stated at complete build out, there will be a passageway to connect the two sections through wetlands. During Phase I, a small gravel area will be established where the four condo units are in Phase II.

Mr. Jacobs stated the applicant is seeking waivers to back up onto Pennsylvania Avenue. The speed limit on Pennsylvania is 25mph with adequate sight distance.

Mr. Jacobs stated the on street parallel parking is not striped. There is one place to park on Evergreen Road in front of Lot 7.03. If the town wants it striped it could be done. The stone surface could be made handicap accessible. The DEP required the site maintain a certain amount of re-vegetation and reforestation on the site.

Mr. Taylor stated the rest of the comments in the report are minor landscape-related comments. As the project moves forward, they can be addressed.

Township Attorney McGuckin stated on the first page of the T&M report, the townhomes themselves are not a permitted use in the WD or R1 Zoning Districts.

Mr. Jacobs stated in the zone itself it specifically states the WD district provides for a selective development of townhouse dwellings. They are not listed as a permitted use and were taken out of the ordinance around the time the Redevelopment Committee was created and the Town Center was created. The other provision predated when it was removed from the ordinance.

Township Attorney McGuckin stated it was the intention of the Governing Body to take the townhouses out as a permitted use in the zone, even though the prior language in the other section mentions it, it is because that was the ordinance.

Mr. Jacobs stated it still remains in the language that selective development of a townhouse dwelling would be a good use on Waterfront Development.

Township Attorney McGuckin stated that could be easily rectified if necessary.

John Maczuga, T&M Associates, inquired about the two tandem parking spaces in the garage and one in the driveway. Does RSIS allow three parking spaces in tandem? Three tandem may not be compliant.

Mr. Jacobs did not have the answer to that question.

Mr. McGowan stated the project has three bedroom units. The parking requirement is 2.4 spaces per unit.

Mr. Jacobs stated the applicant can comply with the engineering comments on the T&M report.

Mr. Oris requested the applicant clarify the water depth and inquired if there is need for maintenance dredging.

Mr. Jacobs did not know the answer to that question. At the time the application was permitted, there was no need for maintenance dredging.

Mr. Oris stated there is no stormwater management provision provided for the temporary marina development yet. The applicant will be providing for a significant amount of gravel parking lot, which under CAFRA regulations would be considered impervious coverage. Is there any consideration for water quality or stormwater management for the addition of the gravel.

Mr. Jacobs stated, at this time, no.

Mr. Oris inquired if the applicant would consider adding stormwater/water quality control techniques?

Mr. Jacobs stated yes.

Mr. Maczuga inquired if the applicant is going to connect to the sanitary system in Phase I.

Mr. Jacobs stated the applicant indicated, no, at this time – portable bathrooms for four years.

Mr. Jacobs stated Evergreen allows access to lots 7.03 and two existing lots around it. It is not a public dedication. The proposed roadway is public dedication to the town. The town would own the road after Phase III. It will be designed in such a manner that the adjoining lot will have full access to it.

Jim Oris inquired if the stormwater management facilities in Phase III will be maintained by the condo association.

Mr. Jacobs stated yes. There will be an attendant in the office trailer with a separate bathroom facility.

Mr. Taylor inquired who will maintain and operate the head-in parking off Evergreen Way.

Mr. Jacobs stated the condo association will operate and maintain the head-in parking, which will be open to guests and general public. Lot 13 will continue to remain as open space owned by the condo association as a separate tax slot.

Mr. Oris stated if it is a separate tax slot and the association doesn't pay the taxes, it winds up going to tax lien and becomes property of the township. There should be a mechanism precluding that from happening.

Mr. Maczuga stated it is a piece that is encumbered by wetlands and has no value. It is not included in the impervious coverage calculations.

Mr. Oris stated under the marina use, there is not an accurate comparison of the marina standard to what the applicant is proposing. Please add that information to the plan. The applicant is proposing a gravel parking lot instead of paved, which is contrary to the ordinance. It would be a nonconformity.

Mr. Jacobs stated the gravel parking lot was requested at this time so it would not have to be torn up.

Mr. Maczuga stated due to the temporary nature of the proposal, if it becomes a permanent marina, the applicant is back for site plan approval before the Planning Board.

Mr. Oris inquired what would be the outcome if the applicant chooses not to proceed with the townhome development at the end of the four years.

Township Attorney McGuckin stated if it is indicated the applicant is not coming back for an application for a permanent marina, it would be problematic.

Mayor Lachawiec stated the CAFRA permit mandates ownership maintenance and upkeep of the free public boat ramp by the Township. The applicant is testifying the boat ramp would not be free and would strictly be for use of the occupants of the marina and townhouse development.

Mr. Oris stated that is correct. The original CAFRA permit had the stipulation that it would be a township-owned boat ramp. The applicant's intention changed. The applicant is seeking to have the condo association own and maintain the private boat ramp. It would not be open to the public.

Mr. Jacobs stated the applicant also requests Pennsylvania Avenue to remain as a forty-foot right of way and provide a five-foot easement so the applicant does not exasperate the required additional setbacks to encumber the property. The site's design is such that the applicant minimized how much clearing would be done and did not want to push the further clearing into the wetland areas or tree preservation areas on the site.

Mr. Oris stated a normal road of this classification type would use a fifty-foot right of way.

Township Attorney McGuckin stated the board requires a higher standard as part of the application.

Mr. Taylor stated the condition is somewhat exasperated by the back out maneuvers for some of the townhouses.

Township Attorney McGowan stated the applicant submitted architectural elevations. The architect is not here this evening. Architecture can be subjective. The comments in the planner's review letter indicate a nautical approach in the architecture. The applicant requested feedback as to what type of architectural façade the town is interested in. The submitted architectural elevations have a nice display associated with the prospective from the water's edge to the units. The applicant is receptive to the professionals' comment in that respect.

Deputy Mayor Tredy stated the Redevelopment Committee has the general concept of what the applicant is proposing, however, the applicant's architect is not present.

RECESS

Motion to move into a five-minute recess was moved by Tina Wetter, seconded by Deputy Mayor Tredy. Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes.

Mr. Maczuga inquired if the phasing approach is appropriate in light of the economic decline in the state of New Jersey.

Christine Capone, National Liquidator's Planner, stated absolutely. It gives the town and the developer the flexibility to build a financially stable project.

Mr. Maczuga stated the phasing aspect is protective of the developer in terms of not proceeding with the complete build out of Phase III. If the condominiums are not constructed, there is a proposal for a permitted use in the zone, which is the marina.

Ms. Capone stated if the condominiums were abandoned, it would be appropriate for the developer to come back and give a more formal site plan with more detail.

Mr. Maczuga inquired if Ms. Capone has experience before boards where boards restrict the ability to go forward by providing a temporary use with guidelines and restrictions that should not exceed a certain time period and if it does, the applicant must cease operations and return before the board?

Ms. Capone stated sure. In addition to representing developers throughout the state of New Jersey, Ms. Capone has also represented many municipalities as a consultant and has done sunset provisions on developments.

Mr. Maczuga stated one of the concerns is the backing out on Pennsylvania Avenue. If the townhouse locations were developed for detached single-family units, the backing out requirement could be eliminated. Would that represent better planning and make the project work better? Does it still make financial sense?

Ms. Capone stated if there were a lot more units that would be something to be concerned about. The applicant is not talking about a lot of units. From a planning point of view, the town is not going to see a major traffic impact there, given the low intensity and limited number of units.

Mr. Maczuga inquired if the layout of the four townhouses could be modified to lessen the impact of backing into Pennsylvania Avenue.

Ms. Capone will let Mr. Jacobs answer that question.

Mr. Oris stated since the townhomes are not a permitted use in the zone, another section of the ordinance was used to provide a comparison. Mr. Oris requested the applicant provide input as to the suitability of density. The ordinance of the town provides for a maximum density of four units per acre. The applicant is proposing 6.44 units. The proposed development exceeds the Township's standard, albeit in this zone they are not a permitted or conditional use.

Ms. Capone stated as far as the height, the building was originally 35 feet. For architectural purposes, the applicant went up to 43 feet. As far as the setback, the proposed setbacks are not substantially different than what the ordinance calls for. In most instances, it is 2-3 feet and up to delineation of 8 feet for the side yard setback.

Mr. Oris stated the concern is a 43 foot building 20 feet off the road. From a visual standpoint, the town will have a very large structure in very close proximity to a 40 foot road. It will be very large, visually.

Ms. Capone stated not all four walls will be 43 feet. It is measured that the highest point is 43 feet on the roof. There is scale. It will not be obtrusive. The applicant is willing to work with the board on that issue. The architectural pitch of the roof is generating that 43 feet. The 8 foot setback is a result of the additional height. The townhouses are allowed to be at 4 dwelling units to the acre. The applicant is proposing 6.4 units to the acre. Ms. Capone does not feel 6.4 units is a dense projects. COAH would say minimum density would be about 6 dwelling units to the acre up to about 12 dwelling units to the acre. 6.4 units would be on the lower end of what COAH would consider an appropriate development for an inclusionary housing development.

Deputy Mayor Tredy inquired if the applicant is proposing COAH units.

Ms. Capone stated no. This site can handle the excess density and the excess FAR. The applicant will be able to control the stormwater runoff. The property will not have an adverse traffic impact. The

community impact statement was such that there will not be an overly burdensome impact on the municipal tax structure or the school tax structure. The applicant can substantiate the burden of proof for that variance.

Mr. McGowan stated the applicant is not using any of Lot 13 for the density calculation.

Mr. Oris inquired if the applicant is using the wetlands or wetlands buffer in the density calculation.

Mr. Jacobs stated the density calculations subtract out wetlands and water areas as required by ordinance to determine the density.

Mr. Maczuga inquired if there is a calculation on the gross.

Mr. Jacobs stated yes, the gross area is 5.22 acres. 4.04 is the area the ordinance requires for calculation of density. The definition of gross acreage is total land area minus wetlands, which is equal to 4.04 acreage.

Mr. Oris inquired if there is consideration to eliminating buildings 20, 21 and 22, to bring the density closer to the ordinance standards.

Mr. McGowan stated at this juncture, no.

Township Attorney McGuckin inquired if the applicant is familiar with any marinas that are temporary.

Ms. Capone stated no.

Township Attorney McGuckin inquired if the applicant is familiar with the current marina businesses in Ocean Township.

Ms. Capone is aware there are a number of marinas in Ocean Township.

Township Attorney McGuckin stated, from a planning perspective, if one marina does not have to provide bathrooms other than portable toilets and does not have to provide public water and sewer, that would be a different type of facility than the existing marinas in town.

Ms. Capone stated it would be. Each site should be looked at on a case-by-case basis.

Township Attorney McGuckin stated it would make more sense, from a planning perspective, for the applicant to present a full site plan for the marina, get the impervious coverage resolved, complete the paving, put water/sewer and bathrooms in. It is going to be permanent anyway.

Ms. Capone stated there are limitations of doing that if the town could perfect the approvals for the townhouse development. That would be an enormous undertaking if the developer decided not to go through with the townhouse project.

Mr. Taylor stated the existing dwelling on Lot 7.03 comes within 10 feet of Unit #1, Building #1. That building is 43 feet tall. It is a gable that actually faces that adjacent residential property. Ms. Capone is not concerned about an 8 foot or 80% reduction in that setback, where from the property line to the town house is a distance of less than the distance between you and I.

Ms. Capone stated the dwelling would not be the distance between you and I. That home is set back much further. The distance would be about four times the distance between you and I.

Mr. Taylor stated from the use areas and driveway of that house, a 10 foot setback to a 43 foot high building is not consistent with anything on the applicant's site or in the general community in this zone or the adjacent zones.

Ms. Capone stated no. That is the closest setback.

Mr. McGowan stated that is the distinction between redevelopment areas and non-redevelopment areas. The premise is to determine a concept. Does the Redevelopment Committee agree to this concept? The details of architectural height can be worked on in terms of setbacks and trade off of architectural style.

Ms. Capone stated absolutely. The applicant is not married to the concept of 43 feet.

Mr. Oris inquired if the applicant would consider a more permanent type of temporary structure. There are prefabricated units that have interior facilities.

Mr. McGowan stated yes. Four years really hinges on the ability of the economy to recover. The applicant does not want to keep the marina temporary for four years. If the economy turns around in six months, the applicant can start the project in six months.

Mr. Oris requested the applicant provide financial data to demonstrate the applicant has evaluated the market place. Has the applicant evaluated the marketability of the boat slips?

Mr. McGowan stated yes. The applicant currently operates a marina in Keyport, New Jersey and has determined there is a tremendous demand for boat slips.

Township Attorney McGuckin stated the applicant wants to operate a marina for four years without meeting the requirements that every other marina business in town has to comply with.

Mr. McGowan does not know if those marinas are in Redevelopment Zones. The applicant is proposing four years. It does not have to be four years. It is very difficult to redevelop under the present economics.

Township Attorney McGuckin stated the purpose of the Township's Redevelopment Plan is not to develop a new business at the expense of the old businesses.

Mr. McGowan stated the applicant is not looking for a long standing competitive edge with the existing marinas.

PUBLIC COMMENT

Motion to open to the public was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Spencer Hondros, 65 Pennsylvania Avenue, is sworn in. Mr. Hondros discussed the project with the other marina owners in town and is representing those that could not be present tonight. Mr. Hondros stated there is a lot of hurricane activity near the proposed townhomes. The town does not have a fire truck that could handle the 43 feet. There is no such thing as a temporary marina. Marinas have to have bathrooms, showers, wash water and potable water. There was no mention of retention ponds. A fire hydrant is blocking an entrance. There is only one way to come in and out of there. The boat ramp is too narrow and will only accommodate a small boat. Mr. Hondros' main concern is getting emergency vehicles in and out of the project. Mr. Hondros would like the dredging spoils addressed. The spoils are going back into the lagoon. The marina has to have lighting.

Mr. Hondros stated the applicant is only allowed to go out 20% of the width of the lagoon, and is not sure what the applicant considers the lagoon area.

Bill Edwards, 30 Pennsylvania Avenue, is sworn in. Mr. Edwards enjoys looking at the wooded area and wishes this project would go away. The former applicant confined the project to the area of the former marina. The former applicant went out of his way to be accommodating. This project maximizes the profits of the applicant. Mr. Edwards requests the board use their authority and discretion to minimize or prevent this application from happening.

Laura Edwards, 30 Pennsylvania Avenue, is sworn in. Mrs. Edwards' impression of the project is not looking out for the best interest of the community. The former approval of the boat ramp was for the use of the public. The residents have no benefit whatsoever from this project. The waterfront will be of no use to the residents. The traffic will have an impact on the residents of that street. The road cannot handle the amount of boats and trailers. Mrs. Edwards requests the town to enforce the restrictions, not allow the townhouses to be built and for the marina to comply with the standards of all the other marinas. Please take into consideration the people who are the backbone of the street.

James Spadafora, Lot 167, Long Key Marina, is sworn in. Slips 26-30 are directly across from the Long Key fuel tanks. That is a safety and navigation problem, as an egress must be provided. A general permit was issued and not completed based on the CAFRA permit. This property is the last for waterfront development in Waretown. There is no other property available. Private homes do not fit with waterfront development. Single homes are okay. Mr. Spadafora recommends the Redevelopment Committee deny approval for the condominium project.

Alena Lynskey, 36 Pennsylvania Avenue, is sworn in. Mr. Lynskey owns 1.5 acres across from the development. It is not fair the applicant can build condominiums across the street and Ms. Lynskey is only allowed one home on her property and not allowed to subdivide. Waretown is supposed to be a walking community. This project does not comply with the idea of a safe, walking community. The formulas for density do not consider the 90 degree turn a few yards past the project.

Joan Hansen, 28 Pennsylvania Avenue, is sworn in. Mrs. Hansen stated there has been a number of accidents at that curve. The applicant does not know what they are talking about, when they say it will not have an impact on traffic.

Mildred Roberts, 6 Cedar Avenue, is sworn in. Mrs. Roberts stated the project is in a bottleneck corner. It is difficult for two vehicles to make it through the two-way street. There is already a lot of congestion.

Patricia Bradstreet, 10 Vessel Road, also owns 57 Pennsylvania Avenue, is sworn in. Ms. Bradstreet agrees that the formulas being applied to density are incorrect. The aesthetics are overbearing in terms of density and appearance.

Jacqueline Petrosilli, 11 Vessel, is sworn in. Mrs. Petrosilli does not see anything positive about this development. There is also a proposed complex on Birdsall, which will impact the community. If a 43 foot home is allowed, it will start a trend. It is not a good project at all.

Robert Baran, 3 Evergreen Way, is sworn in. Mr. Baran stated the area is mostly single-family residents. The project is rural houses. The height is absurd. The applicant is looking for variances for building height, front setbacks, rear setbacks and side yard. Even 18 feet is towering over. How will a school bus get down Evergreen Way and turn around? Mr. Baran discussed the spoils on the lagoon.

Patricia McCarty, 123 Main Street, is sworn in. Ms. McCarty stated the town has a Master Plan. Zoning is an instrument to reinforce the Master Plan. The condominium project is not an allowable use. Giving so many variances allows opportunity for discretion for the Board. With discretion comes the opportunity for corruption. The town should stay within the town's Master Plan and zoning.

Mr. Richard Silva, 3 Evergreen Way, is sworn in. Inquired who maintains the roads in the area of the project.

Mayor Lachawiec stated the applicant is trying to dedicate the roads to the Township.

Mr. Silva stated he has liked watching his neighbors walk their dogs for the last 15 years. The town closed the Marina in 1992, which had portable toilets. It is not reasonable to open a temporary marina.

Pat Bradstreet, 10 Vessel Road, stated Ahearn's Marina is right next to her house and huge tractor trailers come in and out daily. That is a huge piece of traffic no one is thinking about.

Motion to close to the public was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

BOARD COMMENTS

Deputy Mayor Tredy agreed with all the residents' comments and spent a lot of time reviewing this project and the community impact statement. There is no way a project with 26 units, with 3 bedrooms a piece, is only going to have 52 adults. The tandem parking does not seem legitimate. The garages will end up being half storage with one car and one car in the driveway. Additional parking would go on the street. The applicant does not have any intention of going past Phase I. Phasing is only good if the end product is what the town is looking for. This project is not a permitted use and does not comply with the conditional use standards. The parking is inadequate. There is no logic in putting the bedrooms on the third floor. It seems almost impossible to have two-way traffic in most of the lagoon areas. There's a ditch across from the boat ramp. A 16 foot truck and a trailer will have problems using that ramp. Every time someone uses the ramp, Pennsylvania Avenue is blocked. Deputy Mayor Tredy is not voting in favor of this project.

Committeewoman Wetter stated the Township professionals brought up many discrepancies and probable changes. Committeewoman Wetter would love to see single family homes in there. The people have spoken. The applicant needs to go back to the drawing board.

Mayor Lachawiec is a boat owner and has to turn 360 degrees at that location. If there were boats across the lagoon, their anchors and engines would get hit. A hook and ladder fire truck would be needed to get to the top of the 43 foot building. Tandem parking is just another way to get more parking on the record. One phase or single family detached homes would be more appropriate, with dedicated boat slips to each home. Phasing is not a satisfactory way to go. If the applicant stays within the code, the applicant cannot go wrong. Mayor Lachawiec is not in favor of this project.

Motion to deny Redevelopment Committee approval of the application is moved by Deputy Mayor Tredy, seconded by Committeewoman Wetter.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

ADJOURN

Motion to adjourn meeting was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date