

# MEETING MINUTES

## TOWNSHIP OF OCEAN REDEVELOPMENT COMMITTEE

APRIL 12, 2018  
6:00 PM

### 1. CALL TO ORDER

- ROLL CALL

Ken Boulderstone  X  Ben LoParo  X  Dan Collamer  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.

### MEETING MINUTES

**Motion to approve of Meeting Minutes March 30, 2017** was moved by Deputy Mayor LoParo, seconded by Mayor Collamer.  
Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

### REGULAR MEETING

#### NEW BUSINESS

- **Mandrake Properties**
- **24 Luxury Apartments**
- **Block 241.11, Lot 12.03 & 12.09**

Mayor Collamer discussed the Township has received an application for development of a property within the Redevelopment zone. Tonight is the first time the application has been presented to the Redevelopment Committee. The Committee will hear the presentation by the applicant and their professionals. The Redevelopment Committee and the Township Professionals can ask questions regarding the application. After the presentation the Redevelopment Committee can open to the public for comment on the application. Each member of the public will have five minutes to discuss issues. Members of the public will need to state their name and address.

Gregory Hock, D'Arcy Johnson Day, representing Mandrake Properties. The principal is Thomas Bergstrom, who holds the property in the corporate name. Mr. Bergstrom is an owner/operator of various apartment complexes similar to this Ocean County. Mr. Bergstrom is going to give testimony regarding proposed use. Mr. Bergstrom will be the operator of this complex, should the Committee see fit to allow it. Professional Engineer, Millis Looney, will testify on the site work and can answer any tactical questions. Professional Planner, Allison Coffin, will testify on the zoning and planning issues.

Ms. Millis Looney is sworn in by Township Attorney Martin Buckley.

Mr. Hock discussed this property is currently in the C-1 zone, a commercial zone. The property is deemed an area in need of redevelopment. Under the redevelopment law, the site is underutilized. There is no redevelopment plan on this property. The developer is asking the Redevelopment Committee to adopt a plan that would approve a use such as the one that is being proposed. Anything put here has to be good for the town and a viable use. The developer believes many of the permitted uses will not survive, are not right for the site or are worse than what is being proposed. The developer believes from a marketing standpoint, there is a need for these types of apartments.

Millis Looney, O'Donnell Stanton Associates, discussed the property is located on the Northeast corner of Seminole Avenue and Route 9. It is located as C-1 commercial zone in an area in need of Redevelopment. The site contains 3.18 acres, is currently vacant and wooded. In the Northeast corner is wetlands and wetlands buffer, which will not be affected by this development. Across the street on Route 9 is an auto repair shop. Across the street on Seminole is a strip shopping mall. Two (2) two-story apartment buildings are being proposed, 24 units total, parking, stormwater management facilities, lighting, landscaping and a recreation area.

The developer received letters from Township Professionals, T&M Associates and Taylor Design. Multifamily dwellings are not permitted, although detached single-family residential use is allowed. The application meets all the bulk requirements of the C-1 commercial zone. The parking meets the business requirements, providing 49 parking spaces. Access is provided from Seminole Avenue. That access has been revised as requested and is now directly across from the access to the strip mall. The developer is providing a recreation area and bike racks. The lighting will meet the historic fixtures, not the shoe box fixtures originally shown. The architecture has been designed to be a more nautical look. The exterior will be a gray, vinyl, weathered cedar shake. The trash enclosures will match the vinyl cedar shakes.

The stormwater basin is located on Seminole Avenue, towards the Northwest corner of the property. The elevation is approximately 22 for the stormwater basin, which is the low point of the site. That elevation is at 17.5. It is located at the natural low point. It cannot be relocated. In order to screen the buildings in the site from Route 9, the developer is proposing a berm with arborvitaes on top along Route 9.

Ms. Looney displayed pictures. The dwelling behind the arborvitaes is a two-story building. It provides significant screening.

Sidewalks will be provided along Route 9. There will be continuous sidewalk along both frontages. Details on the signage will be provided at a later date. Mailboxes will be in front of each building. The developer will re-examine the grading to preserve additional trees if practical.

Mr. Hock discussed the stormwater basin altering the natural drainage of this site and inquired if the stormwater will be sent off to the adjacent properties or collected all on site.

Ms. Looney discussed the developer is required to reduce the runoff for the two-year, the ten-year and the hundred-year storm. The majority of the runoff will be collected in the basin and infiltrated into the

groundwater. There is some water that will be directed offsite. The runoff for the two, ten and hundred year storm will be reduced from present runoff.

Mr. Hock discussed pursuant to the T&M report, the maximum permitted in the C-1 zone is 40% building coverage. The developer is complying with the coverage and not seeking to exceed what is permitted in that zone now.

Ms. Looney discussed what is allowed in the zone is the 40% building coverage. The developer is only proposing 10.21% coverage by the buildings.

Mr. Hock discussed there could be another permitted use that goes in there that is four times as much impervious coverage on the site than what the developer is proposing.

Deputy Mayor LoParo inquired what is the coverage with the parking lot.

Mr. Hock inquired if all water is going to be collected onsite and directed toward the retention basin and not off the property at all.

Ms. Looney discussed most of it will be collected in the basin. Some will run off over land. It will be reduced for all the storms required.

Mr. Hock discussed this will have no negative impact on the surrounding properties stormwater runoff.

Ms. Looney discussed that is correct.

Mr. Hock discussed this meets all bulk standards of the zone. The developer is looking to maintain as much air, light and open space.

Jason Worth, T&M Associates discussed there are 49 parking stalls. That is 2 spaces per two-bedroom unit and 2.1 spaces per three-bedroom unit. Mr. Worth inquired if the developer has looked at the ability to move the basin to another location closer to Route 9, reconfiguring the building layout.

Ms. Looney discussed no. That is the natural low point. Once a basin is moved to an area that is not the low point, there will be issues with earthwork or issues getting the drainage to that basin.

Mr. Worth inquired if the developer has looked into a circulation plan for emergency vehicle access.

Ms. Looney discussed if this application goes to site plan approval, the developer would have to comply with fire bureau comments. It is up to the Fire Department.

Mr. Worth discussed the Fire Department may want to access around the site, which may include tree clearing and the distance of trees from the building. It is important emergency vehicles have access and can maneuver around the site.

Stan Slachetka inquired if the arborvitaes rendering is at planting or at maturity.

Mr. Looney discussed the arborvitaes is six years old. The height at planting is eight feet. The height at six years is 14 or 15 feet. There would also be a berm in addition to the arborvitaes, giving additional height and screening.

Thomas Bergstrom, Mandrake Properties, is sworn in by Township Attorney Buckley.

Scott Taylor, Township Landscape Architect discussed arborvitaes will only last 18-20 years. Mr. Bergstrom discussed he will be maintaining the property. If there is any damage to landscaping, he will take care of it. White pines tend to thin out in the lower branches.

Mr. Taylor inquired how high is the berm along Route 9.

Ms. Looney discussed the developer has to look at the sidewalk first, then the berm, then regrade back down to the apartments. The developer will make the height as high as possible.

Township Attorney Gregory McGuckin joined the meeting at 6:21pm.

Stan Slachetka, T&M Associates discussed any action taken tonight would not be approval of the application. The developer is here tonight presenting as a concept. If the Redevelopment Committee wants to see this development occur, adoption of a Redevelopment Plan would have to be introduced by ordinance and referred to the Planning Board. The latest version of the T&M report was revised January 3, 2018, which included a few minor technical corrections. There are a number of other issues related to the site design.

Mayor Collamer introduced Township Engineer Jason Worth of T&M Associates, Township Planner Stan Slachetka of T&M Associates, Township Landscape Architect Scott Taylor, Taylor Design Group.

Allison Coffin, Senior Planner, James W. Higgins Associates, is sworn in by Township Attorney McGuckin. Ms. Coffin has a bachelor's degree from Boston College in 1995, a Professional License in Professional Planning from the State of New Jersey and certified by the American Institute of Certified Planners for 15 years. Ms. Coffin has been accepted as an expert witness in front of more than 80 communities throughout the state in Monmouth, Ocean and Middlesex Counties. Ms. Coffin has worked on Redevelopment in Asbury Park and Freehold.

Mr. Hock discussed the most recent plan has 8 three-bedroom units. The developer is proposing to reduce that down to 4 three-bedrooms. That comes out to 20 two-bedrooms and 4 three-bedrooms. This is not a permitted use in the C-1 zone.

Ms. Coffin discussed this property is 138,479 square feet. It is a corner lot on Route 9 and Seminole Avenue. The site is currently undeveloped and wooded. The applicant is proposing to develop this site with two luxury apartment buildings with twelve units for a total of twenty-four apartments. The property is located in the C-1 general commercial district. Ms. Coffin discussed permitted uses in the C-1 zone on this site. Apartments are a conditionally permitted use in this zone as an accessory use. The applicant is proposing apartments as the only use on this site, therefore they are not accessory and are not permitted in the C-1 zone.

The site meets all bulk requirements in the C-1 zone. The proposed apartments are consistent with the goals of the Master Plan for this site. The development of this site would benefit the purposes of the Redevelopment area. Ms. Coffin discussed how this site is well suited for the proposed apartments, as per the goals of the 2015 Master Plan Amendment. This multifamily residential project offers an opportunity to achieve the Redevelopment goals of the Town Center Plan. A quick survey of the immediate area found a number of retail vacancies. There are no developed parcels to the North on

Route 9 for more than a quarter mile.

The proposed apartments are a quiet, low-traffic use. Other permitted uses would have a much greater impact on the adjacent residential area than the proposed 24 apartment units. There is a bus stop in front of the site that would link this site with the Town Center area. Water and sewer is available to the site. Roads adjacent to this property can accommodate the traffic associated with these units. This project does not add to the vacant retail space in the area. The new households would support the existing businesses and may trigger additional investment in this area of the Township.

Mr. Slachetka inquired why a permitted use consistent with the Land Use Plan would not be consistent with the Master Plan.

Ms. Coffin discussed she did not mean to give the impression that the proposed apartments are more consistent with the Master Plan but that it advances the goals of the Master Plan while having less of an impact on the adjacent residences.

Mr. Slachetka discussed the Township received state plan endorsement and both the State Planning Commission and the New Jersey Department of Environmental Protection approved the overall plan endorsement as well as the center boundaries. The center designation concept is to direct growth and development within the Town Center District boundaries. Mr. Slachetka inquired how the developer can reconcile promoting a development of this type outside of the Town Center.

Ms. Coffin discussed this area has been declared in need of redevelopment. That indicates the town feels this property is underutilized and having development on this property is a desirable thing.

Mr. Slachetka discussed the Town Center is the area where additional growth and development is to be concentrated, pursuant to the Plan Endorsement and CAFRA designation. Mr. Slachetka inquired if Ms. Coffin is suggesting the comprehensive goals and objectives of the Township, as endorsed by the State Planning Commission and approved by the NJ Department of Environmental Protection, was incorrect.

Ms. Coffin discussed, no, not at all.

Committeeman Baulderstone inquired if these apartments are for rent or sale and how many will be affordable.

Mr. Bergstrom discussed for rent. Four will be affordable, two low-income and two moderate-income. The state guidelines income limit for low-income, two-person household will be \$37,727. The state guidelines income limit for a moderate-income two-bedroom apartment is \$60,363. These are not Section 8 apartments. They are apartments for working people. The rent guidelines for the low-income apartments are \$1,057 for a two-bedroom and \$1,523 for moderate-income apartments.

Mr. Taylor inquired if Ms. Coffin reviewed the site plan the applicant is proposing and inquired if Ms. Coffin knew the rears of the building front on Route 9 and is that something she would advocate for as a licensed and certified planner.

Ms. Coffin discussed it would depend on the specifics of the site and has seen it done in an aesthetically pleasing manner. This is an opportunity to have an attractive architectural feature along the frontage with landscaping and the parking screened, as opposed to having the parking being visually prominent.

Mr. Taylor inquired how much face would be necessary to effectively screen.

Ms. Coffin discussed it would be site specific. Forty-one feet should be more than adequate to provide a complete landscape buffer.

Mr. Hock discussed the buildings do not have rear doors or balconies and are not designed to have activity on the backside of the building.

Mr. Taylor inquired how the applicant is accommodating public open space areas.

Mr. Hock discussed those are off to the side. It is the side yards of the two buildings. There is 41 feet from the back of the building to the highway. The recreation area is from that 41 feet further into the site, not towards the highway.

Mr. Taylor discussed if the building stays at a 5-1 slope, there is a sidewalk and transitional grading behind the buildings. That only leaves about 20 feet. That is 10 feet to go up and 10 feet to come back down at a 5-1 slope. That gives you a berm of about 2 feet. The façade is 120 feet long. This isn't something that exists anywhere in the Township. The use of the apartments is the biggest issue. Once that hurdle is crossed, the Township would strongly recommend the building be flipped and allow the corner to be open and landscaped. Reverse frontages are disfavored. This façade does not support the goals of this Township.

Mayor Collamer discussed the use issue is what should be discussed. Landscaping is Planning Board issues.

Mr. Hock discussed Mr. Bergstrom operates a site on the corner of Old Freehold Road and Walnut in Toms River, similar to this site. Mr. Hock displayed a few aerial views. Mr. Bergstrom has operated that site for 17 years. It is landscaped and maintained very well for the last 17 years. It is a totally irrigated site, fertilized 4-5 times a year and mowed once a week. This property would be maintained the same way. Mr. Slachetka inquired if Mr. Bergstrom has sold any of his developed properties. Mr. Bergstrom discussed, no.

Mr. Bergstrom discussed the screening process for the units includes credit checks, past evictions and income. Mr. Bergstrom discussed the siding and design of the building.

Mayor Collamer discussed the use aspect of the applicant's presentation is complete.

Deputy Mayor LoParo inquired why the project does not have one-bedroom apartments and why is this project good for Waretown. Mr. Bergstrom discussed one-bedroom apartments are more transient than two-bedroom apartments. There is a demand for housing and a demand for residents to go to the retail and restaurant establishments in Waretown. It is a very attractive building.

Mayor Collamer inquired how the Committee members felt about the change of zoning for the property.

**Motion to approve Mandrake Properties Luxury Apartments Block 241.11, Lots 12.03 and 12.09** was moved by Committeeman Boulderstone. There was no second motion. Motion died.

**Motion to not change the zoning and deny Mandrake Properties Luxury Apartments Block 241.11, Lots 12.03 and 12.09** was moved by Deputy Mayor LoParo, seconded by Mayor Collamer.

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

**Motion to open Public Comment** was moved by Committeeman Boulderstone, seconded by Deputy Mayor LoParo.

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

Ken Thomas, 37 Belmar Boulevard, discussed the accident points on Route 9 have been eliminated and you should be congratulated.

Township Attorney McGuckin discussed this portion is for general public comment, if you have comments about any issue in the Township. The Governing Body has already voted that this project is not going forward.

Bob Risdén, 97 Main Street, discussed he is glad the Township Committee did not approve this application.

Jeffrey Iannuzzelli, 427 3<sup>rd</sup> Street, discussed he loves this town and is glad the Township Committee did not approve this application.

Kevin Seiling, 206 6<sup>th</sup> Street, thanked the Township Committee and is overjoyed with the decision. The luxury apartments are two stars out of five on apartments.com. An online petition was circulated and in less than three days 268 signatures were obtained opposing the apartments. The area in question should be reassessed environmentally. There is no stormwater management system in this area of town.

Mayor Collamer discussed there is stormwater management in that area.

Maria Stout, 16 Barbara Court, discussed there are two apartment developments and inquired who owns the apartments across from Shop Rite and who owns the apartments next to Claytons.

Mayor Collamer discussed Platinum Developers owns across from Shop Rite and Walters Homes owns next to Claytons.

Joan Tredy, 131 Englewood Avenue, discussed the Township Committee did the right thing. Thank you.

Kathryn Banyasz, 120 Seneca Blvd., discussed she is happy this application was not approved.

Maxime Solmo, 1 Forest Drive, discussed there are 11 properties in great need of rehabilitation and inquired if there is any plan to do anything with the vacant strip malls. Let's fix what we have.

Mr. Slachetka discussed he is not sure what specific properties Ms. Solmo is speaking about. The Township has requirements for zoning in place. The Governing Body has always promoted good development and rehabilitation of existing facilities. That has been part of the comprehensive planning policies of the community with the focus on directing new development and redevelopment in the Town Center area.

Mickie Sherry, 167 Seneca Blvd., discussed moving to Waretown so he could drive on Route 9 to anywhere he wants in a reasonable amount of time. Waretown is building more stores and apartments and the roads cannot handle it. Route 9 is a one-lane road and is overpopulated. Safety should be a top priority. Thank you for not approving this application.

Bob De Salvo, 22 Ocean Grove Lane, inquired if the applicant has the opportunity to appeal the Redevelopment application.

Township Attorney McGuckin discussed the applicant has the opportunity to come back. They would probably not come back with the same plan. The applicant has the right to submit a new plan. The same process would take place. The Governing Body would decide first if the use is something they would want to consider. The applicant will probably not come back with more apartments. The applicant does have the option to go to the Zoning Board and seek a use variance, which would be very difficult to obtain.

Mayor Collamer thanked the audience for coming out and voicing their opinion.

**Motion to close Public Comment** was moved by Deputy Mayor LoParo, seconded by Committeeman Baulderstone.

Roll Call: Baulderstone: Yes, LoParo: Yes, Collamer: Yes

### **Adjournment**

Motion to adjourn was moved by Depjty Mayor LoParo, seconded by Committeeman Baulderstone.

Roll Call: Baulderstone: Yes, LoParo: Yes, Collamer: Yes

Signed and Submitted:

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Diane B. Ambrosio, RMC  
Municipal Clerk

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Date