

Meeting called to order by Chairman Martinelly @ 7:30 pm

All saluted the flag & the Presiding Officers Statement was read

Roll Call:

President: Martinelly, Moran, Carroll, Walter-Reger, Forrest, Collela, Hemel
Attorney: Steib
Engineer: Cranmer
Absent: Burden, Collins, Betesh, Barnet,

Minutes:

A motion was made by Mr. Carroll, seconded by Ms. Walter-Reger to adopt the July 20, 2016 meeting minutes. All approved.

Correspondence: none

Planning Board Business: none

Zoning Board Rep:

Ms. Martinelly reported on the following;

- Reported on the special meeting for Quick Chek on 6/29/2016 next scheduled meeting 10/5/2016
- Shop Rite special meeting 9/28/2016
- Sunrise Assisted Living scheduled for 11/2/2016

A motion was made by Mr. Moran, seconded by Mr. Carroll to open the meeting to the public for any items not listed on tonight's agenda. All approved.

No questions/no comments

A motion was made by Mr. Moran, seconded by Mr. Carroll to close the meeting to the public. All approved.

Unfinished Business: none

New Business:

M/M A Thompson:

412 Sycamore Ave
Bl: 28, Lot: 18/19

Certificate of Appropriateness

new driveway & new driveway cut
& generator

Mr. Steib marked the following:

A-1: Zoning Permit Application, dated 8/18/2016

A-2: Survey, prepared by Michael J Williams, dated 7/22/2003

A-3: Monmouth County Application dated 6/16/2016 & 6/23/2016

A-4: Series of 4 photos showing new driveway

A-5: Guardian Series Generac – specifications

Ms. Heather Gorley- Thompson, 412 Sycamore Ave, Shrewsbury was sworn.

Mr. Allister Thompson – 412 Sycamore Ave was sworn

Mr. Thomason explained that they have constructed a new driveway with an extra ingress/egress and they are seeking a Certificate of Appropriateness for the construction of a whole house generator to be located in the rear of the driveway. Mr. Thompson explained that they did receive permission from the County for the new curb cut (A-3). The County feels that the 2nd driveway exit will take traffic away from the intersection of Broad & Sycamore Ave. The generator will be located at the back end of the driveway, behind existing shrubbery, and it will not be seen from the street.

No board questions.

A motion was made by Mr. Moran, seconded by Mr. Carroll to open the meeting to the public. All approved.

No comments/questions

A motion was made by Mr. Moran, seconded by Mr. Carroll to close the meeting to the public. All approved.

A motion was made by Mr. Moran, seconded Mr. Carroll to approve the application of M/M Allister Thompson for the new driveway, driveway cut and generator as submitted.

Roll Call:

Affirmative: Martinelly, Moran, Carroll, Walter-Reger, Forrest, Collela, Hemel

Negative: None

Resolution 10/19/2016.....

Mazda Schwartz:
585 Shrewsbury Ave
Bl: 3, Lot: 6

Amended Preliminary/Final Site Plan

Mr. Steib announced that the Mazda-Schwartz application will be rescheduled to the **October 19, 2016** due to a deficiency in Notice, and Tinton Falls was not notices. New Notices to be sent out.

Completeness Hearing:

Mr. John Riddle:

Preliminary/Final Site Plan Approval

JRB Real Estate Holdings LLC

821 Broad St

Bl: 40, Lot: 7

Mr. Cranmer stated that all Checklist items have been submitted and finds the application of John Riddle to be complete.

A motion was made by Mr. Moran, seconded by Mr. Carroll to deem the application of John Riddle complete on the recommendations of the Board Engineer.

Roll Call:

Affirmative: Martinelly, Moran, Carroll, Walter-Reger, Forrest, Collela, Hemel

Negative: None

Public Hearing:

Mr. Steib marked the following exhibits:

- A-1: Application for Site Plan with Checklist
- A-2: Preliminary Final Major Site Plan, Kennedy Consulting 6/6/2005 revised 6/8/2016 - 6 sheets
- A-3: Architectural Plans prepared by Anthony M Condouris, 8/25/2016 - 3 sheets
- A-4: Transmittal letter & service package prepared by McKenna Du Pont Higgins & Stone dated 9/19/2016
- A-5: Shrewsbury Borough Planning Board Resolution dated 3/15/2006
- A-6: Cranmer Engineering Review letter dated 9/16/2016
- A-7: Cranmer Engineering – Completeness Review 9/16/2016
- A-8: Agency report – Traffic Safety Officer dated 9/9/2016

Ms. Kerri Higgins – McKenna, Du Pont Higgins, Stone, Broad St represented the applicant.

Ms. Higgins presented the following:

- A-9: Agency Report – Fire Marshall 9/9/2016
- A-10: Agency Report – Shade Tree Commission 9/9/2016

Ms. Higgins explained that this site received an approval in 2006 by this board and a prior owner, which was not perfected at the time. Mr. Riddle has revised the approved plan, the original had renovations to the existing where this application is requesting to demo the existing building and construction of a new building. Variances were granted under the previous approval and will still apply and will have to be “re-granted”, as indicated in Mr. Cranmer’s review letter page 3 of 7, and read them into the record.

Ms. Higgins pointed out that if they are required to increase the driveway by 2' from 16' to 18', the lot coverage will be increased by 1.1% where currently the lot is conforming @ 64.7% and it will be increased to 65.8% where 65% is permitted.

Mr. John Riddle, 17 Beacon Drive, Colts Neck NJ 07722 was sworn.

Mr. Riddle testified that he plans to demolish the existing structure and after several site visits it was decided that the structure is not structurally sound, and it makes good sense to take the building down.

Mr. Riddle testified that he has a law office in New York City, and he lives here, and he will use this building as his home office. It is not his intent to bring clients into this location, he is a mitigation manager in New York, he doesn't do Depositions etc. He will have 1 full time and 2 part time employees, and he has a full time attorney on staff. Currently he is proposing the original 8 spaces that were previously approved, he has rented other spaces and he finds that the 8 spaces will be sufficient. At this time he doesn't have any plans to rent space to another type of business, but if another lawyer wants to rent an office he would consider it, but he would consider the limitations of the space that is available. None of his current employees are in the office at the same time, they have staggered hours. His support staff is located in New York and will remain there. Mr. Riddle explained that he is a 3rd party administrator and his meetings are held in New York City.

Mr. Anthony Condouris, Architect, Rumson NJ was sworn, and accepted as a licensed Architect.

Mr. Condouris presented the following exhibits:

A-11 revised 9/21/2016:

Revision of A-3 showing the square footage of the attic & basement which was requested by Mr. Cranmer. Mr. Condouris will submit a revised plan adding the attic & basement and removing the bath room in the basement.

Mr. Condouris testified that the building is in disrepair and he suggested to demo the existing building and rebuild a more historic looking building to blend with the surrounding area.

A-12 a-f- 6 Photos of surrounding buildings described each

A-13: Color rendering of proposed building – described

Mr. Condouris described the first & second floors, and the attic space & basement space will be used for storage only. Even though there aren't any structural features that would prevent the space to be used in both the attic & basement. Mr. Cranmer said that the board could put a restriction on the approval that the attic or basement could not be used for office space. Mr. Cranmer asked what will be the square footage of the basement and the attic areas? Mr. Condouris stated that the basement is 1,088 sq. ft and the attic is 775 sq. ft.

There was a brief discussion on the number of parking spaces, Mr. Cranmer explained that the last approval granted a parking variance to allow 8 parking stalls, and they are reaffirming the variance for parking. The square footage of the building remains the same, with a differences in the footprint which equals to the same. The old building was an irregular shaped where the new building will be rectangular in shape.

Mr. Cranmer explained that the application before the board is to knock down the old building and rebuilt a new one and the all of the variances that were considered will have to be discussed, since the original site plan of 2006 as not perfected, but the Permit Extension Act would carry the 2006 approval forward if the board denied the new request.

Mr. Cranmer stated that no zoning changes have been made to the zone. There was a condition that the attic or basement could not be used for anything other than storage only no office space could be located in these areas, along with the parking variance that was granted by the board, he would suggest that this condition remain in place. Ms. Higgins stated that the applicant would had no objections to the request. She also pointed out that if the space was rented out they would have to apply for another C.O.

Mr. Steib said that the parking ordinance is calculated on the type of use, by square footage, and the variance that was granted in 2006 was for a professional office use, which is what the proposed change is for 1/200 square feet. Mr. Steib suggested that if a type of use that would have a more intense parking requirement the applicant would have to return to the board. Mr. Cranmer agreed, and reminded the board that there was a condition that there would be NO MEDICAL/DENTAL allowed, which has been noted on the plan.

Mr. James Kennedy, Engineer/Planner, Red Bank, NJ sworn and accepted as an expert witness

A-14- Colored Rendering Site Plan, sheet 3 of 6 approval of 2006

Described exhibit with pink for property line, yellow for approval box, and the underground detention area

A-15- Colored Rendering Site Plan, sheet 3 of 6 new plans 2016 revised 6/08/2016

Described new footprint outlined in yellow, pink outlined property, shows the building squared off, which decreases the square footage.

Mr. Kennedy testified that they will be providing additional landscaping and a barrier free ramp, small porch in the rear, and they were able to pull the building away from the northwest corner. The detention system will not be adjacent to the building, it now has been located to the rear of the property. The applicant will be complying with the Shade Tree Commissions suggestions the best to their ability.

Review of Cranmer Engineering Report dated 9/16/2016

1.2: Previously granted variances reviewed:

- a: testimony on 8 parking spaces vs 10
- c: sign will remain at 10.5 where 20' required
- e: testimony on drive aisle 20' required, 1.3' provided
- f: testimony given
- g: buffer for parking area, variance 5' provided where 20' required
- h: 20' from non-residential- structure, now providing 16'

Mr. Kennedy stated that the 18' wide driveway along the curb line to the north or 50' of curb that would require 2' of additional pavement or 100 sq. ft. would increase the asphalt by 1.1% they are currently 64.7% to 65.8% or 0.8% over and a variance would be required. Mr. Cranmer stated that he would speak to Mr. Marra on this change, he doesn't feel that the additional 2' would make a material difference. Mr. Cranmer suggested a mountable or a slanted curb along the stretch along the building. Mr. Kennedy was agreeable. Mr. Cranmer suggested that the board grant the variance and if Mr. Marra agrees then the variance would not be issued.

Ms. Higgins stated that they will agree to the previously approved sign set back of 10.5' where 20' is required.

2.3: Mr. Kennedy stated that the applicant will be putting out 2 refuse can out to the curb, limited to 30 lbs.

3.3: Storm Water calculations will be supplied to Mr. Cranmer

3.4: Operations Manual & Maintenance Manual will be furnished to Mr. Cranmer

4.4: Mr. Kennedy stated that the lighting will be changed to L.E.D. fixtures

A motion was made by Mr. Moran, seconded by Ms. Walter-Reger, to open the meeting to the public. All approved.

No audience

A motion was made by Mr. Moran, seconded by Ms. Walter-Reger, to close the meeting to the public. All approved.

A motion was made by Mr. Moran, seconded by Mr. Carroll to approve the Amended Preliminary & Final Site Plan Approval to: Mr. John Riddle, as submitted with the following conditions stated by Mr. Cranmer & Mr. Steib:

- Eliminate the following condition set forth in 2006 Resolution which no longer would apply - take out vinyl siding
- Restriction of the use of the attic & basement to storage only
- Restriction of a single tenant user only or any use that would increase the parking requirement over and above the current use
- Minor changes to be discussed with applicant and board engineer
- Granting of an additional impervious variance for the widening of the driveway subject to the Fire Marshall accepting the 16', with a slanted curb. Impervious variance would extinguish at the issuance of a Certificate of Occupancy should the Fire Marshall consent to the 16' wide driveway
- The number of parking stalls is based on the professional office use 1 stall/200 sq. ft, if the use is more intense the applicant would have to return to the board for approval
- Revised Plan that there would not be a bathroom in the basement
- Applicant to comply with all the technical comments in Cranmer Engineering Letter
- Applicant to comply with the Shade Tree Commission comments
- Storm water report to the satisfaction of the Engineer
- Operation & Maintenance Manual to the satisfaction of the Engineer
- L.E.D. fixtures to be used
- Contribution to the Affordable Housing Fund – Ordinance #858 & #859

Roll Call:

Affirmative: Martinelly, Moran, Carroll, Walter-Reger, Forrest, Collela, Hemel

Negative: None.

Resolution 10/19/2016.....

A motion was made by Mr. Moran, seconded by Mr. Carroll to adjourn the meeting at 9:00 pm. All approved.