



*Where Community, Business & Tourism Prosper*

**Neptune Township ~ Planning Board  
Regular Meeting Minutes  
Wednesday November 8, 2017 - 7:00 PM  
Township Meeting Room 2<sup>nd</sup> Floor**

**OPENING:** Meeting called to order by Chair Davis. Ms. Davis advised the public of the fire exits and how the meeting will proceed.

**ATTENDANCE:**

**Present:** Richard Ambrosio, John Bonney, Bishop Paul Brown, Dyese Davis, Linda Kornegay, Robert Lane, Sharon Davis, Mark Kitrick, Esq. – Attorney to the Board, Peter R. Avakian, PE, PP – Board Engineer, Jennifer C. Beahm, PP, AICP – Board Planner, Robin DeCorso of Torro Reporting, LLC, and Kristie Armour – Board Secretary.

**Absent:** Mayor Dr. Michael Brantley, Keith P. Cafferty, Richard Culp, and Mychal Mills

The Board forms the RFQ Review Subcommittee in anticipation of RFQ's to be submitted to the Township Clerk for Planning Board Professional Appointments for 2018.

**RESOLUTIONS MEMORIALIZED:**

**Resolution #17-20 – Jersey Shore University Medical Center** – Block 1201, Lots 4 & 5 – 19 Davis Avenue and 1919 Corlies Avenue – Amendment/Modification to condition contained in Preliminary and Final Site Plan Resolution of Approval in order to permit the occupancy of the building in phases while in the process of obtaining NJDOT Approval.

**Resolution #17-21 – Jersey Shore University Medical Center** – Block 1201, Lots 4 & 5 – 19 Davis Avenue and 1919 Corlies Avenue – Minor Site Plan approval for proposed signage on the HOPE Tower Building.

**Resolution #17-22 – John Gatarz** – Block 5005, Lot 12 – 401 Helen Terrace – Minor Subdivision Approval to create a total of 3 residential lots.

**APPLICATIONS:**

**PB17/07 – Wells Fargo Bank** – Block 1703, Lot 9 – 100 Fortunato Place – Applicant has submitted an application for Minor Site Plan approval for proposed lighting which is required for security purposes. The Applicant had a waiver hearing on August 23, 2017 at which time all waivers requested for completeness purposes were granted by the Board with the exception of providing a current Survey of Property which has now been received.

Applicant is represented by Michael Peacock, Esq. indicates this is a continuation from the October 25<sup>th</sup> hearing.

The height of the poles and levels of illumination in and around the property are discussed.

The two (2) new light poles being proposed have been reduced in height down to 14 feet and they still maintain lighting per N.J.S.A. 17:16K-10 – no longer a substantial height variance.

The cross access driveway at that location is now lower.

Steven Catani of Dynamic Engineering is sworn in, qualified and accepted by the Board.

Exhibit A-3 – Revised Lighting Plan dated last revised November 8, 2017.

It is indicated the 2 light fixtures proposed can comply with the 14 foot height requirement. The entire driveway is located on Wells Fargo property; therefore the illumination there is completely on the property, originally it was thought to be a shared driveway.

There will be 0 footcandles on Route 18 and no spillage onto the ramp. At the roadway it is approximately 0.1-0.2 footcandles of spillage which is reasonable for the conditions; therefore, the applicant is now compliant with light spillage.

It is disputed that the driveway is a shared driveway, there was confusion as to which access was being referred to and resolved.

Peter Avakian indicates that the height of the light poles and the light spillage which was a concern of the Board previously appears to have been addressed and appear to be acceptable.

It is indicated that drainage is not affected with this application for lighting.

Robert Lane asks how quick this work can be done since there are a lot of lights there not working as we speak and it is a safety hazard – it is indicated within 90-180 days. Mr. Lane recommends at least installing new bulbs now.

The info requested in Mr. Avakian's review for items to be shown on the plans has been added and all existing structures onsite. We would like to request a partial waiver for everything within 200 feet thereof. Ms. Beahm indicates the completeness items have already been addressed and the only thing that was requested was the property survey which has been provided.

Open to public for comments:

Darren Vitello – 202 Poplar Place – sworn in – has concerns with drainage and the conditions of the property in the back – understands the lighting and the safety issue around the bank; however, is also a safety issue the property in the back - it is a swamp behind his house with trees down – a representative from Mr. Avakian's office had come out some time ago and there was a lot of push back from Mr. Fortunato to the bank. Mr. Peacock indicates he has not seen the Wells Fargo lease agreement; however, it is sometimes a long term lease agreement where the lessee is responsible for paying the real estate taxes. He thinks in this instance while Mr. Fortunato still owns the land, Wells Fargo is paying the property tax therefore the entity and address on file with the Tax Assessor and Collector is Wells Fargo so they can be sent the property tax bills and paid by them rather than going through Fortunato and that way. Chair Davis asks Mr. Vitello what exactly it is he is looking for and he indicates he is just looking for some help. He indicates the backside of his property is washing off and he has replaced multiple fences and now it is coming to within 5 feet onto the property where it is affecting his inground pool. The gentleman suggested I call the Mayor last meeting and I did. I called the Mayor twice before I came before you and he has never called me back. Chair Davis asks what can Mr. Peacock do for you? Mr. Vitello indicates he is trying to find out who is actually responsible for the property. Mr. Peacock stated they pay the taxes, but they are only responsible for the portion of the property that they use.

Mark Kitrick, Esq. indicates Mr. Vitello needs to leave this meeting with some sort of understanding that somebody is going to address your issue?

Michael Peacock, Esq. indicates stated would provide a direct means of communication with himself and in-house counsel for Wells Fargo just to sort everything out. Again, he has not seen the lease for the property. Mr. Kitrick senses frustration between Fortunato, Wells Fargo Bank, and he things somebody has to take ownership as to directing the concerns of Mr. Vitello. Mr. Peacock has indicated he is willing to provide that means between the 2 parties since he has access to in-house counsel at Wells Fargo and can certainly facilitate a resolution and find out who is responsible.

Bishop Brown asks if the issue is that the property is not being taken care of? Mr. Vitello indicates not only is it littered.

Mr. Peacock indicates he will commit to handling the issue or getting it handled by the appropriate party. Mr. Vitello indicates there is almost a lake back there and the trees keep coming down.

Mr. Lane indicates he will also be involved and will provide Mr. Vitello his card as well. Mark Kitrick, Esq. indicates that Mr. Vitello circle back with Mr. Lane prior to our December meeting. That is when the resolution gets adopted.

Property elevations discussed. It is indicated there is a stream in the rear of the property so there is definitely a flood plain issue. It is pretty low, it is pretty wet, so if there are trees coming down onto adjoining properties it needs to be looked at.

**Based upon the application submitted to the Board and the testimony provided, a motion to approve the application as revised and discussed was offered by Dyese Davis, moved and seconded by John Bonney.**

**Those who voted YES:** Richard Ambrosio, John Bonney, Bishop Paul Brown, Dyese Davis, Robert Lane, Linda Kornegay, and Sharon Davis.

**Those who ABSTAINED:** None.

**Those ABSENT:** Dr. Mayor Michal Brantley, Richard Culp, Mychal Mills, and Keith Cafferty

**Those who voted NO:** None.

**PB17/11 – 3535, LLC (Spectrotel)** – Block 3903, Lot 3.01 – 1200 Jumping Brook Road – Applicant is seeking Preliminary and Final Site Plan Approval with Bulk Variances to renovate the existing office building and parking area.

Applicant is represented by Rick Brodsky, Esq.

Patrick Lynam, Rob Adler, and David Zahka, CFO – sworn in with Board Professionals

Notice has been reviewed and found to be acceptable.

This is an existing office building seeking Preliminary and Final Site Plan approval to renovate the existing building which includes a small addition and minor revisions of the parking area.

The applicant was the tenant of this property for about 10 years or so (telecommunications). The tenant purchased this property after the subdivision was completed – the business has grown and now on their own and would like to improve this building and make this their headquarters.

Jennifer Beahm indicates this has been a permitted use all along in the commercial zone. Mr. Brodsky indicates yes.

Mr. Lynam – qualified and accepted – There is currently an office building which is proposed to be renovated. The hours of operation are from 6:00 am – 11:00 pm and there are under 35 employees. ADA spaces will comply. The impervious coverage is being reduced and will be compliant with stormwater management. A generator is being proposed at the southeast corner of the building – requests a design waiver as they are proposing fence vs. landscape buffer. No large deliveries therefore the loading zone is 10 feet x 23 feet to accommodate a small box truck.

Signs and landscaping are discussed. There will be no reduction in plantings.

A few lights are proposed and will comply. Will also comply with any outside agency approvals required.

Michael Golub – 305 Cliffwood Drive – questions if the parking has been reconfigured – Yes. Any necessity for increased stormwater management? – No, we are decreasing the impervious cover. Mr. Golub indicates his concern was that this is not far from the Walmart site. Mr. Golub indicates a lot of benefit to this project and encourages them to do the right thing as far as the environment is concerned.

Peter Avakian – max. total coverage was granted via Fifth Venture, LLC application; however, overall coverage is being reduced with this project.

The number of parking spaces are still exceeded (136 required vs. 144 provided) but not more than 20% and there is going to be less pavement.

Richard Ambrosio questions what is actually done in this building. It is indicated Spectrotel is a telecommunications provider.

Robert Adler, Architect, sworn in and accepted by the Board. Mr. Adler indicates this is a renovation and they are adding a mezzanine. The footprint is not increasing at all. Improving the entranceway. The indicated “event space” on the plans is for employees only, not open to the public. May have been better called “multipurpose room”.

Exhibit A-1 – Engineering Plans (Sheets 1-7) last revised 10/17/17

Exhibit A-2 – Architectural Plans full set dated 8/9/17 unrevised.

Loading area discussed.

The lighting is proposed to be replaced and improved to improve and even out lighting spread around the building and in the entrance some high hats to improve the lighting. Any repair, replacement, or addition of lighting will comply with the ordinance.

**Based upon the application submitted to the Board and the testimony provided, a motion to approve the application was offered by Robert Lane, moved and seconded by Dyese Davis.**

**Those who voted YES:** Richard Ambrosio, John Bonney, Bishop Paul Brown, Dyese Davis, Robert Lane, Linda Kornegay, and Sharon Davis.

**Those who ABSTAINED:** None.

**Those ABSENT:** Dr. Mayor Michal Brantley, Richard Culp, Mychal Mills, and Keith Cafferty

**Those who voted NO:** None.

### **ADJOURNMENT:**

Next scheduled meeting will be a Special Meeting on November 29, 2017 at 7:00 PM for continuation of the DeVimy Equities (Family Dollar) application.

With no further business before the Board a motion to adjourn at was offered by Dyese Davis, moved and seconded by John Bonney, all in favor. Meeting closed at 8:03 PM.

Minutes submitted by Kristie Armour, Board Administrative Officer.