

PLANNING BOARD

JANUARY 12, 2015

PRESENT: Messrs. Meyer, Reynolds, Campbell, Windas, Burke, Magovern, Hoffman and Forte; and Ms. Sheridan and Ms. Rokoszak

ABSENT: Mr. Doherty

ALSO PRESENT: Board Attorney Douglas Kovats, Board Secretary April Claudio, and Borough Engineer Joseph Venezia

At approximately 7:30 p.m. the secretary stated that adequate notice of this meeting of the Planning Board was sent by email to our official newspapers, the Coast Star, the Star Ledger, and the Asbury Park Press on December 22, 2014 and by posting a copy of said notice at the Municipal Complex on the same date.

Oath of Office was administered to Board Members Campbell, Forte, Windas, Sheridan and Magovern

Mr. Campbell nominated Mr. Windas as Chairman, which was seconded by Mr. Meyer. Being there were no further nominations Mr. Windas was appointed Chairman through a unanimous vote.

Mr. Campbell nominated Ms. Sheridan as Vice Chair, which was seconded by Mr. Meyer. Being there were no further nominations Ms. Sheridan was appointed Vice Chairwoman through a unanimous vote.

Mr. Burke made a motion to waive the reading and approve the minutes of the December 15, 2014 regular meeting, which was seconded by Mr. Hoffman and approved by the following vote:

AYES: Messrs. Meyer, Reynolds, Campbell, Windas, Burke, and Hoffman

NAYS:

ABSTAIN: Mr. Magovern, Ms. Sheridan, and Ms. Rokoszak

Mr. Meyer made a motion to waive the reading and approve the resolution appointing Douglas Kovats as Planning Board Attorney, which was seconded by Ms. Sheridan and approved by the following vote:

AYES: Messrs. Meyer, Reynolds, Campbell, Windas, Burke, and Magovern; and Ms. Sheridan and Ms. Rokoszak

NAYS:

ABSTAIN:

Mr. Hoffman made a motion to waive the reading and approve the resolution establishing the open public meetings act procedures, which was seconded by Ms. Sheridan and approved by the following vote:

AYES: Messrs. Meyer, Reynolds, Campbell, Windas, Burke, and Magovern; and Ms. Sheridan and Ms. Rokoszak

NAYS:

ABSTAIN:

Mr. Hoffman made a motion to waive the reading and approve the resolution granting approvals Down to Earth Farms LLC, 318 Sixth Avenue, which was seconded by Mr. Burke and approved by the following vote:

AYES: Messrs. Campbell, Windas, Burke, and Hoffman

NAYS: Mr. Reynolds

ABSTAIN: Mr. Meyer, Magovern, Ms. Sheridan, and Ms. Rokoszak

Mr. Hoffman made a motion to waive the reading and approve the resolution granting approvals to Michael Mixson, 200 First Avenue, which was seconded by Ms. Sheridan and approved by the following vote:

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AYES: Messrs. Reynolds, Campbell, Windas, and Hoffman
NAYS: Mr. Meyer and Mr. Burke
ABSTAIN: Mr. Magovern, Ms. Sheridan, and Ms. Rokoszak

C HEF'S INTERNATIONAL LLC – BELMAR MARINA

Appearing for this application were attorneys Mark Kitrick and John Jackson, engineer John Palus, architect Greg Sonnenfeld, and owner/operator Robert Cooper.

Mr. Kitrick stated their application is to amend their preliminary and final site plan approval previously granted. This site is in the seaport redevelopment zone. This revised application does not require any variances. They feel the revised plans and use of the building fit in with the vision of the plans for the marina.

Mr. Sonnenfeld explained the building has been redesigned. One of the reasons for this is the previous plan called for relocation of all underground utilities which would have a big impact on the marina. The building was reduced in square footage and down to one story which reduces the amount of work that needs to be done with the utilities. Building was moved out the V flood zone into the AE flood zone which allows for the building to be dropped lower and to reduce the elevation. This lowers the amount of stairs and the height of any ramps. Also by reducing the size of the building the size of the outdoor area is increased. It was designed to have a similar look to their Waterstreet restaurant in Toms River. More landscaping has been added to the plan. The building would have cement fiberboard, a lot of glass features, and a metal roof. The outdoor area would have several different seating areas some with shade structures. All utilities will be hidden behind a wall and with landscaping. The water side of the building will have glass roll up doors that opens up the inside of the restaurant to the outside during good weather. The highest point of the building is 34.6 feet.

Mr. Burke and Ms. Rokoszak stated the new plan is totally opposite of what was previously approved and it looks drab. Ms. Rokoszak added she understands the downsizing of the whole building but the look was changed as well.

Ms. Sheridan stated she is concerned about the Route 35 side of the building being bland as compared to the rear of the building.

Mr. Magovern wanted to make sure the sitting wall and existing paver wall will not be used for restaurant overflow. Mr. Cooper stated those areas are strictly for public use and not for the restaurant.

Mr. Venezia asked if there is a storage area for all outdoor furniture in the event of bad weather. Mr. Sonnenfeld stated they can be brought into or under the building.

Mr. Windas asked about occupancy. Mr. Sonnenfeld stated the inside of the building is 200 and the outside is 223.

Mr. Palus stated another change to the plan was the removal of a service aisle between the restaurant and the retail portions. Both have been combined into one building. The retail/office area has been moved to the north side of the building. Traffic flow on the north and east side is similar to what exists today but a little better. Have added a drop off area in front of the entrance for ADA drop off or possible valet service. Parking is increased by 10 spaces compared to old plan. Parking demand is decreased because of the reduced size of the building which is a net gain of 144 parking spaces. Building is more ADA accessible because of reduction in elevation.

Mr. Burke asked about a loading zone. Mr. Palus stated if they designate a loading zone they lose parking so they would just have trucks pull up to the service area on the east side of the building. Mr. Burke was concerned about tractor trailers being able to maneuver in and out. Mr. Palus stated he will submit details to the engineer for review.

Mr. Kovats asked about signage. Mr. Palus stated the name of the restaurant would be on the east side. There would be two smaller signs on the south side. They envision complying with the sign ordinance.

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Ms. Rokoszak asked about noise and music since there is more outdoor seating. Mr. Cooper stated the pier has music until 10 pm and the music would move inside the building after 10 pm. There would be no music on the exterior deck. He added they will adhere to the noise ordinance and if need be can close the glass doors. He added that he doesn't anticipate the music being the type of music that would carry through the town.

Mr. Burke asked where employees would park. Mr. Cooper stated he hasn't developed a plan yet but would encourage his employees to park away from the building.

Ms. Rokoszak asked if there will be bicycle racks. Mr. Palus stated they would probably add more to where the bicycle racks are already for the pier.

Mr. Meyer stated the original intent was for an upscale restaurant but it appears it's going to just be an extension of the pier. Mr. Cooper stated this restaurant would be similar to their Waterstreet restaurant in Toms River.

Mr. Palus stated they are asking for a waiver on an environmental impact statement and a waiver on doing a metes and bounds survey.

Tom Brower, landscape architect, talked about the look of the outdoor eating area and landscaping.

Mr. Palus discussed and addressed the comments in the Borough engineer's review letter.

Public:

Victoria Renner, 1106 D Street, felt this application is completely new and is concerned that it looks a lot different than the previous plan. She asked if a landscape plan was submitted. Mr. Kovats stated there was. She felt the loading process needs to be addressed in more detail. She felt signage and color details need to be addressed. Mr. Kovats explained the applicant has agreed to comply with signage and will submit proposals to the sign committee and they have also agreed to submit an application for outdoor dining to the Zoning Officer. She had several other questions which were answered in earlier testimony by the applicant and clarified for her again.

Joy DeSanctis, 101 Sixth Avenue, agreed with Ms. Renner. She was concerned about parking, the delivery situation, and the use of the other retail space. She questioned what kind of clientele would be coming in after 9 pm. She was concerned about noise from the outdoor dining area. She was concerned about the burden on the utility services. She feels the exterior look of the building needs to be addressed.

David Schneck, 302 C Street, questioned the life expectancy of the decking. Mr. Sonnenfeld did not know a date but stated if decking is warped and needs to be replaced it will be. Mr. Schneck asked why the second story was eliminated. Mr. Jackson stated there are several reasons but one was they feel this plan is better suited for the site. Felt the original design could have been scaled down. He doesn't feel it fits in with the character of the town. He was concerned that this building won't be as valuable as the previous building. Mr. Jackson disagreed because this building will have had a successful restaurant.

Gene Creamer, Fourth Avenue, asked what public funds would be used on this project. Mr. Jackson stated there would be none. Mr. Creamer asked if the business would pay the special improvement tax. Mr. Jackson stated he did not think so.

Katrina Clapsis, B Street, asked for clarification on how trucks would come into the marina to the restaurant. She was concerned about the effect this will have on the boats and other people that use the marina. Mr. Jackson stated they do not want to be a nuisance and will comply with all ordinances.

Board Comments

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Mr. Meyer was concerned about the aesthetics but through discussion some of his concerns have been alleviated and he is in favor of the application.

Ms. Sheridan was concerned about the color scheme and the look of the Route 35 side of the building. Suggested more vibrant colors.

Mr. Kovats stated the applicant had stated they would revisit the colors.

Mr. Reynolds stated he loved the other building and feels this plan is drab and boxy. He would like to jazz it up.

Mr. Campbell stated he likes both designs and sees it fitting in as a wharf side property.

Ms. Rokoszak stated she has issue with the aesthetics. She would like to see a design closer to the original one.

Mr. Kovats suggested the board could create an ad-hoc committee that could finalize the aesthetics with the applicant as a condition of approvals.

Mr. Burke stated they did a nice job on the presentation but agrees with his colleagues. He likes the building and what will be done with it but would like to see some compromise on the design given everyone liked the original design. He did have concerns about parking but understands that it is a town issue.

Mr. Magovern stated he is very confident Chef's International will do a great job given their past experience with restaurants. He would like the Route 35 side of the building to become more interesting.

Mr. Hoffman would hope the aesthetics could be worked out to be more interesting on the highway side.

Mr. Windas wished this plan had been presented the first time. He stated the board has to consider how the applications they approve affect the town for years to come. He agreed the Route 35 side needs to be attractive. He is in favor of the application but would like to have the ad-hoc committee of the board to address the aesthetics.

Mr. Kovats explained it would be a condition of approvals that they would have to meet with the board committee and address the aesthetics.

Mr. Hoffman made a motion to approve the application, which was seconded by Mr. Burke and approved by the following vote:

AYES: Messrs. Meyer, Reynolds, Campbell, Windas, Burke, and Magovern; and Ms. Sheridan and Ms. Rokoszak

NAYS:

ABSTAIN:

Mr. Reynolds, Mr. Campbell, Ms. Sheridan, Mr. Burke, with Ms. Rokoszak as an alternate, nominated themselves to be on the ad-hoc committee that will discuss the look of the building with Mr. Cooper and his professionals.

Mr. Meyer made a motion to adjourn the meeting, which was seconded by Mr. Windas and approved unanimously.