

WORKSHOP **MINUTES**
Seaside Heights Planning Board
Monday, March 4, 2019
6:00pm
Court Room over Fire House

Opening: **6:00 PM by Chairman, Frank C. Gorman**

Roll Call: **PRESENT: Frank C. Gorman, Steve Sanzone, Chris Vaz, Frank M. Santora, Robert Triano, Michael Carbone, Vito Ferrone**

ABSENT: Peter Jarkezian, Ted Szejnrok, Thomas Faragalli

BL. 1 LOTS 11 & 17 – (Commonly known as 11 and 17 Dupont Ave.) 100-103 Ocean Terrace- Michael Carbone- Zone: Retail Business- Minor Site Plan

Applicant is requesting approval to build a 3 story, masonry and frame apartment building with 5 units, on a vacant 60 x 100 lot. This is a conforming use of the property. The applicant's project does not require any variances.

Applicant is a member of the Planning Board, therefore, had to be excluded from participation in the process.

Ed Angster, Architect, Engineer, Surveyor, Planner appeared on behalf of the applicant. The applicant is proposing to build a 3 story building with 5 apartments including parking for 10 cars. Angster explained the configuration of the apartments: 1 apartment on the East side of the building will be on the ground floor and be two stories high, 2 typical apartments and 2 loft apartments.

Doug Klee, Board Engineer stated that one parking space is adjacent to the property line and that it will require a variance. Ed Angster said he will be designing it so that there will be a fence that will block the car door from swinging into the sidewalk area.

Doug Klee was concerned that there may need to be a height variance. Angster stated that they would change the roof design to stay within the height requirement.

Klee asked for clarification on the lots. There are two lots not one. The undersized lot can be merged into the regularly sized lot to become one.

There were no further questions and the Board seemed to feel this was an uncomplicated project. Applicant will submit revised plans at least 10 days prior to public hearing, which will be scheduled for March 27, 2019.

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BL. 7.01 LOT 45 - 45-47 Blaine Ave. - 51 Blaine, LLC - Zone: Residential – Variances

Applicant is requesting approval to renovate the building on this property, which is currently a boarding house and is a non-conforming use of this property. The applicant proposes to convert the building/boarding house into five (5) summer, seasonal residential units for transient or owner occupied use. All the existing property characteristics: lot area, frontage width setbacks, etc. will remain the same. The applicant will be requesting variances for pre-existing violations on the property. Those variances requested are for the front setback, off street parking, and lot area/ per unit or density. The proposed change will bring the use of the property into conformity with zoning standards.

Atty: Matthew Heagan

Matt Heagen, Esq. presented on behalf of the applicant. The existing property will be have new siding and be “dressed up”. The applicant’s plan is to convert this building into 5 summer rentals that will be transient/owner occupied. The units will be as follows: 1 unit in the basement area, and 2 units each, on the 2nd and 3rd floors of the building.

Doug Klee requested site plan drawings. Heagen explained that the building will have the exact same footprint and will only revise the inside. Heagen further stated that any issues with this property, already exist. By renovating the building, Heagan said they will be turning the building from a non-conforming use to a conforming use; 24 rooms to 5 units.

Doug Klee feels there needs to be a variance because the lot/building size does not have enough space for the units or parking. The variances Doug said are necessary are for use and bulk items.

This application will be scheduled for Public Hearing on March 27, 2019

BL. 69 LOTS 1, 1.01 &1.02 – Dupont Ave. Pier – Zone: Resort Recreational – Final Site Plan Approval- PHASE 3

Applicants are requesting Final Site Plan approval for Phase 3 of their construction project. These applicants received preliminary and final site plan approval to handle their project in 3 phases: Phase 1- An 11,000 sq.ft, temporary restaurant and six (6) 565 sq. foot commercial kiosks. Phase 2- construction of a 17,000 sq. ft. permanent beach bar and banquet facility including outdoor deck and bar area as well as a 28,000 sq. ft pool club. Phase 3 – construction

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of a **6,700 sq. ft.** commercial building including outdoor deck area. This approval was memorialized in SSH Planning Board Resolution 2018-08 on March 28, 2018; preliminary and final site plan approval for Phase 1 and 2 and preliminary approval for Phase 3. As per the resolution, the applicants are here to address Phase 3 of the construction project for final site plan approval. They are seeking approval to build a **10,700 sq.ft.** footprint for a commercial building and a time extension of the approved Phase 1, temporary restaurant, for one season.

Atty- Mark Schneider

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Mark Schneider, Esq. appeared for the applicants.

Board Member, Michael Carbone stepped down from the podium as he has a conflict with this application.

Mark Schneider stated that the applicants were here to workshop the final site plan so to receive approval for Phase III of their application.

Phase I- Tents and kiosks

Phase II- Pool and restaurant

Phase III- Building to be determined

Applicants are proposing to construct a building that will hold 1000 to 1200 people to be used for various venues including the sale of food, beverages, music, and possible office space. It will be a multi-functional space.

Vito Ferrone asked how Phase I and II are going. Schneider stated that he is blaming the delays of the progress on CAFRA. It took some time, but the applicants have all the approvals necessary to move on from CAFRA. Five of the kiosks are built and they were debating on only having 5, but they would like to construct the 6th kiosk. They are waiting for the closing of the property and will not be putting up any tents as originally thought. They will begin the construction of the restaurant as soon as the closing of the property is complete.

Doug Klee discussed that in the original approval for Phase III, the building was much smaller than what they are asking for today. In the original approval the building was 6100 sq. ft. and now it appears to be over 10,000 sq. ft. Mark Schneider stated that the footprint has not changed but the ingredients of building have changed. Doug Klee stated that all the new plans seem to have increased in size and is concerned about how consistent the revised plans are to the original approval.

Matt Wilder, Engineer was brought up to explain items. He said that when applying for CAFRA, they essentially ask for the dimensions of a big box and you get to fit the things you want into it. They are concerned with the overall size and dimensions. With regard to Vito Ferrone's question about the kiosks, Wilder explained that they wanted to create a corridor to the pool area, so they shifted the placing of the kiosks. They decided to go ahead and build the 6th one after seeing how it looked with the other 5 up. That kiosk will be much closer to the property line of Seaside Park. Because of that, they will be building the kiosk in Phase III and will ask for a variance for setbacks for that kiosk in the Phase III approval, since it will be the last thing built and will only be 1 foot away from the property line.

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Doug Klee feels that there should be an amended application because the variances for the placing of the 6th kiosk was not part of the original application. Chris Vaz asked if Phase I and Phase II were final. Mark Schneider stated that Phase I and Phase II are final and Phase III was temporary and that is why they are here. Chris Vaz stated that the Board felt they were there for an extension of their approvals because on March 28, 2019 their approval expires.

Doug Klee told applicants that the issue of parking needs to be addressed in the plans and would like to have all-inclusive plans.

Vito Ferrone asked what their timing is for the project. Mark Schneider said they hope to close on the property in 2 weeks then they will apply for their construction permits and be able to start very soon.

Doug Klee and Rob Greitz both stated that revised plans will need to be in by March 15th the latest in order to be listed for the March 27, 2019 meeting. Klee told the applicant not to do their certified notices and publication until he gives his ok.

Frank C. Gorman asked if this application is “do or die”, since March 27, 2019 is 1 day prior to the expiration of the approval.

Mark Schneider spoke to the Chairman, stating that when they come in for the final, they will ask for amended preliminary and final of Phase I and Phase II, an extension of the March 2018 resolution, a variance for the 6th kiosk, which will be closer to Seaside Park, and adjust the building dimensions since the Phase III building will be larger increasing the size by foot print and height.

Rob Greitz stated that the Board will need to hire a conflict attorney because he and Steven Zabarsky both represent the town of Seaside Park. Since Seaside Park is in the 200 foot radius and is concerned about elements of this application, our Board attorneys need to recuse themselves.

This application, if approved by Doug Klee, will be listed for Public Hearing March 27, 2019.

BL. 17.02 LOT 2 – 202-208 Bay Terrace – LaPierre, Inc. – Zone: Retail Business (RB)- Variance

Applicant is requesting a variance on this property to change the use from a seasonal boarding house to a year-round boarding house for the elderly. The applicant will not be making any changes to the property. They are proposing repairs to the front façade and to make repairs and upgrades to the interior portion of the building.

Atty- Mark Schneider

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Mark Schneider appeared for the applicant. They will be requesting a use variance to make this property a year-round, boarding house for senior citizens and veterans. It is currently a boarding house for seasonal rentals. According to Schneider, there will be no change in the footprint of the building or the interior lay out. The applicant will need to add heating to the building and plans on updating the exterior. The major change will be annual rentals instead of summer rentals.

Doug Klee stated that they will need a use variance since this is an expansion of a non-conforming use in that zone. Additionally there is a pre-existing non-conformity, there is limited parking on the property. Mark Schneider stated with regard to the parking, in their experience with these types of boarding homes, residents will not have or do not drive cars.

Vito Ferrone asked what other requirements are needed to house the elderly? Schneider stated that the applicants will be following all the state requirements and regulations.

There is a shared kitchen for all of the rooms/residents.

Architect explained that the main entrance has some structural issues. They plan to set the stairs back to make them egress bringing them to code. The entrance will be made handicap accessible.

Chris Vaz stated that he thought it might benefit the applicants to bring in experts regarding the parking situation. Schneider stated that this project will be based on the HUD program and they will have a van available to take the residents to take them to services they need etc. Mark Schneider clarified that the boarding house is not age restricted, but the type of clientele that normally lives in these facilities are either seniors or veterans, because of the places that refer their clients.

A neighbor of the building in the audience, Deborah Cusack, 205 Dupont Ave. attended because she received a certified letter that was sent out prematurely. Rob Greitz explained that today is merely a workshop and that no action will be taken by the Board regarding the application. She understood but wanted to ask the applicants about her concerns. She wanted to know what type of people will be in there, are they seniors, veterans? The applicant stated that it is going to be a mix of people and ages. Regarding security, who has control and will there be background checks of the people going into the facility? Schneider stated that this is a privately run facility, it is not government or anything like that. He further stated that they solicit clients from service providers either senior services or veteran's agencies. Ms. Cusack lives directly behind the property in question and also had concerns about garbage building up behind the building. Schneider stated that it is the property owner's intention to clean it up and make it nice for the residents and neighbors.

This application will be listed for public hearing on March 27, 2019.

Motion to adjourn the meeting made by Robert Triano. All were in favor. 7:15 pm

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Minutes of this meeting are not verbatim, but highlight that events that took place. A recording of this meeting is available at the Borough Hall in Seaside Heights.

Submitted by:

***Sherri R. Sieling
Planning Board Secretary***