BOROUGH HALL, 201 EAST MAIN STREET
Incorporated December 30, 1887
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GEORGE R. DEMPSEY, JR.
Mayor

BARBARA ILARIA
Municipal Clerk

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOSEPH R. DeIORIO
Municipal Administrator/
Chief Financial Officer

The Manasquan Planning Board held a Regular meeting on Tuesday, June 14, 2011 in the Borough Hall, 201 East Main Street, Manasquan, New Jersey.

Chairman John Burke called the meeting to order stating that this is an Open Public Meeting published and posted according to law. He then asked everyone present to please stand and salute the Flag.

ROLL CAL:
Board Members Present:
John Muly, Patrick Callahan, Joan Harriman, Councilman Owen McCarthy, John Burke, Jay Price, Peter Ragan, Richard Read
Board Members Absent:
Mayor George Dempsey, James Coakley, Michael Sinneck, Leonard Sullivan
Professionals Present:
Geoffrey S. Cramer – Planning Board Attorney
Al Yodakis – Planning Board Engineer T & M Associates

John Burke said we have a new member of the Board tonight, Mr. Peter Ragan and he said Geoff Cramer will swear him in. Geoff gave Peter Ragan the Oath of Office.

APPLICATION #07-2011 – Constantino, Michael – Manasquan Plaza, Inc. – 95-99 Atlantic Avenue – Block: 31 – Lot: 2.01 – Zone: B-1 – Subdivision of store into two units. Rich Read said he has a family relationship with the tenant so he needs to recuse himself. Joseph Lane is the attorney for the applicant. Also, Robert Gutman is an attorney representing the Clark Brothers. Geoff swore in the Constantino brothers along with Al Yodakis, Board Engineer. John then asked Geoff to explain to the Board what he found and what's happening with the 2003 Resolution before we even get started. Geoff said the problem said as the Constantino brothers are well aware as having a very long history and there are a number of Planning Board Resolutions that pertain to this property and this evenings application is one which seeks to subdivide one of the three units into two rental spaces. Basically that issue was presented to the Board once before back eight years ago in an application by Constantino Brothers, Inc. with respect to this property and the issue was addressed by the Board in Resolution #22-2003 and in that Resolution, paragraph 14 goes to say that in response to Board Members concerns and questions the applicant's conceded that any subdivision of any one of the units in the existing strip center would require a full site plan review by the Board as well as expert testimony from a traffic engineer and report from the Manasquan Police Department Traffic Officer. In recognition thereof, the applicants agreed to amend their application for site plan modification to eliminate the request for a subdivision of the unit occupied by the Home Town Market. The Board did determine in that Resolution in paragraph 20 that there can be no further subdivision of any store units in the subject strip mall without a full site plan review and approval by this Board on notice to all property owners and that there would

be no waiver of any elements required in conjunction with that site plan. That basically is the Resolution that was adopted almost eight years ago. Mr. Lane said they have not submitted a site plan prior to submitting the application, he spoke to Mr. Furey and he said no site plan was required. Based upon that conversation with him he submitted the application without a site plan and without a traffic engineer's report. He was not aware of this until about fifteen minutes ago. Geoff said the Board doesn't have any type of report from its Police Department either, which is required in terms of the protocol that was developed eight years ago. John Burke said you are not the only one with short notice, we didn't hear about this until we came here tonight. Geoff found this this afternoon. Mr. Lane said when his clients came to see him initially he asked them to get copies of all the Resolutions pertaining to the property and I came here and got copies but this was not included in that list of Resolutions, had it been we wouldn't be here tonight. John Burke said he has no idea why, but it's very cut and dry and it basically states that we do have to have a full report on this before we can proceed. Mr. Lane said so the application is not complete. John Burke said no it's not complete. He then asked John Muly if he had said that there was a possibility that someone in the neighborhood who did not get adequately noticed. John Muly said he heard a rumor to that affect but he can't verify it in any way. Mr. Lane said himself and his office staff triple checked the list and Mary said she checked the list also. John Muly said somebody raised his hand in the back of the room. Motion to open the meeting to the public just to hear this man's testimony on the notice was made by Joan Harriman, seconded by John Muly, all in favor none opposed.

<u>Audience member coming forward</u>:

Andrew S. Marcucci – 37 North Main Street – He said he did not receive the letter physically for the meeting tonight they just came when they heard about it, but he did not physically receive the letter. John Burke asked him where he lives in relation to the property, he said he is directly across the Street on the northwest corner. John said so you are definitely within 200-feet. Mr. Lane said the notice was sent via certified mail whether he has claimed it or not he doesn't know but he personally took these to the Post Office himself on May 23, 2011 and he had a timed stamp May 23 directed to Mr. Andrew S and Christina M. Marcucci, Mr. Marcucci said Christine. Geoff Cramer said at 37 North Main Street, Manasquan, NJ 08736-2916 and you are saying you didn't get the Certified Letter. Mr. Marcucci said he didn't. John Burke said well actually this is really taken care of right here, because this case is going to be continued to another meeting. This will be your official notice now that it will be continued, so you are now officially noticed on it. Mr. Marcucci asked if there was a copy or a file he could review. John Burke said there is a copy of all the paperwork in the office upstairs during business hours you just have to go up and see Mary. Mary said Geoff I believe there is even a copy of the letters Mr. Lane sent out in the file in front of you. John Burke said so we'll blame the Post Office. Geoff said Mr. Marcucci Mary will get you a copy of that letter and anything else from the file that you might need. John Burke said so that being taken care of now we have to approach the 22-2003 Resolution. He asked Mr. Lane if they can be prepared for next month. Mr. Lane said he would carry to August 2, 2011. John Burke said since there is going to be a full site plan the Board should have an Engineer's report on this and he requested Al Yodakis to do an Engineer's report on this also. Mary said she would need additional escrow money. Mr. Lane asked if she would let him know the amount and Mary said

$700.00. Mr. Lane said alright and do we have to re-notice and Mr. Cramer said no this will be the official notice that it will be on in August.
John Burke said let the record show that Rick Read has returned to the Board after his brief absence.
<u>APPLICATION #08-2011</u> – Manasquan Board of Education – Block: 45.06 – Lot: 13.01 – Zone: R-2 – Courtesy presentation by Bernie Bigley regarding the installation of a metal storage shed on the track practice field. John Burke said this is required by the State that the Board of Education appear before the Planning Board. Mr. Bigley explained what the proposal is. He said the storage shed which will be on the track practice field would be used to store practice mats and some other equipment and stuff out in that area. He went around to the residents within 200-feet of where the structure would be, knocked on their doors mentioned to them exactly what they were proposing to do and that he was coming to this meeting tonight. He had people sign off on the sheet, there were only two people he was unable to contact. One which he did through mail and that's a person that lives in New York and the other person he continued to leave it in their mail box, there are vehicles in the driveway, yet he hasn't caught anybody at that home. Other than that everybody else he had contacted within 200-feet of the structure. John asked Geoff how legal this was and Geoff said it's a type of improvement project that a Board of Education has to be reviewed by the Board and the Board makes its comments to the Board of Education and that's it. Bernie said there are no utilities to this facility so it's only going to be used during the school hours when they are having their track practices. They continue to have problems in that area with students at night and that's why we are asking to put this shed up. Bernie said it is a metal structure and so there is no way they are going to burn it down. Bernie said some of the residents that he had spoken with were showing their support in this because they know there is a problem with students out there at night. This hopefully will eliminate some of that. John Burke questioned the placement of the shed, he wondered why they didn't put it more out of the way. Bernie explained his reasoning which John accepted. John Muly asked about landscaping. Bernie said he works with Kevin Thompson who said he would be willing to come over and make some suggestions if that's what you require. We want to be good neighbors. From where I'm putting this these people are not going to see it. John Burke said we can make recommendations to you, we can't make requirements of the Board of Education. Seeing where it is if you want to put some vegetation around it that's fine. Joan Harriman asked about rust, Bernie said this is good for 30-years, now if you want to see a structure; I don't want to throw a wrench in here but in back of the First Aid Squad is a similar structure which has been there for quite a few years now. Mine is not going to be as big as theirs; it's the same idea though. Board members asking questions were Joan Harriman, Owen McCarthy, Patrick Callahan, and John Burke. Bernie assured the Board he would maintain the structure. The structure would have two skylights also. Geoff Cramer read a Resolution he prepared during the hearing. John Muly voted to memorialize, seconded by Patrick Callahan.
Board members voting yes:
John Muly, Patrick Callahan, Joan Harriman, Councilman Owen McCarthy, and Peter Ragan.
Richard Read and Jay Price abstained from voting.
RESOLUTION MEMORIALIZED

Motion to pay the bills made by Richard Read, seconded by John Muly all in favor none opposed.
VOUCHERS APPROVED FOR PAYMENT

<u>RESOLUTION #06-2011</u> – Amoroso, Renee and Michael – 431 Beachfront – Block: 187 – Lot: 25.02 – Zone: R-4 – Construction of a raised deck and paver patio in the front yard area of their property at 431 Beachfront with conditions outlined on page 5 paragraphs 1 through 5.
Motion to memorialize the Resolution made by John Muly, seconded by Councilman McCarthy.
Board members voting yes:
John Muly, Patrick Callahan, Joan Harriman, Councilman McCarthy, John Burke and Jay Price
RESOLUTION MEMORIALIZED

Minutes of April 5, 2011 – Regular Meeting - motion to approve made by Richard Read, seconded by Councilman McCarthy, all in favor none opposed.
MINUTES APPROVED

Minutes of May 3, 2011 – Regular Meeting – motion to approve made by Councilman McCarthy, seconded by Richard Read, all in favor none opposed.
MINUTES APPROVED

Comments from individual Board members – Joan Harriman, Owen McCarthy, Patrick Callahan, John Burke mentioned if anyone wishes to go to the League of Municipalities to let Mary so she could inform the Clerk's office. He also mentioned to the new Board Members about the Mandatory Planning Board class they need to attend within eighteen months of being appointed to the Planning Board.

There was no one in the audience so the meeting was not opened to the public.

Motion to adjourn made by John Muly, seconded by Councilman McCarthy, all in favor none opposed.

MEETING ADJOURNED AT 8:05PM

Respectfully Submitted,
Mary C. Salerno
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Planning Board Secretary