

**April 20, 2023**  
**Planning Board Minutes**  
**Township of Berkeley**  
**627 Pinewald-Keswick Rd P.O. Box B Bayville, NJ 08721**

**6:00PM**

**SALUTE TO THE FLAG**

Chairman Mackres called the April 20<sup>th</sup> Planning Board meeting to order at 6:00PM and asked everyone to please rise for the flag salute.

**SUNSHINE ACT STATEMENT**

Chairman Mackres announced: "This meeting was advertised in the Asbury Park Press and posted on the Township's bulletin board as required by the Open Public Meeting Act."

**ROLL CALL**

**Present:** Councilman Bacchione, Mr. Camera, Mr. Callahan, Mr. DeChiaro, Mr. Georgaklis, Chairman Mackres, and Mr. Ryan

**Absent:** Mayor Amato, Mr. Gingrich, and Mr. Burris

**Professionals Present from the Municipality:** Patrick Varga from the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris, & Connors, Ernie Peters from Remington and Vernick Engineers, and Jim Oris from Remington and Vernick Engineers

**BUSINESS OF THE BOARD – Courtesy Hearing: Berkeley Avenue & Chestnut Street**

The project manager from Van Cleef Engineering, Robert McGowan and the senior planner, Mark Villanger from The Ocean County Planning Board presented the emergency access driveway project at Berkeley Avenue and Chestnut Street. They noted it would be utilized as needed for emergency vehicles only on the existing asphalt path. They plan to use gravel to minimize the impervious runoff and stormwater. The team appeared in front of the Borough of Beachwood's Land Use Board last month. Chairman Mackres confirmed the length and the intent of the project.

On a motion by Councilman Bacchione, seconded by Mr. Georgaklis, with all present in favor, the emergency access driveway at the intersection of Berkeley Avenue and Chestnut Street in Beachwood was deemed not inconsistent with Berkeley Township's Master Plan.

**AGENDA**

**1. Station Road Developers, LLC – PB23-001**

**Type of Application: Preliminary and Major Final Subdivision**

**99 Station Road Block 956 Lot 25**

**Attorney: Mr. Ryan Murphy, Esq.**

**Engineer: Mr. Glenn D. Lines, P.E.**

The Planning Board's attorney, Mr. Patrick Varga, noted the Board did not have jurisdiction to hear this application because the applicant failed to properly notice. He explained the applicant's attorney, Mr. Ryan Murphy, would be available outside of the meeting room to discuss any discrepancies or questions the neighboring owners had. Mr. Ryan Murphy explained the Asbury Park Press published their notice one day late, thus making the application unable to be heard. As agreed upon, the application will be carried to the next Planning Board meeting on Thursday, May 18<sup>th</sup> at 6PM.

**2. Ruddy – PB22-011**

**Type of Application: Minor Subdivision**

**111 Harbor Court Block 896 Lots 462, 463, 463.01, 464-468**

**Attorney: Terry Brady, Esq.**

**Engineer: Jason Marciano, P.E.**

The applicant's attorney, Mr. Terry Brady, presented the minor subdivision application at block 896, lots 462, 463, 463.01, 464-468, also known as 111 Harbor Court. The minor subdivision would create two buildable lots with minor bulk variances requested. The location is in the R-100 Zone and meets the requirements for lot frontage and lot size. The attorney testified no homes on the street meet the front yard setback. The applicant's engineer, Mr. Jason Marciano, presented two exhibits, A1: subdivision map of the property with highlights of the variance and A2: a series of pictures of the neighborhood. The applicant requested a waiver for the shade trees and sidewalks/curbs. The engineer explained that due to the nature of the dead-end road, there are no sidewalks or curbs currently. In efforts of grading, they proposed contours to be added to the plan and the roof leaders are to be piped to the bulkhead. The professionals received preliminary approval from the Berkeley Township Sewerage Authority. Mr. Jason Marciano testified an approval for this application would not impair the purpose and intent of Berkeley Township's Zoning Ordinance. In efforts of an appealing aesthetic, it would be a positive impact.

**Councilman Bacchione excused himself from the meeting at 6:46PM.**

The DEP required the applicant to add a water access entry boardwalk in between the two dwellings – to be maintained by the owner of the property. The Planning Board's Engineer and Planner, Mr. Ernie Peters and Mr. Jim Oris agreed with the testimony presented. Mr. Oris assured the applicant recognizes the street floods and is projected to worsen as time goes on. Chairman Mackres noted the variances required are related to the structures not the minor subdivision itself. He noted the Planning Board excuses the implementation of curbs and sidewalks where it makes sense to do so and requested similar stone to the neighboring properties be used for the driveway and walkway. Mr. DeChiaro along with numerous other board members questioned the boardwalk requested by the DEP and who is responsible for maintaining it. The professionals said the owner of new lot 462.02 would maintain and keep it.

On a motion to open to the public by Mr. Ryan, seconded by Mr. DeChiaro, with all present in favor, the above application was open for discussion.

Dr. Musicant and his attorney addressed the Planning Board regarding the application. The applicant and Dr. Musicant discussed their issues with their attorneys prior to the hearing and were able to come to an agreement. There will be shade trees added for privacy reasons. Dr. Musicant's attorney noted the responsive and comprisable nature of the applicant and was in favor of the application.

On a motion to close to the public by Mr. Georgaklis, seconded by Mr. DeChiaro, with all present in favor, the above application was closed for discussion.

On a motion to approve the application with the conditions agreed upon by Mr. Camera, seconded by Mr. DeChiaro with all present in favor, the minor subdivision application was approved.

**VOUCHERS**

*Remington & Vernick:* \$3,627.50

*Dasti, Murphy, McGuckin, Ulaky, Koutsouris, & Connors:* \$1,235.00

*Linda Sullivan Hill:* \$290.00

On a motion by Mr. Ryan, seconded by Mr. Georgaklis, with all present in favor, the vouchers were approved for payment.

**MINUTES**

On a motion by Mr. Camera, seconded by Mr. Ryan, with all present in favor, the March 16, 2023 minutes were approved.

**RESOLUTION: Resolution# 2023-PB22-001**

On a motion by Mr. Georgaklis, seconded by Mr. Camera, with all present in favor, Resolution #2023-PB22-001 was approved.

**OPEN MEETING FOR GENERAL PUBLIC FORUM**

On a motion by Mr. Camera, seconded by Mr. Georgaklis, with all present in favor, the meeting was open for public discussion.

Hearing no one wishing to be heard a motion to close to the public was entertained.

On a motion by Mr. Ryan, seconded by Mr. Camera, with all present in favor, the public comment portion of the meeting was closed.

**ADJOURNMENT**

On a motion by Mr. Ryan, seconded by Mr. Camera, with all present in favor, the meeting was adjourned at 7:07PM.

~~Chairman Mackres~~

Jesse Georgaklis, Vice Chairman

Gabrielle Napolitano  
Gabrielle Napolitano, Board Secretary