

December 21, 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 December 21st Planning Board meeting to order at 6:07PM 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: Mayor Amato, Councilman Bacchione, Mr. Burris, Mr. Callahan, Mr. Camera, Mr. Georgaklis, Mr. Gingrich, Chairman Mackres, and Mr. Ryan

Also Present in the Audience: Councilman Signorile and Mr. DeChiaro

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

MINUTES

On a motion by Councilman Bacchione, seconded by Mr. Burris, with all present in favor, the November 16, 2023 minutes were approved.

Abstain: Mr. Gingrich

VOUCHERS

Remington & Vernick

Dasti, Murphy, McGuckin, Ulaky, Koutsouris, & Connors

Linda Sullivan Hill

On a motion by Mayor Amato, seconded by Councilman Bacchione, with all present in favor, the vouchers were approved for payment.

RESOLUTION: Resolution# 2023-PB#23-009

On a motion by Councilman Bacchione, seconded by Mr. Callahan, with all present in favor, Resolution #2023-PB#23-009 was approved.

APPLICATIONS:

1. Woodland Acres at Berkeley, LLC – PB#23-005

Nolan Ave, Halsey Ave, Southern Blvd

Block 975 Lots 1, 2, 5 Block 985 Lots 17-20 Block 986 Lot 1 Block 988 Lots 13-16

Application: Preliminary Major Subdivision

Attorney: Mr. Mark Gallella, Esq.

Engineer: Mr. Louis Scheidt, P.E.

The applicant's attorney and engineer presented a fifteen-lot major subdivision application. Mr. Scheidt noted the property is a highly irregular lot. The subdivision was previously approved in 2003 but has since lapsed all time extensions. The subdivision proposed all conforming lots, except for 1, and 4 drainage basins per the new standards. The variances requested pertain to block 975 lot 1 only and each drainage basin would be deed-restricted by owner. The applicant's professionals testified that they would meet the RSIS standards and provide more than adequate parking. The Board's engineer, Ernie Peters, went through RVE's review letter to assure the applicant and his professionals agreed to the conditions listed. Mr. Peters confirmed the design waivers and the waiver requested for the environmental impact study and traffic report. Mayor Amato noted the environmental impact statement and traffic report should have been submitted. Mr. Gingrich commented on sidewalk proposal. Councilman Bacchione questioned the existence of a street vacation from Radovan Avenue to Nolan Avenue. Mr. Oris, the Board's planner, noted the disconnect presented from the existing roadway connections. Chairman Mackres emphasized the Board's responsibility to do what's warranted and what's best for the town – not to make a business decision or attempt to maximize profit. Mr. Georgaklis commented on the attempt to fit a lot of houses into a little space. He also disagreed with the location of the stormwater basins.

On a motion by Councilman Bacchione, seconded by Mr. Georgaklis, with all present in favor, the above application was open for public discussion.

Nine neighbors spoke about the application presented. The president of Forest Run HOA, Jim Barkand, expressed the neighborhood's disagreement with the proposal. Megan Ornstein commented on the wildlife, drainage systems, safety, and sidewalks. James Kent was concerned about the sewer line impact to the fence on his property. Michael Jackubewski noted the impact this development would have on the township's water system. Chris Donadio said the applicant was neglectful to not present an environmental impact statement. Jennifer Naputano proposed an additional drywell due to the flooding around this area. Morgan Jackubewski questioned if an additional notice would be sent if adjourned to another date. Lisa Majury asked how to assure the right intersections are evaluated within the traffic report. The owner of 506 Radovan Avenue, Edward Roth, stated the excess runoff already onto his property and the fear of additional water with this development.

On a motion by Councilman Bacchione, seconded by Mr. Georgaklis, with all present in favor, the above application was closed to the public.

On a motion to adjourn the application to a later meeting by Mayor Amato, seconded by Mr. Georgaklis, with all present in favor, the adjournment was approved with no further notice required. The applicant agreed to waive time while it addresses the concerns made during the hearing, including but not limited to, obtaining an environmental impact statement and traffic report.

**2. Berkeley Town Center Redevelopment – PB#23-011
Block 824 Lots 1.01, 1.02, 1.03 Block 825.02 Lots 8 and 10**

Attorney: Ms. Irina Elgart, Esq.

The applicant's attorney, Irina Elgart, along with their team of professionals including a traffic engineer, planner, project engineer, and representative of the developer presented a site plan to the Board. Exhibit A1 (aerial photograph), A2 (site plan rendering Phase 1), and A3 (site plan of Phase 1 and 2) were submitted as evidence. The application as applied sought preliminary and final site plan approval for Phase 1 of the project to include one 4,500 s.f. car wash, one 2,340 s.f. fast food restaurant, one 3,550 s.f. fast food restaurant, and a 14,400 s.f. retail building to include 7,200 s.f. of restaurant space, along with associated site improvements. The Applicant also simultaneously sought preliminary site plan approval only for Phase 2 of the project to include one 2,340 s.f. fast food restaurant, one 83,000 s.f. supermarket, one 125,000 s.f. retail building, and one 44,124 s.f. retail building, along with associated site improvements. At the time of the Public Hearing, the applicant requested the Board bifurcate Phase 1 and Phase 2 of the proposed application and further amended its application to eliminate the proposed 4,500 s.f. car wash use as part of the Phase 1 development, redesignated that pad a proposed retail use with associated site improvements. , Mr. Calisto testified that the Applicant is seeking preliminary and final site plan approval for Phase 1 of the project to include one 2,340 square foot fast food restaurant, one 3,550 square foot fast food restaurant, and a 14,400 square foot retail building to include 7,200 square foot of restaurant, along with associated site improvements. The entire site will be serviced with both public water and public sanitary sewer. The application for Phase 2 development now includes a 4,500 s.f. retail building; one 2,340 s.f. fast food restaurant, one 83,000 s.f. supermarket, one 125,000 s.f. retail building, and one 44,124 s.f. retail building, along with associated site improvements. The Applicant is proposing to construct various improvements with associated retail, service establishments and restaurant uses as part of both Phase 1 and Phase 2. Per the Town Center Redevelopment Plan, retail uses, service establishments, standalone large format retail establishments, and restaurants are all permitted uses. However, the Applicant does require 5 variances.

On a motion by Mayor Amato, seconded by Councilman Bacchione, with all present in favor, the above application was open for public discussion.

The owner of Spirits Unlimited highlighted the importance of keeping Locker Street open for Beachwood residents. The cross access was deemed critical last time there was a possibility of improving this block and lot.

On a motion by Mayor Amato, seconded by Councilman Bacchione, with all present in favor, the above application was closed to the public.

On a motion to approve phase 1 of the application by Mayor Amato, seconded by Councilman Bacchione, with all present in favor, the preliminary portion of phase 1 was approved.

On a motion to approve phase 2 of the application by Mayor Amato, seconded by Councilman Bacchione, with all present in favor, the preliminary portion of phase 2 was approved.

OPEN MEETING FOR GENERAL PUBLIC FORUM

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

Seeing no one wishing to be heard, a motion to close the meeting for public discussion and to adjourn the meeting was heard.

ADJOURNMENT

On a motion by Mayor Amato, seconded by Mr. Georgaklis, with all present in favor, the meeting was closed for public discussion and adjourned at 10:27PM.



Nick Mackres, Chairman



Gabrielle Napolitano, Board Secretary