

ADDITIONAL MEETING OF THE EATONTOWN PLANNING BOARD
October 16, 2023

Call to Order

Mr. Woloshin called this additional in-person meeting to order at 7:00 p.m. and announced that the meeting had been advertised in accordance with the Open Public Meetings Act and that the Asbury Park Press and the Star Ledger have been notified and a copy of the agenda for this meeting had been posted on the bulletin board in Borough Hall and on the Borough website.

Roll Call

Members Present:

Chairman Woloshin
Vice-Chairperson Silva
Councilmember East
Mr. Diedrichsen
Mayor Talerico
Mr. Alcott
Ms. Martinock

Absent: Mr. Regan, Mr. Roth

Also present: Board Attorney, Marc Leckstein; Board Engineer Ed Herrman; Board Planner Jennifer Beahm; Board Secretary Colleen Matthews

Approval of Minutes

Motion is made by Councilmember East and seconded by Vice-Chair Silva to approve the minutes of October 2, 2023, 2023. All in Favor

Resolution to be Memorialized

None

Old Business

PB 2023-08 Carlos Maximino
106 Broad Street, Blk. 1002 Lot 9

Atty. Leckstein states that this matter was given a continuance until tonight but the applicant would like a postponement until our next available date, which is December 18, 2023. The Board is asking the applicant's attorney to re-notice for the December 18, 2023. The Board Administrator will notify the applicant's attorney.

New Business

PB 2023-16 Woodmere School – 65 Raleigh Court Capital Review for proposed Pavilion

Ms. Martinock recuses herself from this application at 7:03 p.m. as she has a conflict.

Dennis Collins, Esq., is appearing on behalf of the Board of Education
Atty. Leckstein swears in Kenneth Dioguardi, Supervisor of Buildings and Grounds.

Atty. Collins states that that the proposed pavilion is 20'x 30' and it will be located on the site of a previous tennis court. Drawings of the proposed pavilion and the location of the pavilion are discussed. There was a federal grant that was given to fund this project.

Chairman Woloshin makes a motion that the Board has no concerns with this project and approves of this project, and is seconded by Councilmember East.

Ayes: Ch. Woloshin, Councilmember East, Vice-Chair Silva, Mr. Diedrichsen, Mayor Talerico, Mr. Alcott
Nays: None
Absent: Mr. Regan, Mr. Roth
Abstention: Ms. Martinock

PB 2023-11 **Temple Shaare Tefilah Ben Moshe, Inc.**
16-20 Whalepond Road
Block 4002 Lot 2201
Major site plan approval with variance relief

It is noted for Ms. Martinock is back on the dais.

Rick Brodsky, attorney for the applicant, reviews that this application seeks approvals for the existing synagogue located at 16-20 Whalepond Road, most recently in April 2022, where an addition to the synagogue was approved. One of the conditions of approval was that a tent, that was being used temporarily by the synagogue, be removed by a certain date and the tent has not been removed. The applicant seeks formal approval from the Board to amend the condition that the tent be removed. It is requested that the date for the tent removal coincide with a certificate of occupancy being given for the occupancy of the addition, whereby eliminating the need for the tent. There have been some delays with the addition, primarily with the DEP doing some analysis. There is also a proposal to move the tent from its current location so that it is not in the way of the storm water improvements.

Dave Boesch, landscape architect with Nelson Engineering is sworn in by Atty. Leckstein. He testifies as to the new proposed location of the tent. .

Board members discuss the application. There have been no inspections of the tent by the fire marshal to date and the Board wants this done as soon as possible.

Atty. Leckstein marks the site plan dated July 11, 2023 as Exhibit A-14.

Albert Antebi, who is in charge of the expansion of the synagogue, is sworn in by Atty. Leckstein. It is discussed that the tent must come down within 90 days of a temporary certificate of occupancy or a full certificate of occupancy, whichever comes first. The Fire Marshall inspection permit needs to be applied for before the Board's next hearing date of November 6, 2023.

Chairman Woloshin asks if there is anyone in attendance that wishes to make a comment or ask a question, none heard.

Motion is made by Chairman Woloshin and moved by Vice Chair Silva to approve this application as discussed.

Ayes: Chairman Woloshin, Vice-Chair Silva, Councilmember East, Mr. Diedrichsen, Mayor Talerico, Mr. Alcott, Ms. Martinock

Nays: None

Absent: Mr. Roth, Mr. Regan

PB 2023-09 Zoom Plaza, LLC. (Minna's Grill)
128-130 Wyckoff Rd
Block 2302 lots 3 & 4
Minor Site Plan

Rick Brodsky, Esq., states that he is representing the applicant in this matter who is seeking to convert the existing mini-market, takeout restaurant to a sit-down restaurant which would have indoor seating and outdoor seating. There are two phases proposed. The first phase is to install the indoor seating. Phase 2 is asking for outdoor seating and to complete site improvements including the parking lot, landscaping, retention wall, and lighting. There are no alterations with regard to the liquor store. There is also a request to consolidate the two lots into one. The parking spaces comply with the number needed for a restaurant.

Atty. Leckstein marks the following into evidence:

A-1 Minor Site Plan

A-2 Architectural Floor Plans

B-1 T&M Engineering Review Letter

B-2 Avakian Planning Review Letter

B-3 Shade Tree Review Letter

Atty. Leckstein swears in Dave Boesch, landscape architect. Mr. Boesch reviews the property as it exists today and what is proposed with this application. There are 48 parking spaces existing, and will continue to exist, although they will be re-structured during the parking lot renovations. There are a maximum number of 70 indoor seats proposed for the indoor section of the restaurant. After discussion, it is proposed that the access cut-through between Rayco and this property will be closed via a 6 ft. high vinyl fence and landscaping to prevent any further cross-access. The proposal is for 32 outside seats, protected from cars by a 36" masonry planter on 3 sides, with the building serving as a fourth side. The applicant amends the application to include a canopy over the outside seating of approximately 60' x 25'-approximately 1500 sq. ft., along with roll up and down plastic-like walls. The dumpster enclosure will be a masonry enclosure. Lighting is discussed and a lighting plan will be submitted. Trees are discussed and three new trees will be planted by the new outdoor seating area. No new signage is proposed. With regard to signage, the advertising on the bollards in front of Price's Liquors is not allowed and this practice is agreed to cease in a year's time. It is discussed that a temporary sign permit is needed for special sale/holiday signs and the applicant understands that temporary sign permits are required. The masonry wall is discussed and it is almost finished and will be finished as a priority.

Bassem Youssef, owner of Zoom Plaza, is sworn in by Atty. Leckstein. Mr. Youssef further discusses the advertising signs on the bollards and is not comfortable asking the tenant to stop within a year. Mr. Youssef is advised that he is the landlord and can legally have this practice stopped. It is now agreed upon that the advertising on the bollards will cease on December 31, 2024.

The applicant is asking for a 24/7 hours of operation and is finalizing the buying of a liquor license. Liquor is not allowed to be served after 2:00 a.m. The notice is discussed and whether or not a bar has been properly noticed with a 24/7 restaurant. It is agreed upon that the outdoor section closes at 12 midnight and music will stop at 10:00 p.m. It is determined that 48 parking places are required and 48 parking places are proposed.

Phasing is discussed. Step 1 is the finishing of the retaining wall. Step 2 would be the inside seating. Step 3 is all of the site improvements in conjunction with the outdoor seating (including the canopy and plastic roll-up walls).

It is reviewed that the applicant would be in violation of his previous Exxon site plan approval if he allows parking for Minna's to exist on his Exxon property. Also, there is a Borough Ordinance that states that trash pick-up has to be between 7:00 a.m. and 7:00 p.m.

Chairman Woloshin asks if there is any public in attendance that wish to ask a question or make a comment. None heard.

Motion is made by Mr. Diedrichsen and moved by Councilmember East to approve this application as discussed.

Ayes: Mr. Diedrichsen, Councilmember East, Chairman Woloshin, Vice-Chair Silva, Mayor Talerico, Mr. Alcott, Ms. Martinock

Nays: None

Absent: Mr. Regan, Mr. Roth

Review of Ordinance 31-2023

Mayor Talerico explains that with regard to FMERA land, the Borough will be able to use the FMERA reuse and redevelopment plan as the redevelopment plan for the properties located within Eatontown. The Board Planner states that this ordinance is consistent with the Borough's Master Plan.

Chairman Woloshin makes a motion that Ordinance 31-2023 is consistent with the Borough's Master Plan and is seconded by Mr. Diedrichsen.

Ayes: Chairman Woloshin, Mr. Diedrichsen, Vice-Chair Silva, Mayor Talerico, Mr. Alcott, Ms. Martinock

Nays: None

Absent: Mr. Regan, Mr. Roth

Miscellaneous

None

Close Meeting

Motion is made at 8:40 p.m. to close the meeting by Councilmember East and seconded by Vice-Chairperson Silva to close the meeting.

All in Favor.

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Respectfully Submitted,

Colleen Matthews

Board Secretary