

August 16, 2023 PB Regular Meeting minutes

The August 16, 2023 meeting of the Point Pleasant Beach Planning Board opened at 7:00 pm. The Clerk read the notice of compliance with the "Open Public Meetings Act. Present were Board members: Vice chair Paesano, Mayor Kanitra, Councilman Ramos, Mr. Calderone, Mr. Cavagnaro, Mr. Gant and Ms. Mills

Absent: Mr. Wooley and Chairman Ritchings

Also, in attendance – Bob Ulaky, Board attorney and Ray Savacool, Board Engineer

Memorialize minutes –

Motion by Mr. Cavagnaro, second by Mr. Calderone to memorialize the minutes of July 19, 2023

In favor: Calderone, Paesano, Ramos, Cavagnaro and Mills

Opposed: None

Motion by Mr. Cavagnaro, second by Councilman Ramos to Memorialize the action and vote approving Resolution 2023-16 of Residence at Bay Point with conditions

In favor: Calderone, Paesano, Ramos, Cavagnaro and Mills

Opposed: None

Sign review

Basically Me – 516 Bay Avenue – Unit 3 – Sign approved – applicant must raise the sign to a clearance of 7 feet.

Big Fun Toys – 700 Arnold Avenue – Sign approved. Applicant explained that the awning was approved. She is here for approval of the vinyl decals in the windows.

Review, comment and recommend

Ordinance 2023-12

AN ORDINANCE OF THE BOROUGH OF POINT PLEASANT BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 19, ENTITLED "DEVELOPMENT," TO INCLUDE A DEFINITION OF SECOND FLOOR HABITABLE AREA

Ray Savacool explained that clarification of the definition and that he recommended it.

Motion by Mr. Cavagnaro, second by Mr. Bixby to recommend amendment of Chapter #19, Ordinance #2023-12 to Mayor and Council

In favor: Bixby, Calderone, Kanitra, Paesano, Ramos, Cavagnaro, Gant and Mills

Opposed: None

Agenda

#2022-424 – Atlantic Offshore, LLC – 212 Channel Drive - Block 166; Lots 4 & 5 – Site Plan Approval with variances to construct additional restaurant seating – Applicant looking to add an 816 SF (24’ by 34’) one-story structure for additional restaurant seating within the existing onsite parking area.

You can view the meeting at the following.

<https://www.youtube.com/watch?v=d6nnB8WM-so>

John Jackson attorney for applicant reviewed the application and requested variances and circumstances. He reviewed surrounding business in the MC zone and commented how he feels that this fits into the feel of the area.

Power Point entered as Exhibit A-3

John P. Doyle on the record for the objecting neigh – John Hurler – reviewed how many times the applicant has done things without approvals. (Windows/condenser units) Applicant keeps asking for a little more. From 16 seats (in retail area) to an additional 38 seats in dining room. First the outdoor area was to be seasonal and then they installed windows for year-round seating without approvals. Then Covid hit and then he put in more seats than allowed. Now they want the seating from the covid tent seating to be additional seating in a permanent structure. Applicant does not provide parking.

Mayor Kanitra commented that the parking across the street is temporary and should not be considered with this application.

John Jackson agreed that the parking is temporary.

Ed Liston on the record for the objecting neighbor – Fred Neske- 211 Broadway – Stated that based on the notice that this application should not be heard. He wants the issue of notice addressed to be inadequate.

Robert Ulaky, attorney for the board feels that the notice is adequate to proceed.

John Amelchenko, PA, credentials accepted, sworn stated that the applicant is requesting to build an additional dining room on the adjacent lot. The structure would not meet FEMA requirements but would be built to be flood proof. Patrons would have to utilize the bathroom facilities in the adjacent dining room in the main building which would require going outside. The Board wants the applicant to consolidate the lots. It is not economically feasible for the client to build a raised building with an ADA compliant bathroom. This building will have no cooking or bathroom. It will rely on the main building for bathroom and cooking. The workers will have to travel between buildings. It is accessory to the main use.

The existing seats are 32 in main dining room today per prior resolution. The applicant replaced the interior seating with a sushi bar. They are requesting to move the interior 16 seats out to the dining room for a total of 48 seats.

Vice Chair Paesano inquired that it will be no problem to combine the lots. John Jackson said he needed to conform the with the property owner.

The Mayor asked for clarification on parking and the lack of it. 48 seats would require 10 spaces. The mayor stated that the employees would now be parking on the street. John Jackson stated there are many businesses in town that do not have parking and rely and municipal lots.

Mr. Bixby inquired if the additional 46 seats would require another bathroom? (No)

John Doyle questioned Mr. Amelchenko.

Ed Liston questioned Mr. Amelchenko.

James Giordano, Professional Engineer, sworn, testified in reference to site plan.

Vice chair Paesano wants to know by the next meeting if the owner is willing to consolidate the lots.

Motion by second by to carry application #2022-424 – Atlantic Offshore, LLC – 212 Channel Drive - Block 166; Lots 4 & 5 to October 4, 2023 without notice.

In favor: Bixby, Calderone, Kanitra, Paesano, Ramos, Cavagnaro, Gant and Mills

Opposed: None

Meeting adjourned at 10pm

***Karen L. Mills, LUA/Clerk/Class II Member
Planning Board***

***Attest: Karen L. Mills, LUA, Class II Member
Clerk/Secretary of the Board***