

PLANNING BOARD BOROUGH OF BARNEGAT LIGHT APRIL 23, 2013

Chairman Dick Manookian called the meeting to order and said that adequate notice of this meeting has been published and posted in accordance with requirements set forth in the New Jersey Open Public Meetings Act.

ROLL CALL: WELLINGTON, OROS, PATTERSON, MANOOKIAN, PREISER, GUTOWSKI
ABSENT: LARSON, MIKULETZKY, BRINDLEY

THE CHAIR asked for a motion to approve the minutes of March 26, 2013 meeting. Oros so moved, seconded by Wellington.

MOTION: OROS

SECOND: PATTERSON

VOTE: AYES: WELLINGTON, OROS, PATTERSON, MANOOKIAN, PREISER, GUTOWSKI

NAYS: NONE ABSTAIN: NONE

ABSENT: LARSON, BRINDLEY AND MIKULETZKY

Attorney Bob Ulacky was here for the board as Russ Cherkos is no longer an attorney for the firm.

COX APPLICATION - SITE PLAN REVIEW AND FINAL SUB DIVISION

Agnes DiAntonio, attorney for the applicant updated everyone on the application and why they were here this evening. This is an application that has been brought before this board for a 4 lot sub division. Mr. Cox had to get site plan approval in order to complete the subdivision. She said the site plan meets all the code requirements. The application has been postponed for various reasons. She mentioned that a letter had been written by the Fire Marshall and they have complied with all that he said was needed. She introduced their Engineer James Brzozowski and he had been before the board many times and did not need to represent his credentials. He was sworn in. Everyone had the revised site plan after some confusion. It was marked A-1. Date is 2-20-2013. He explained the site plan and said that for 48 slips they need 72 spaces. MC Zone. It is a paved parking area, except for the Marina building. Frank Little letter was marked as A-2. The Fire Marshall report was addressed. It was marked as A-3. Fire Lane has to be added. It has been so done. There is now a 24 foot access along the North property line and along the entire bulkhead. It shall be marked as a fire lane. None of the spaces are in the way of the travel lift zone or the loading zone. Any boats that need to be stored in the winter must be in a parking space. He said the site is fully compliant. He said the new layout is better. The existing had people backing out onto Bayview Avenue. This new plan does not have that and is safer.

Frank Little, Planning Board Engineer said Fire Lanes must be marked. No boats allowed in drive aisles in the winter. Frank is not sure if this site plan received Ocean County Planning Board approval and this plan must be updated.

Ed Wellington said he has a series of questions. He said there is an existing shed and an area with blocking material and he does not see that on the drawing. Northeast corner of the property is a shed and the blocking area is not shown. Jim said the existing shed or blocking material will have to be relocated. He needs to see that. The next area is the freezer located outside office door. It has 2 doors. One on south and one on east. One of the Handicap spaces is up against that freezer. The door can be relocated. Jim said they are usually paneled and it can be moved. Ed said that is a safety issue. Next area of his concern is on the east side of the building are 2 overhead doors. Behind one is a forklift. There is one handicap and 5 other spaces. You are making the forklift unable to be used. Jim said the North overhead door will no longer be used. The operation will have to modify for parking. Where is the trash dumpster on the drawing? Jim said they will add a trash dumpster. How will a trash truck get in and out? Marina has 2 trailers. One hydraulic. Jim B said they would have to be deleted. Muni code 215-10 # 2 Where all business must front certain streets. The 9 spaces you have adjoining 14th Street do not comply. Jim asked to have it read to him. Ed complied. You cannot use 14th street. Only Bayview Avenue. Street ends are public access streets. People have to have access. Jim felt it was an unapproved street. It is gravel. Al said people go there for sunsets. Ed has concerns between 16 and 18 of those spaces. In order for this plan to work they have to back out on 14th street.

Agnes asked if it is defined as a street. Al Oros said the street does cause a problem. Most of our street ends are unimproved. There should not be boats or abandoned trailers on them. Al knows how they are used around here. Jim Gutowski does not know what is fact regarding what is a street. Do we need council to advise us? Frank Little said he did not know at this time. He said they were using it before. Agnes said she feels that Mr. Cox was not required to submit site plan approval. They did it as a matter of good faith. If it is denied they will be going back to court where the application is pending. Frank said it did not say improved or unimproved. Sounds like you cannot access from 14th Street. You might lose 10 and you are looking at losing 7 or 8 boat slips. Or you need a variance for parking.

Jane Preiser asked about the spring when people are working on their boats. Jim B does not know when storage ends winter. Is there a date? By contract winter storage is offered x date to x date. They do work on them.

Jim B said lot of storage on it but now it looks tight. Issue of the 14 spots. We are going to have issues and it looks very tight to Jimmy Gutowski. All boats may not be able to be stored. Ed wanted to ask Mr. Cox a question. His hearing is not good. He said he can't hear very good. Mr. Cox was sworn in. Here is Ed's concern - if we were to approve this plan it still a financially viable marina for you? No he doesn't think so. Ed said here is his concern. We are a planning board and it is our job to follow the master plan and get the help of planners. Encourage development of Marinas. Financial drain and ultimately they could not make any money. Fall into disrepair.

With all due respect this is 2 different properties his attorney said. Not before the board whether or not he makes money. It is just site plan approval. That is it. Mr. Cox did not hear you very well.

Jimmy Gutowski went over what was said to make sure he understood. Must find out the 14th Street issue. If we can he said it would be a legal plot plan. Not knowing how cold he decide tonight. Al again mentioned what streets are legal. Dick Manookian disagrees with everybody. Jimmy needs an answer to what is a street. All 72 at once? (Dick) If they take care of the outbuildings, the freezer, etc. fine. Stuff is left on streets all the time. We have winter boat storage on our street now. It is a problem. Al - parking spaces - he is fine with it.

There will be a new house and they won't want to look at boats being stored there. It will be open. The Marina has to keep 14th street open if they want to back out on same. Frank said whether we eliminate 14 parking spaces or not the boats have to be within a stripped parking space. They can't be anywhere but between the white lines. The old plan has no stripping or anything. 2 spaces end to end for parking. The fire marshal will be fining him. The 14 spaces are still a question.

What happens to the Marina re storage is not the problem of the planning board. Al found in the book the definition of a street and it is improved or unimproved. He read the definition. Does not have to be improved. Street means either or. Have to request a variance or revise the plan. Al had a question on the travel lift. One aisle is too small. Fork Lift could drive down the aisle said Jimmy G. The travel lift has to get through somehow. As it stands they will have to lose some slips to comply. Agnes has to check on what is what. Right now Marina is grandfathered. There is no fire lane. She doesn't know if they will resubmit with variance or go back to court. Why they are here - good faith - don't believe have to be here. Freezer and dumpster can be addresses. As to the Fire Marshal concerns it is

compliant said Agnes A.

Jane P asked Al about the Travel Lift that there wasn't enough room. How will they manage cars through the facility if they have to get out? It is the Marina problem. Stacked parking. Frank Little said they could put up a fence. Also curb stops could be put up. Mr. Cox has never seen the Marina full to capacity. Party for all the owners not full even then. Could you do a fence and manage parking from inside Marina asked Frank L. Cox said yes. That is an option. Frank Little said a 4 foot fence not 6 foot fence. Dick Manookian asked if there were any more comments.

Should we set a time for winter storage - NO. Jimmy Gutowski asked if we can incorporate all the suggestions that were agreed upon this evening by the applicant in our resolution and the answer was yes.

Motion by Preiser, seconded by Gutowski and carried by all for an open public session.

Timothy William Brindley 1404 Bayview. He hears a lot of talk about parking - employees and customers. Business run there. Nothing in the Ordinance about that. It deals with parking according to slips. There are boats that will not fit in that garage. Who enforces? They can't move it in the summer. Fisherman are not going to wait. He said you will have a Circus on your hands. Tom Stiles 1703 Central Avenue was sworn in. He asked about the width of 14th Street. 70 foot right of way. Fence will be on the Marina property. Dick Malacrea 1410 Bayview Avenue said he just had a comment. 13, 14,15,16,17 all west side of bay view are public property. Not to be infringed upon.

Any other board questions. On a motion by Wellington, seconded by Gutowski and carried by all the public session was closed

Gutowski attempts to make a motion. Gail said the Planning Board attorney will help him make a motion with the notes he has taken. Gutowski moved to approve prelim and final site plan as requested by applicant if the concerns are raised by the board (location of shed, storage materials, freezer door , 2 overhead doors, conflict with parking spaces, show trash dumpster. 14 Street 4 ft high fence along property line on marina site regulated by owner to re stack parking.

Jimmy further said that the rational for the motion is if the property is compliant fine and what happens to the business is not our problem. They have to deal with that. Not my business he said. Also they comply with Frank Little's letter and also any other outside agencies.

Seconded by Patterson.

MOTION: GUTOWSKI

SECOND: PATTERSON

VOTE: AYES: MANOOKIAN, PATTERSON, GUTOWSKI

NAYS: WELLINGTON, OROS, PREISER

ABSTAIN: NONE ABSENT: BRINDLEY, MIKULETZKY, LARSON

There being no further business before the board at this time, on a motion by Oros and seconded by Preiser the meeting was adjourned.

**GAIL J. WETMORE
PLANNING BOARD SECRETARY**