

Borough of West Long Branch

Planning Board Meeting Minutes of February 10, 2015

Contact:

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Category: PLANNING BOARD MEETINGS

FOR IMMEDIATE RELEASE West Long Branch, NJ - March 23, 2015

REGULAR MEETING
OF THE PLANNING BOARD
OF THE BOROUGH OF WEST LONG BRANCH

February 10, 2015

The Regular Meeting of the Planning Board of the Borough of West Long Branch was held on February 10, 2015 at 7:30 PM in Borough Hall.

It was verified that adequate notice of the meeting was published in accordance with the Senator Byron M. Baer Public Meetings Act (N.J.S.A. 10:4-6), known as the Open Public Meeting Law.

Chairman Stephen Bray called the meeting to order at 7:30 PM.

ATTENDANCE

The recording secretary called the roll for attendance, as follows:

Members Present: Chairman Stephen Bray

Mayor Janet Tucci

Mr. James Miller

Mr. Gordon Heggie

Mr. Joseph Gallo

Mrs. Sarah O'Neill

Members Absent: Councilman John Aria

Mr. Kenneth Walters

Mrs. Ellen Twigg

Others Present: George Cieri, Esq.

Fran Mullan, P.E.

Lisa Norman, C.S.R.

REVIEW AND APPROVAL OF THE MINUTES

Mayor Tucci made a motion to approve the minutes for the January 13, 2015 meeting of the Board. Mr. Heggie seconded the motion, which was approved by the following roll call vote:

AYES: Mr. Gallo, Mr. Bray, Mr. Miller, Mayor Tucci, Mr. Heggie, and Mrs. O'Neill.

NAYES: None

Abstained: None

MATTERS BEFORE THE BOARD

The Board received Zoning Ordinance Revision Addendum and changes, which are final changes and corrections provided to the Board from the Borough Council, to clear up some of the language in the ordinance. The content has not significantly changed. The Board had an opportunity to review the changes.

Mr. Heggie made a motion to approve the changes, which was seconded by Mr. Miller, and approved by the following roll call vote:

AYES: Mr. Gallo, Mr. Bray, Mr. Miller, Mayor Tucci, Mr. Heggie, and Mrs. O'Neill.

NAYES: None

Abstained: None

Mr. Cieri will forward a letter to apprise the Council of the approval.

RESOLUTIONS: NONE

APPLICATIONS BEFORE THE BOARD

New Application

PB 2015-02 BG Monmouth

Block 67, Lot 8.01

310 Highway 36

John Cromie, Esq., was present representing the applicant, BG Monmouth, property known as Consumer Plaza on Highway 36. Mr. Cieri had reviewed the notice materials and found them in order, and confirmed that the Board had jurisdiction.

The first matter before the Board was the question of completeness waivers as described in the Board Engineer's letter dated January 29, 2015. Mr. Mullan advised the Board that the letter describes the technical waivers required. He explained that he does not have any objections to the list of waivers in Schedule "A", as the application is for renovations to an existing commercial plaza, where drainage and other site improvements will not be necessary to accomplish the improvements proposed. The applicant is proposing upgrades to the facades and signs, landscaping, and a small addition. The items listed in "B" and "C" will be addressed and/or submitted.

Mr. Gallo made a motion to approve the waivers as listed in Schedule "A", which was seconded by Mr. Heggie, and approved by the following roll call vote:

AYES: Mr. Gallo, Mr. Bray, Mr. Miller, Mayor Tucci, Mr. Heggie, and Mrs. O'Neill.

NAYES: None

Abstained: None

Mr. Cromie, explained to the Board that BG Monmouth are the owners of the commercial shopping center which is the subject of the application. He explained that the center was constructed in 1990's and is approximately 20 years old. Consequently, the center is suffering from a deteriorating and outdated appearance. The two main anchors who remain in the center are Home Depot and Sports Authority. He explained that the applicant proposes to modernize the facades by removing the canopies and adding cornices and brick veneers. They propose to remove dead trees and landscaping and replant every landscaping island. They are also proposing modifications to the main pylon sign in the front of the center. They are also proposing the enclosure of a 355 SF area in the front of the northeastern corner. The center has empty units presently, and the applicant is hoping the renovations will attract a broader mix of uses, which will benefit the center, and the Borough.

Walter Bronson, P.E., was sworn and accepted as an expert. He presented a color version of the Site Plan, marked as A-1. He testified

to the Board that the property consists of 28.25 acres, on Route 36, with 294,000 SF of leasable space, at 74.8% lot coverage, with an underground drainage system. The property is located in the HC Highway Commercial Zone. Uses are in conformance with the permitted uses in the Zone. He explained that with the proposed 355 SF addition in the NE corner, and the changing of planters in the front of the structures changed to pavers, the applicant technically needs a variance for the increase in impervious surface of .1% increase. Mr. Bronson proceeded by responding to the engineer's review.

Page 4 Section C. Engineering Review

1.1 – With regard to drainage the increase in coverage is diminimus and the existing drainage is adequate. With regard to the parking the property received a parking variance for 1,213 spaces whereas 1324 were required. Mr. Mullan advised the Board that the Board of Adjustment has granted the Home Depot use of areas in the parking lot for outdoor display (seasonally) and that the actual number of available parking is closer to 1,131, and that that number is the number that should be considered as available parking. Mr. Mullan advised the Board that he did not have any concerns that the parking was adequate, but the true number should be on the record. Mayor Tucci asked about the use of the parking lot for vehicles from a local dealership. Steve Hutchinson was sworn, the owner's representative, advised that the dealership would not be allowed to use the spaces in the future. Mr. Mullan asked that the applicant provide a list of existing tenants and the parking requirement for each, which would be used in the future should a new tenant be proposed. If the need for parking is not exceeded beyond 1,131 granted, the use can change. If the need for parking is exceeded, the new use would have to come back to the Board. The applicant agreed to provide the list.

1.2 Buffer Zone – Is a preexisting condition, which will not be affected by the proposal.

1.3 Loading Zones – The applicant has 16 loading zones in the rear of the buildings, however, the Fire Marshall requires a 20 foot Fire Lane, which would encroach on two of them. Mr. Mullan suggested that the 16 Loading Zones remain, with two lessened in width to accommodate the Fire Lane. The applicant agreed.

1.4 More than one principal building – existing condition, no change.

1.5 There are sheds, grills etc., less than 3' from the Home Depot structure, which is an existing condition.

1.6 Signs – to be addressed.

2.3. – Width of the driveway is an existing condition, which is governed by the NJDOT.

2.5 Sidewalk- there is none, on the highway, it is an existing condition, they do not propose one.

2.9 – Repairs to existing conditions, will be done. The timeframe will be worked out.

5.17 Environmentally sensitive areas, there are none.

Jim Miller asked if there were going to be any construction trailers, and he was told there would be none.

The February 6, 2015 letter from the Traffic Police officer was marked as A-2.

Color elevations of the center with photograph was marked as A-3.

Color elevation of the property with photograph was marked as A-4.

The engineer went back to C- 1.3 – regarding the height of the structures. Mr. explained to the Board that the applicant proposes to redesign the look of the center by removing the canopied fronts. He explained that to modernize the look of the center they propose to provide an arch, on the Sports Authority, which is above the height permitted, but overall the height of the center will remain the same. The permitted height of a one story is 30', the arch is 5' higher. They are permitted to exceed by "C" variance, the height by 10% or 33'. The Planner will address the issue of whether this is a "C" or "D" variance.

Signs – With regard to the signs, the applicant is proposing that there be one sign per tenant, which exceeds the limit of two signs for each building. Mr. Mullan explained that he understands the request and sees no objection, as it is commonplace for a shopping center to have a sign for each tenant. With regard to the free-standing sign in the front of the center, it is proposed to be larger but similar in look. A variance is also needed for the distance from the ground being less than 4'. The sign will be in the same location. The existing overall height is 35'. The peak of the sign is 1-2 foot higher than the existing sign. A rendering of the sign was marked as A-5. The total square footage exceeds the permitted 50 SF. The existing sign is 785 SF (two sides). It is proposed that the actual lettering portion of the sign remain the same, however, the pillars on the sides will be 8' wide where they are 4' now. The distance from the ground to the bottom of the sign is required to be 4', but it is 3'. The engineer testified that there is no sight obstruction where it is located.

4.5 Lighting- They are proposing decorative sconce lighting on the buildings, but there will be no change in the parking lot lights.

5.1 Phasing – The applicant proposes to begin construction starting at both ends on the highway side and work back toward Sports

Authority. They do not expect to be working during the Holiday Season. There will be temporary signage during construction and no tenants will be displaced.

Steve Lennon, of Taylor Design Landscape, was sworn and accepted as an expert witness. He described the landscaping planned for the center. A rendering of the Landscape plan was marked as A-6. He testified that many of the trees in the center are diseased or have reached the end of their useful lives. Most of the trees will be removed and replaced by one tree in each landscaping island, along with shrubs intended to be more tolerable to the impacts of the asphalt and salts in the parking lot. Some of the larger Oaks will be preserved. There will be 107 new trees, and over 1,000 shrubs. The trees will be removed in accordance with the ordinance. The irrigation system will be upgraded where necessary. They propose to remove the stones in the beds and replace with mulch. The beds along the fronts of the tenants will be replaced with pavers, as these beds have dead plants and do not thrive.

Peter Steck, a licensed Planner, was sworn and accepted as an expert witness.

Mr. Steck prepared a photo reference, which was marked as A-8. He testified that the use was a permitted use in the Zone. He testified that the sign was appropriate at the proposed height because it was setback from the Highway and located so that approaching traffic could see it from a distance. Mr. Steck testified that as the Board knows the shopping center is a permitted use. He explained that all of the variances requested are for existing conditions or minor modifications to existing nonconformities. He testified that the HC Zone is endorsed by the 2003 Master Plan. He testified that the variances are a result of a proposal to upgrade an existing property and use, to improve the aesthetics of that use, by modernizing the appearance and replacing the landscaping which is dying because of the age of the plantings. He testified that the height variance required for the arch in the new sign for the Sports Authority can be granted by the Planning Board because the ordinance actually permits an increase in the height for a parapet, which allows for 3' of the height, and therefore the additional 2' in height is less than 10% of the overall 33' that is permitted. He testified that the sign variance for one sign for every tenant is not an uncommon request for multiple use commercial centers. He testified that there is a small disconnect at the Home Depot, but functionally the building is actually one building but technically two. He testified that the center has functioned for twenty years with the parking that currently exists, therefore the deficiency in parking can continue without any significant negative impact. He testified that the applicant has agreed to provide a table of uses so that tenants can be changed without application to the Board if they do not further impact that parking deficiency. He testified that the variance for the free-standing sign is for minimal changes to the size of the structure and not the signage itself. He testified that the outdoor display at the Home Depot is an existing condition granted by this Board and the Board of Adjustment. He further testified that the proposal can be granted without detriment to the Master Plan or Zoning ordinance, and that the variances requested consisted of no significant impact or negative impact to the public good, but would serve to improve the existing conditions and be a benefit to the center as well as the community.

Mr. Miller asked if the applicant would consider reducing the size of the free-standing sign by one (1) foot on each side, with a total of two (2) feet. The applicant agreed to reduce the sign as described.

Mayor Tucci reminded the applicant and the Board that the application has not been seen or approved by the Shade Tree Commission or the Fire Marshall and should be conditioned upon their approval.

There were no public questions or comments.

Mrs. O'Neill made a motion to approve the application commending the applicant upon the comprehensive presentation, and the proposal to improve the shopping center, which is suffering from deterioration and vacant tenancy. She made the motion subject to the approval of the Fire Marshall and the Shade Tree Commission. Mr. Heggie seconded the motion, which was approved by the following roll call vote:

AYES: Mr. Gallo, Mr. Bray, Mr. Miller, Mayor Tucci, Mr. Heggie, and Mrs. O'Neill.

NAYES: None

Abstained: None

There being no further business the meeting was adjourned at 10PM.

Respectfully submitted,

Anna R. Wainright, Board Secretary

