

**West Long Branch
PLANNING BOARD
Meeting Minutes
March 10, 2020**

Mr. Aria called the meeting to order at **7:37PM** & Sarah O'Neill read the following statement:

This is the **March 10, 2020** regular meeting of the West Long Branch Planning Board. This meeting is called pursuant to the provisions of the Open Public Meetings Act. This meeting was listed in the Notice of the annual schedule of the regular meetings of this Board, sent to both ASBURY PARK PRESS AND STAR -LEDGER. Said Notice was also posted on the bulletin Board in Borough Hall and had remained continuously posted there as required of such notices under Statute.

In addition, a copy of said Notice is and has been available to the public and is on file in the Office of the Borough Clerk. A copy of said Notice has also been sent to such members of the public as have requested such information in accordance with the Statute. Proper notice having been given; the Board Secretary is directed to include this statement in the minutes of this meeting.

1. Roll Call, Members Present:

Mr. James Miller
Mrs. Gordon Heggie
Rob Ferragina
Anthony Scalise

Mayor Tucci
Mr. Sarah O'Neill
Mr. Don Brocklebank
Stephen Bray
Randy Triolo

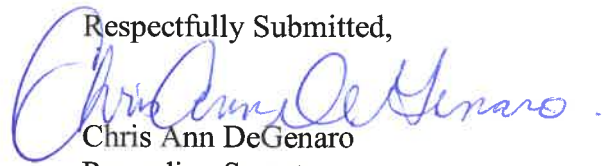
Members Absent: John Aria

2. Pledge of Allegiance
Moment of Silence

3. Items of Business: ***See attached Transcript of the proceedings incorporated herein by reference.***

4. Adjournment: **7:50 PM**

Respectfully Submitted,


Chris Ann DeGenaro
Recording Secretary

BOROUGH OF WEST LONG BRANCH PLANNING BOARD
COUNTY OF MONMOUTH - STATE OF NEW JERSEY

REGULAR MEETING FOR:

TRANSCRIPT OF
PROCEEDINGS

TUESDAY, MARCH 10, 2020

BEFORE:

MAYOR TUCCI
SARAH O'NEILL
STEPHEN BRAY
GORDON HEGGIE
JAMES MILLER
ANTONIO SCALISE
DON BROCKLEBANK
RANDY TRIOLO
ROB FERRAGINA

ALSO PRESENT:

MICHAEL A. IRENE, JR., ESQ., Board Attorney
FRANCIS MULLAN, P.E., Board Engineer
CHRIS ANN DEGENARO, Recording Secretary

LISA NORMAN, CCR
15 Girard Avenue
West Long Branch, New Jersey 07764
732-229-5897

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1 MS. DEGENARO: Mayor Tucci?

2 MAYOR TUCCI: Here.

3 MS. DEGENARO: Sarah O'Neill?

4 MS. O'NEIL: Here.

5 MS. DEGENARO: Stephen Bray?

6 MR. BRAY: Here.

7 MS. DEGENARO: Gordon Heggie?

8 MR. HEGGIE: Here.

9 MS. DEGENARO: James Miller?

10 MR. MILLER: Here.

11 MS. DEGENARO: Antonio Scalise?

12 MR. SCALISE: Here.

13 MS. DEGENARO: Don Brocklebank?

14 MR. BROCKLEBANK: Here.

15 MS. DEGENARO: Randy Triolo?

16 MR. TRIOLO: Here.

17 MS. DEGENARO: Rob Ferragina?

18 MR. FERRAGINA: Here.

19 MS. O'NEILL: This is the March 10th

20 2020 regular meeting of the West Long Branch

21 Planning Board.

22 (Ms. O'Neill recites the Open Public
23 Meetings Act.

24 MS. O'NEILL: Review and approval of the

25 Minutes. We satisfied and we took care of that.

1 Items of business is the Resolution.

2 (Pledge of Allegiance.)

3 MS. O'NEILL: The review of the pending
4 Resolution from Dunkin Donuts. I would like to
5 comment this, personally, I spent four hours
6 reading this. It was excellent. There wasn't
7 anything that I don't think any of us have
8 questioned, however, are there any questions for
9 anyone on the Board in reference to defense to
10 the hours, to the lights, to all of the things?
11 Wonderful job.

12 MR. BRAY: Yes, fantastic.

13 MS. O'NEILL: At this point --

14 MR. BRAY: I'll move that we accept it.

15 MR. SCALISE: I will second it.

16 MS. O'NEILL: And we did say that we
17 were going to find out for sure if the County
18 had given their approval as well as from our
19 Fire Inspector which we know is very important.

20 MAYOR TUCCI: Yes.

21 MS. DEGENARO: Sarah O'Neill?

22 MS. O'NEILL: Yes.

23 MS. DEGENARO: Stephen Bray?

24 MR. BRAY: Yes.

25 MS. DEGENARO: Gordon Heggie?

1 MR. HEGGIE: Yes.

2 MS. DEGENARO: James Miller?

3 MR. MILLER: Yes.

4 MS. DEGENARO: Anthony Scalise?

5 MR. SCALISE: Yes.

6 MS. DEGENARO: Don Brocklebank?

7 MR. BROCKLEBANK: Yes.

8 MS. DEGENARO: Randy Triolo?

9 MR. TRIOLO: Yes.

10 MS. DEGENARO: And Rob Ferragina?

11 MR. FERRAGINA: Yes.

12 MS. O'NEILL: At this point, there are

13 no applications to be considered.

14 MS. DEGENARO: No applications tonight,

15 nope.

16 MS. O'NEILL: Now, this forecast of the

17 Planning Board Agenda, I'm not certain what that

18 is in reference to.

19 MAYOR TUCCI: Madam Chairwoman, we had a

20 situation where somebody comes in to do a

21 project, they put money in for escrow and the

22 engineer then keeps track of what the costs are

23 and we found that some accounts are coming up

24 light.

25 MR. BRAY: And then they run.

1 MAYOR TUCCI: And then they don't pay,
2 so we are passing an Ordinance, hopefully,
3 right, Steph?

4 MR. BRAY: Yeah. Chris Ann sent us out
5 the draft Ordinance, but basically what happens,
6 if they don't pay within 90 days, we want to
7 attach it as a lien to their property if they
8 don't pay. We think it makes a lot of sense,
9 but just want to run it by the Planning Board
10 first to see if anybody had any comments.

11 MAYOR TUCCI: Any objections?

12 MR. MILLER: Any other local
13 municipality that have a similar business model
14 like that?

15 MR. BRAY: No. Mr. Baxter, the Borough
16 attorney actually found out that he actually
17 went to --

18 MAYOR TUCCI: League of Municipalities.

19 MR. BRAY: And they thought it was
20 creative. So, no, I don't think that many.

21 MR. BROCKLEBANK: Trendsetters.

22 MR. SCALISE: I like it when they say
23 they thought it was creative. That is a good
24 way to say it.

25 MR. BROCKLEBANK: Not, what are you

1 crazy?

2 MS. O'NEILL: Do we need a motion to
3 approve this Ordinance?

4 MR. IRENE: Under the statute, what
5 happens is, anytime the governing body is going
6 to either introduce a Land Use Development
7 Ordinance or amend one, once they introduce it,
8 the statute says it's supposed to refer to the
9 Planning Board and the Planning Board is
10 supposed to do a consistency review to see if
11 it's consistent or inconsistent with the Master
12 Plan.

13 In this case, of course, the Master
14 Plan, because it's an overarching planning
15 guide, doesn't really contemplate these kind of
16 minute details. So you are supposed to then
17 report back within 35 days and indicate whether
18 you found that it's either inconsistent or
19 consistent with the Master Plan and whether you
20 have any recommendations. Usually, that report
21 back is in writing, but the difficulty is
22 because we meet once a month, the governing body
23 would be meeting before our next meeting, so
24 there is a draft in front of you.

25 I apologize for not sending it to you

1 earlier today, but I anticipated many of you
2 wouldn't have looked at your website anyway, so
3 if you want to take a minute to look at it, we
4 can mark that up anyway you deem fit. You will
5 see it says three things, one, the Ordinance was
6 referred to us by the governing body and we've
7 reviewed it. Two, we find that there are no
8 inconsistencies with the Master Plan because the
9 Master Plan doesn't address these kinds of, for
10 lack of a better word, enforcement issues. And
11 third that, because of the difficulties our
12 Board and the Zoning Board has had, you are
13 endorsing and recommending that the governing
14 body adopt it.

15 I'm going to suggest, even though the
16 statute doesn't really prohibit the Mayor or
17 Councilman Bray from participating in these kind
18 of things, because it's going back to the
19 governing body, I am going to suggest our Mayor
20 and Councilman don't participate on the vote on
21 this. If you would please, take a look at that.
22 If you want to make any changes, we can do that.
23 If you have any questions, make any changes,
24 Sarah can sign as Vice Chair. We can have Chris
25 Ann submit it and they will be good to go when

1 they are ready to adopt it at their next
2 meeting.

3 MR. SCALISE: Sure. One quick question.

4 MR. IRENE: Sure.

5 MR. SCALISE: Obviously, this is related
6 to residents in Town. If it is somebody out of
7 Town --

8 MR. IRENE: What is going to happen is,
9 and that is a very good point, I can tell you do
10 this kind of work. What is going to happen is,
11 the application is going to be revised. We have
12 an application that says, if you're the contract
13 purchaser, you are the Applicant and you are not
14 the owner, the owner has to sign a consent that
15 they are consenting to the application. Well
16 now the consent is going to say they understand
17 about this Ordinance that if the fees aren't
18 paid, they can be imposed upon their property.

19 MR. SCALISE: Beautiful.

20 MR. IRENE: Anything else? Somebody
21 want to make a motion then to adopt that report
22 that you have in front of you, other than the
23 Mayor and Councilman Bray?

24 MR. SCALISE: I will make a motion.

25 MR. HEGGIE: Second.

1 MS. DEGENARO: Sarah O'Neill?

2 MS. O'NEILL: Yes.

3 MS. DEGENARO: Gordon Heggie?

4 MR. HEGGIE: Yes.

5 MS. DEGENARO: James Miller?

6 MR. MILLER: Yes.

7 MS. DEGENARO: Anthony Scalise?

8 MR. SCALISE: Yes.

9 MS. DEGENARO: Don Brocklebank?

10 MR. BROCKLEBANK: Yes.

11 MS. DEGENARO: Randy Triolo?

12 MR. TRIOLO: Yes.

13 MS. DEGENARO: Rob Ferragina?

14 MR. FERRAGINA: Yes.

15 MR. IRENE: Thank you.

16 MS. O'NEILL: Is there any other order
17 of business that we need to address at this
18 time?

19 MR. BRAY: Just that you say there is
20 two pending?

21 MS. DEGENARO: There is just two pending
22 applications coming up most likely in April.
23 There is a new one for 193 Wall Street and we
24 have a letter from T&M already, so I am going to
25 distribute that out to everyone. And there was

1 something else with the Planning Board. If you
2 are not going to be able to sit on the M.U.
3 application.

4 MR. IRENE: Zoning Board.

5 MS. DEGENARO: We needed to get two
6 Members from the Planning Board. I believe we
7 have a conflict with the Monmouth University
8 application on the Zoning Board, so we are
9 looking for two happy Planning Board Members to
10 possibly sit on and it's possibly going to be in
11 April.

12 MR. IRENE: It will be the 4th Thursday
13 in April, the Zoning Board meeting. If there
14 are any Class IX Members who do not have a
15 conflict with Monmouth and might be available to
16 sit, if you can let Chris Ann know then we will
17 fill you when we get closer. One of the
18 difficulties with the Zoning Board is, there are
19 a couple of people that do have conflicts and
20 also if Monmouth comes in and need D variance
21 they need five affirmative votes out of seven,
22 so you can't go with a quorum of four people, if
23 they need five.

24 MR. IRENE: Gordon, I think you sat
25 before for us on the Zoning Board.

1 MR. SCALISE: I think I did also.

2 MR. IRENE: I think you did, Anthony.

3 Fourth Thursday or did we move it because of the
4 Easter holiday?

5 MS. DEGENARO: That is Planning Board.

6 MR. BROCKLEBANK: Thursday, the 23rd.

7 MR. IRENE: If you can check your
8 calendars, we do have a month-and-a-half. One
9 of things that Chris Ann is working on going
10 forward, we are going to have a list for all of
11 the dates for the rest of the year. So as we
12 start to carry things and list things, you are
13 going to have that going-forward list as well so
14 you can see. So if we had several things on and
15 is not going to be reached, you can carry it to
16 next month, you will see what's carried next
17 month. We are getting things squared away.

18 MAYOR TUCCI: Do we have an informal
19 coming in?

20 MS. DEGENARO: Thank you, Mayor, for
21 mentioning that. There was an informal
22 requested by, I think I have his name here,
23 sorry. I don't know if anybody wants to have a
24 copy of the site plan. It's for 9 Parker Road,
25 I want to say.

1 MR. SCALISE: Yes.

2 MS. DEGENARO: Nine Parker Road. I can
3 not see that. I apologize. I can give
4 everybody a copy. We were going to meet a half
5 hour before. Before or after an application.

6 MR. BRAY: We were going to let them
7 know there was a limit.

8 MS. DEGENARO: I guess Greg would have
9 to.

10 MR. IRENE: Is that the one where they
11 want to create two undersized lots?

12 MR. SCALISE: Insite did the drawing for
13 them. You know, it is the white house across
14 from the bank on the same side of the bank, but
15 across 71.

16 MR. IRENE: It's on the corner, no less?
17 Create two undersized lots on the corner.

18 MR. BROCKLEBANK: Nine Parker.

19 MR. IRENE: Are you doing the plans?

20 MR. SCALISE: Well, I am working on his
21 house right now, just smaller stuff.

22 MR. IRENE: Get a retainer.

23 MR. SCALISE: I tried to tell him, I
24 said, I don't know, I don't think.

25 MR. MILLER: Where is this in relation

1 to the bank?

2 MR. SCALISE: It's literally across the
3 street the white house.

4 MAYOR TUCCI: Which bank?

5 MR. SCALISE: TD.

6 MAYOR TUCCI: The house they did all the
7 work on?

8 MR. SCALISE: Yes. What he wants to do
9 is take off the garage that is there and he is
10 going to subdivide. The property to the right,
11 he wants to make, obviously, a separate
12 property.

13 MAYOR TUCCI: Looks very nice the way it
14 is.

15 MR. BRAY: Plus all of the traffic backs
16 up on that anyway at the light.

17 MAYOR TUCCI: All right.

18 MR. SCALISE: I don't think you are
19 going to see Jason on that.

20 MS. DEGENARO: Maybe we can put him on
21 after 193 Wall.

22 MAYOR TUCCI: They are going to come the
23 next meeting, the informal people.

24 MS. DEGENARO: We can put them on for
25 the next meeting for April along with that other

1 193 Wall. We can put them on after. I have to
2 get Greg's fees on it too as well.

3 MAYOR TUCCI: All right.

4 MR. IRENE: Any further business before
5 the Board?

6 MS. O'NEILL: Any further business?

7 Motion to adjourn?

8 MR. HEGGIE: I will make a motion.

9 MR. IRENE: All in favor?

10 Ayes have it.

11 (Meeting was adjourned at 7:50 p.m.)

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