

**BOROUGH OF LAKEHURST LAND USE BOARD  
REGULAR MEETING  
MAY 24, 2021  
MINUTES**

MEETING OPENED AT 7:30 P.M. BY CHAIRMAN DAVID BURTON.

ALL STOOD FOR THE PLEDGE OF ALLEGIANCE.

PUBLIC MEETINGS STATEMENT READ INTO RECORD BY BOARD SECRETARY CAPASSO:

"IN COMPLIANCE WITH N.J.S.A. 10:4, OPEN PUBLIC MEETINGS ACT, NOTICE WAS GIVEN TO TWO NEWSPAPERS, AND POSTED, THAT THE REGULAR MEETING OF THE LAKEHURST LAND USE BOARD IS SCHEDULED FOR THE TWENTY-FOURTH DAY OF MAY 2021 AT THE HOUR OF 7:30 P.M. TO BE HELD IN THE LAKEHURST COMMUNITY CENTER, 207 CENTER STREET, AT WHICH TIME THE BUSINESS OF THE BOARD WILL BE CONDUCTED."

LAND USE BOARD CONFLICT ATTORNEY RICHARD STANZIONE ADMINISTERED THE OATH OF OFFICE TO:

ERIC ROBBINS

ROLL CALL:

\*Alternate Member

MAYOR ROBBINS: PRESENT  
COUNCILMAN OGLESBY: PRESENT  
CHAIRMAN BURTON: PRESENT  
BRYAN LEVANCE: ABSENT  
ANDREW HODGES: PRESENT

SIDNEY HOOPER: PRESENT  
MARANDA SALAS: PRESENT  
DAVID SUMNER: PRESENT  
ERIC ROBBINS: PRESENT  
\*#1 PATRICK McPARTLIN: PRESENT

APPROVAL OF MINUTES:

Motion by: Steven Oglesby

Seconded by: Maranda Salas

To approve minutes of March 22, 2021 Regular Meeting. Roll call vote held. All votes affirmative with the exception of David Burton, Andrew Hodges, Eric Robbins, and Patrick McPartlin who abstained due to their absence at the meeting of March 22, 2021.

OLD BUSINESS:

REVIEW OF RE-EXAMINATION OF MASTER PLAN

Chairman David Burton reported the Land Use Board will be reviewing the re-examination of the Master Plan at a later date adding it needs to go in front of the Governing Body first.

NEW BUSINESS:

APPLICATION OF 800 ROUTE 70, LLC FOR SITE PLAN APPROVAL FOR CONVERSION OF THE EXISTING RESTAURANT BUILDING TO A MEDICAL FACILITY:

Salvatore Alfieri, attorney for the applicant, introduced Brian Flannery, the applicants engineer.

Brian Flannery, Newlines Engineering and Survey, was sworn to give testimony at 7:34 p.m. by Board Conflict Attorney Richard Stanzione.

Copy of the Tax Map was introduced as exhibit A-1.

Copy of the Site Plan was introduced as exhibit A-2.

Copy of the Existing Conditions was introduced as exhibit A-3.

Mr. Flannery stated there will not be a lot of change adding the applicant is proposing a less intense use at 800 Route 70. Mr. Flannery also stated changes are limited to restriping the parking area adding ten handicap parking spaces will be added, eliminate some parking spaces at the entrance that were hazard, and adding two large parking space for vans that will be parked overnight. Mr. Flannery went on to state the applicant will be adding screened in dumpster, adding more lighting as requested by the board's engineer, and will add additional planting.

Mr. Alfieri asked if the applicant is proposing a free-standing sign.

Mr. Flannery responded they are simply replacing the sign on the building that already exists.

Mr. Flannery addressed the bulk variances in the board's engineer review letter adding the variances are existing conditions. Mr. Flannery also stated the variances are C-2 variances adding a C-2 variance can be granted without any substantial detriment to the public good and the benefit is that it is an existing site with a less intensive use.

Board Engineer Ernest Peters discussed his review letter. Mr. Peters stated Mr. Flannery gave testimony that no additional signage is being proposed asking if traffic control signs will be erected.

Mr. Flannery responded signage will be installed if required by the board and to be in compliant.

Mr. Peters stated parking stalls are 9 feet by 18 feet where 10 feet by 20 feet is required suggesting angle parking be proposed to safely maneuver vehicles in and out of the parking spaces.

Mr. Flannery responded the applicant is agreeable to angle parking however a parking space will be lost on each aisle.

Mr. Stanzione asked how parking space are lost overall.

Mr. Flannery responded 6 spaces are lost adding a waiver would be required.

Mr. Peters question sidewalks.

Mr. Flannery answered there is no location to install sidewalks. Mr. Flannery stated if there is a place the board engineer recommends, applicant is not averse to installing sidewalks.

Mr. Peters asked if the ADA parking location are up to code.

Mr. Flannery responded in the affirmative.

Mr. Peters questioned the access drive under the carport and access off Union Avenue.

Mr. Flannery referred to the Site Plan, Exhibit A-2, showing there are three lanes. Mr. Flannery explained the outer most right lane is an incoming lane and the other two lanes are out going lanes. Mr. Flannery stated most in-coming vehicles will be the transport vans. Mr. Flannery further stated the vans will pull in from the southernly entrance, proceed to the carport, and disembark passengers.

Mayor Robbins asked if the ADA parking will remain where they are located now adding ADA parking cannot be angle parking.

Mr. Flannery responded the ADA parking will remain the same.

Mr. Peters voiced his concerns about the access for emergency vehicles under the carport.

Mr. Flannery stated fire truck will not pull under the carport whereas an ambulance can access the carport. Mr. Flannery further stated there are three other accesses that a fire truck can use adding the fire truck can then be put into place to best fight the fire.

Mr. Peters asked if those three accesses have enough circulation for the fire trucks.

Mr. Flannery answered in the affirmative.

Mr. Peters question the condition of the detention basin adding he would like to see an Operation and Maintenance Manuel for the site.

Mr. Flannery answered if the board acts favorably on the application the applicant will provide an Operation and Maintenance Manual. Mr. Flannery stated he is aware that the basin has not been maintained for many years adding the applicant will maintain the basin according to Operation and Maintenance Manual.

Mr. Peters questioned the drainage easement on the property.

Mr. Flannery answered the applicant did a Title Research to see the purpose of the easement and no records found. Mr. Flannery stated that the drainage was put in many years ago and is quite possible the property owner at the time thought he might need it. Mr. Flannery further stated the applicant is happy the drainage easement is there and is willing to use it.

Mr. Peters asked if the two flood lights will be removed.

Mr. Flannery responded the flood lights will be coming down and will be replaced with approved, shield lighting.

Board Member Sid Hooper asked if a sprinkler system will be placed in the carport.

Mr. Flannery responded it was the intention of the applicant not to install a sprinkler system since the codes do not require carports to have one.

Dan Czermak, applicant, was sworn to give testimony at 7:44 p.m. by Board Conflict Attorney Richard Stanzione.

Mr. Czermak stated all construction permits for the building were required to be approved by the New Jersey Department of Community Affairs.

Mr. Hooper stated the permits were not approved by the board.

Mr. Alferi responded building codes are not decided by the board but by the construction code. Mr. Alferi stated if the New Jersey Department of Community Affairs required a sprinkler system then the applicant would have installed one.

Mr. Peters stated the board cannot ask for more than what is required.

Mr. Stanzione agreed with the board engineer adding the board is entitled to make an approval subject to all other approvals that are required such as building code. Mr. Stanzione stated the board cannot impose conditions that the board has no power over.

Mr. Alferi stated the applicant will address the sprinkler system for the carport to the building department.

Chairman Burton expressed the concerns of the attached structure and the traffic coming through the carport.

Mr. Peters questioned the landscaping buffer along Union Avenue adjacent to the resident district adding trees are missing.

Mr. Flannery responded the applicant will act favorably on the application and have a landscape architect look at that specific area and submit a plan to the board engineer.

Mr. Peters asked about the fenced outdoor areas in regard to where it is located and any improvements to that area.

Mr. Flannery answered the area is along South Union Avenue adding there is an existing fence in the right-a-way and will be connected to each corner of the building. Mr. Flannery stated detail plans will be submitted to the board engineer for review.

Mr. Alferi stated there will be no recreation or activities in that area.

Mr. Peters stated the fence is in the right-of-way and is being attached to the building and suggested a Hold Harmless Agreement saying "If the area is stopped from being used, improvements will be taken down" be submitted.

Mr. Burton questioned the outside air conditioning units.

Mr. Peters responded in the outside recreation area there is an oversize air conditioning system and to make sure there is no misunderstanding about what is outside, the board engineer is requesting a revised detail plan of the recreation area.

#### PUBLIC COMMENTS ON THE 800 ROUTE 70, LLC APPLICATION:

Time opened: 8:02 p.m.

NO PUBLIC COMMENTS

Time closed: 8:02 p.m.

Motion by: Steven Oglesby

Seconded by: Mayor Robbins

To approve application of 800 Route 70, LLC for Site Plan approval for conversion of the existing restaurant building to a medical facility (pending on all resolution compliance items discussed). Roll call vote held. All votes affirmative.

PUBLIC COMMENTS:

Time opened: 8:04 p.m.

NO PUBLIC COMMENTS

Time closed: 8:04 p.m.

ADJOURNMENT:

Motion by: David Sumner

Seconded by: Maranda Salas

To adjourn meeting. Roll call vote held. All votes affirmative. Time: 8:04 p.m.

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Maryanne Capasso, Secretary  
Lakehurst Land Use Board