

**MEETING MINUTES  
BARNEGAT LIGHT PLANNING BOARD  
AUGUST 19, 2020**

Chairman Richard 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. The meeting was held at the Barnegat Light Fire Company Meeting Hall, 907 Central Avenue, Barnegat Light, NJ. The meeting location was changed and published in the Asbury Park Press and The Beach Haven Times.

**Pledge of Allegiance**

**Roll Call:** Larson, Washburn, Mikuletzky, Gutowski, Sulock, Manookian, Patterson, Mescolotto  
Absent: None  
Also present: Joseph Coronato, Sr, Esq. & Elaine Tollison

**Approve Minutes July 15, 2020**

Motion made by Washburn to approve the minutes and seconded by Mikuletzky

Motion: Washburn

Second: Mikuletzky

Roll Call

Ayes: Larson, Washburn, Mikuletzky, Gutowski, Sulock, Mescolotto

Nays: None

Abstain: Patterson

**Application PB-2020-03, Carried over from July 15, 2020, Major Site Plan, Barnegat Light Landscaping LLC, Block 15, Lot 1, 802 Central Avenue**

**James Gutowski took over as Acting Chairman for this application due to Chairman Manookian having a conflict**

Mr. Philip Kahn represented the applicant, Barnegat Light Landscaping LLC, Mr. Steven Fall

Mr. Coronato said that this was carried over from last months meeting so that a new site plan could be done. Mr. Kahn said it was done to add the handicapped parking space and also added an additional parking space so that a variance would no longer be needed parking.

Mr. Jim Brzozowski, engineer & planner, explained that on the revised site plan one shed was eliminated from the site and in its place will be a handicapped parking space with brick pavers. They are also showing the planting of five trees along the westerly property line. The total parking is now ten spaces which now complies with the requirement. He said the loading zone is the only variance that is needed and it was discussed at the last meeting. There was no comment from the board.

The chairman asked for a motion to open to the public

Motion: Mescolotto Second: Washburn All in favor

Madeline Pantzer, 4 East 8<sup>th</sup> Street, said that the changes were appreciated. She wanted to have the loading dock explained. Mr. Brzozowski said that a loading zone is required and they have asked for

a variance. He said that Mr. Fall addressed it at the last meeting and that he does not get many truck deliveries that most of them is from UPS or FedEx. Ms. Pantzer asked about piles of landscaping material. Mr. Fall stated that it will never be on this site and he has piles of mulch, stones and soil ect. at a location in Manahawkin.

Marilyn Wasilewski, said that she was at the last meeting and said she was appalled at what she heard. She said that the property had been falling apart and Mr. Fall has improved it and that it looks better than it ever did.

There was no further comment from the public.

The chairman asked for a motion to close to the public.

Motion: Larson Second: Mescolotto All in favor

Mr. Coronato asked the date of the new site plan. Mr. Brzozowski said that it was originally prepared 6/17/2020 and modified on 8/10/2020.

The chairman asked for comments or motion from the board. Washburn made a motion to approve the application and seconded by Mikuletzky

**Approve Application PB2020-03 Barnegat Light Landscaping LLC**

A motion made by Washburn to approve and seconded by Mikuletzky

Motion: Washburn

Second: Mikuletzky

Roll Call

Ayes: Larson, Washburn, Mikuletzky, Gutowski, Sulock, Mescolotto

Nays: None

Abstain: None

**Application PB-2020-04, Final Major Subdivision, John H. Reilly Trust, Block 32, Lots 12, 13, 14, 15, Bayview Avenue between 16<sup>th</sup> & 17<sup>th</sup> Streets**

**Richard Manookian took over as Chairman for this application. Due to a conflict Mikuletzky stepped down from the board and Mescolotto sat on the board**

Kellie McGowan, attorney represented the applicant. Rodman Ritchie, Galloway and Michael Palmer, Doylestown, PA were sworn in. Ms. McGowan said this is a Final Major Subdivision and the applicant and property owners are the John H. Reilly Trust. The property is located between 16<sup>th</sup> & 17<sup>th</sup> Streets on Bayview Avenue. They are requesting to subdivide into five residential building lots compliant with the zoning codes. She went over the plan set that was submitted. Mr. Ritchie said that the set of plans were prepared by his firm. Mr. Ritchie stated his credentials, a bachelor and master of science degree in civil engineering and has practiced for over 20 years and is licensed in New Jersey and has testified before other boards in New Jersey.

Larson said that Mikuletzky has a conflict and has stepped down and is now part of the public.

Mr. Ritchie put sheet #2 from the set on the board and explained the subdivision plan. He said that currently it's four lots. The proposed five lots are about .15 acres each and the three interior lots have frontage on Bayview and the end lots on 16<sup>th</sup> and 17<sup>th</sup> Street have frontage on those Streets.

Ms. McGowan said a review letter dated August 7, 2020 was received. Mr. Ritchie said it was in the MC zone and they are conforming lots. He said that the lots will have water and sewer laterals connecting to the water main. There are no curbs and sidewalks in the on the properties adjacent to this site and they have asked for a waiver in a letter dated August 12, 2020. Mr. Ritchie said that the boats stored on the property will be relocated. The houses will be in compliance with the building codes.

Chairman Manookian asked for questions from the board. Larson asked about setbacks and drainage. Mr. Ritchie said there will be an infiltration system and the grading will be pitched toward Bayview and away from the lots in the rear. Washburn asked if a retaining wall could be put in the back to avoid flooding neighboring properties. Mr. Ritchie thought that could be handled by the site grading. Washburn said that he would have to look at the elevation but that maybe a one foot high wall would work and that the infiltration system should help. Mr. Coronato said that the biggest problem with infiltration systems is who maintains them and that a small retaining wall may be appropriate and easier to maintain. Mr. Coronato said that they should discuss it with Mr. Little and Mr. Washburn. Mikuletzky who is one of the neighboring properties said that the water runs off and floods his driveway and the neighbor behind him. Mescolotto asked about the trench system on the plans and Mr. Ritchie said it was for each house. Mescolotto said that he doesn't think that they generally work. Ms. McGowan said that a drainage report was submitted with the application and it shows existing and proposed drainage patterns. There were no further questions from the board.

Chairman Manookian opened to the to the public for the Engineer.

Mr. Harold Mulleavey, 4 West 17<sup>th</sup> Street, was sworn in. He said that the water gushes down from the top of 17<sup>th</sup> Street and he wants to know if the type of drain that Barry brought up might not work. Mr. Ritchie said that runoff water would be collected from the roof and will percolate into the ground and the overflow will go into the storm drainage system. He said the intent for this system is to handle the smaller weather events and when you have bigger flooding type of events that there are no engineering solutions for that. Mr. Kurt Roos, 3 West 17<sup>th</sup> Street, wanted to know what storm basis was used. Mr. Ritchie said that this is not considered a major project by the state and this is exempt from the state stormwater rules and that this system is voluntary and that he did a comparison between a 2, 10 and 100 year storm events and they are proposing to decrease the amount of runoff with each one of those events. Mr. Marty Connaughton, 8 West 17<sup>th</sup> Street asked about the 15 foot setbacks on the properties. Mr. Ritchie said the driveways for the end lots will be on the side streets and the driveways could be further in. Mr. Coronato said this is only proposed where the buildings will go. Mr. Coronato said this came before the board in 2006 and a condition was that the two end lots not exit onto Bayview. Mr. Mulleavey asked about setbacks and Washburn responded that 25 feet is required in the front, 15 feet if it is a corner lot, 9 feet on each side, and 10 feet in the back. Mr. Roos asked if Mr. Ritchie is a PE and he said yes. Mr. Rob Voorhees, 5 West 16<sup>th</sup> Street, commented that the drainage system is not designed for any major storm just for minor rain and Mr. Ritchie said that it is for smaller storm events. Mr. Frank Mikuletzky, said the area that is footprinted out for the proposed houses won't have much drainage area for the drainage system and that sand will get in. Mr. Ritchie said that typically the excavation pit is lined with a fabric to prevent sand and silt from seeping into the pit. Mr. Roos wanted to know the microns and Mr. Ritchie didn't have that information here.

Larson made a motion to open to the board and seconded by Washburn, all in favor

Larson said that he thinks there should be something from the engineer regarding a berm or retaining wall at the back of the property to keep the water from running. He said with the heavy rain today the

street was flooded and it drained in about a half an hour or so. He is concerned about the flooding on the neighboring properties. Washburn said there is no perfect solution for this and wants to make sure nobody gets flooded. Mr. Ritchie said he would be happy to submit a revised grading plan that shows spot elevations along the rear of the property. Mr. Coronato spoke about stabilizing the berm with vegetation so it doesn't wash away. Mescolotto summed up that they would work with our engineer on a solution to this problem. Ms. McGowan asked Mr. Ritchie if the 2006 subdivision plan was for five lots, the same as this plan and he said yes it was and that the applicant will comply with all of the building and zoning permits to the satisfaction of the Borough. Larson said that there was parking for the deli there and asked if there was any correlation. Ms. McGowan said that any prior approval of a deli or anything else that has a connection to this lot stands alone. Mr. Coronato asked if a condition to a resolution, should it be approved, the map would not be signed unless all boats were removed and that there is no further parking on the property and she said that she would agree to that. Gutowski said that since there is no longer a deli and that parking is no longer needed, that if across the street wanted to do something again they would have to come before the board. Mescolotto asked about the waiver. Ms. McGowan said it is to waive curbs and sidewalks in front of the property on Bayview and 16<sup>th</sup> and 17<sup>th</sup> Streets.

Motion made by Larson to grant the waiver for curbs and sidewalks and seconded by Washburn

**Approve waiver for curbs and sidewalks**

Motion: Larson

Second: Washburn

Roll Call

Ayes: Larson, Washburn, Gutowski, Sulock, Manookian, Patterson, Mescolotto

Nays: None

Abstain: None

**Open to the Public**

Motion made by Washburn and seconded by Gutowski, all in favor, the meeting was open to the public

Mr. Connaughton was sworn in. He said that it is his understanding that the lots were used for parking to satisfy the parking requirements for the marina. Larson explained that the marina was tied in with the deli but not with the parking at the marina. Mescolotto said that the marina is not the subject of this. Mr. Coronato said that before the map is signed for this subdivision this property would have to be cleared of boats and there cannot be any parking for the marina across the street. Larson said that the marina did not have enough parking for the marina and the deli and that parking across the street was for the deli and this was a zoning board decision. Mescolotto said that there is no longer a deli and parking is not needed. Washburn said that he didn't think the marina's parking had anything to do with this application and said that there is no parking for the marina on those lots. Mr. Connaughton did not agree. Mr. Coronato had reviewed the resolution that was done previously and it seemed to him that it was for the deli and not tied to the other property. Gutowski thought he should have that information before making a vote. Larson said that the White Star party boat was docked there had carried 100 to 120 people every day and that their slip required only 1.5 parking spaces and there has never been a problem with parking. Mescolotto said that the zoning board could have given relief to the property at that time.

Frank Mikuletz, 7 West 17<sup>th</sup> Street was sworn in. He said that an ordinance in town is to have a 20 foot wide driveway and he didn't think the drainage system would work. He said that there was not enough parking for the marina, apartment and Pimms business. Mr. Kurt Roos was sworn in. He wanted the board to look into what was approved previously and where the trailers would go if the marina closes. Nancy Manookian, 14 East 10<sup>th</sup> Street said she is the former Zoning Board Secretary and current board member. She said it was part of a zoning application and that consideration was given to the apartment upstairs, store and employees.

### **Close to the Public**

The chairman asked for a motion to close to the public. Larson so moved, seconded by Gutowski, all in favor

Gutowski made a motion based that the parking has been released from the obligation of the marina.

Ms. McGowan said that a condition cannot be put on another property. Mr. Coronato commented that he doesn't know if all of the property is owned by the same person in the trust. Mesolotto said that he didn't know how a condition can be put on the property being discussed tonight and how it affects the property across the street. Mr. Coronato commented that it is hard to have a mixed use and the resolution seemed faulty. Mr. Coronato said that he would advise the board that the maps not be signed until the property is cleared and that there may be a zoning violation on the other side. Larson said it is under a trust and who does owns the property. Ms. McGowan said that it can't be confirmed that these properties were ever attached. Mr. Coronato said that the board can decide to vote on a resolution that has conditions, or it can be carried for one month to let the engineers decide if it's going to be a berm or a wall. Larson said he would agree with that as he is more concerned more with water than with the parking. Mr. Coronato said research could be done on the zoning board. Washburn said that the only issue with subdividing this property is the drainage.

### **Mescolotto made a motion to carryover this application for one month to allow the engineers to agree on drainage problems, seconded by Larson**

Motion: Mescolotto

Second: Larson

Roll Call

Ayes: Larson, Washburn, Gutowski, Sulock, Manookian, Patterson, Mescolotto

Nays: None

Abstain: None

Mr. Coronato said this matter is carried until September 16, 2020, and no further notice is required.

### **Other Business**

Mr. Joe Naia and Mr. Joe Naia, Jr. said that they are interested in the property on the corner of Broadway and 7<sup>th</sup> Street and making it a takeout pizzeria. Washburn said that he wanted to talk to the board before he had plans done to see if it was possible. Washburn said it is permitted in the general business zone. Washburn said there is parking and also an apartment on the site. He said that there are no specific ordinances for takeout. Mr. Coronato said that it is mixed use and that there are parking requirements for the residential use, commercial use, and employees and garbage disposal and that he would have to come before the board for approval and that he would need an engineer. Mr. Naia

wanted to know if the town would entertain the idea of a pizzeria if they met all the other requirements. Mr. Coronato said that if it is not mixed use it's easier. Washburn said that the plans would have to come before the board for approval. Mr. Naia said they don't own the property and they are trying to purchase it and that the apartment would only be for them. Washburn said to be aware that it is a small property. The property is block is 12.01, lot 8.

Manookian asked about the business on 17<sup>th</sup> Street coming in before the board. Washburn said they were supposed to and he would find out where they were.

Gutowski made a motion the adjourn the meeting, seconded by Mescolotto, all in favor

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**ELAINE TOLLISON**  
**SECRETARY**