

**BOROUGH OF BARNEGAT LIGHT  
PLANNING BOARD  
FEBRUARY 17, 2021  
MINUTES**

**PLANNING BOARD CHAIRMAN GUTOWSKI** 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 PLEDGE OF ALLEGIANCE FOLLOWED**

**ROLL CALL: MIKULETZKY, WASHBURN, LARSON, SULLOCK, MANOOKIAN, GUTOWSKI  
ABSENT: PATTERSON, MESCOLOTTO**

**CHAIRMAN GUTOWSKI** asked for a motion to approve the minutes of the January 20, 2021 meeting. Washburn so moved, seconded by Mikuletzky

**MOTION: WASHBURN**

**SECOND: MIKULETZKY**

**VOTE: AYES: MIKULETZKY, WASHBURN, LARSON, SULLOCK, MANOOKIAN, GUTOWSKI**

**NAYS: NONE ABSTAIN: NONE**

**ABSENT: PATTERSON, MESCOLOTTO**

**APPLICATION 2020-05, 408 BROADWAY HOLDINGS LLC, CARRYOVER FROM  
JANUARY 20, 2021 MEETING**

Mr. James Raban represented the applicant. Mr. Raban said that he did have Mr. Little's amended report dated February 11, 2021 based on the revisions. Mr. Raban said that the primary revision to the plans was the removal of the rooftop area. It is a one story restaurant with no standing or seating on the rooftop. The revised plans from Dante Guzzi Engineering are dated February 4, 2021 and the revised plans from Architectural Integrity LLC is dated February 1, 2021. The revised plans were marked as A1 for the photo rendering of the building, A2 for the revised set of plans from Dante Guzzi, and A3 for the revised set of plans from Architectural Integrity.

Mr. Guzzi was previously sworn in. The major change was removing the rooftop deck. The parking was rearranged. The required parking is 27 spaces and 19 are proposed which is increased from 17 spaces. Mr. Raban said that the mulch bed on the northwest corner is where they were able to increase 2 parking spaces and in the event that the county says that those 2 spaces cannot be used could they be approved for 17 spaces. Mr. Coronato said if the County alters the parking they should come back to inform the board and would not have to give notice and the resolution could be modified.

Open to the Public  
All in Favor

At this time the public could ask questions of Mr. Guzzi.

Mr. Mc Guffin was sworn in. He asked about parking at the back of the property and the run off. Mr. Guzzi said there is no variance needed for the side yard and that a stormwater management plan was done to flow toward Broadway. Kerith Creo was sworn in. She questioned Mr. Guzzi why he thinks these variances are appropriate. He said that people will walk and bike there in the summer and thinks that the variance for parking is appropriate. Mr. Bill Buzby was sworn in. Mr. Buzby asked if any changes were made to the lighting plan. Mr. Guzzi said no changes were made and that there has to be adequate lights in the parking lot and the lights can be shielded. Mr. Buzby thinks the lighting plan is excessive. Mr. Buzby asked if the two trees were going to be saved. Mr. Guzzi said that they are on or just off the property line and they are not proposing any changes to them and the pipe is far enough away to not make an impact. Mr. Guzzi said there is no fence proposed but the applicant may be willing to put up a fence on the side and rear of the property. Mr. Buzby asked about combining the two parking lots. Mr. Guzzi said that they are two separate sites and there is no proposal for that. Ms. Nancy Connelly asked to recap how many occupants are allowed. Mr. Guzzi said that there are 71 seats in the restaurant including table and bar seats and that does not include workers. The workers are included in the calculation on the square footage of the building. Mr. Guzzi said 27 spaces are required and 19 are proposed and that includes the ADA requirement. Tracy Cameron was sworn in and asked if there was a bike rack. Mr. Raban asked the applicant Mr. Sabarese if he would put in a bike rack and he said yes it could be by the loading area. Mr. Dave Connelly was sworn in and asked the hours of operation. Mr. Coronato said at the last meeting, according to his notes, the hours were noon to 10:00pm and weekend hours noon to 11:00pm. There are no package goods. There were no more questions for Mr. Guzzi.

Mr. Mc Govern was previously sworn in at the last meeting and went over the changes on A3. He said that they eliminated all of the components of the roof top deck including the stair tower and elevator. He said that a mechanical engineer will design the roof top units. Larson asked what the decibel numbers are regarding the exhaust fans and said that some of them are very noisy. Mr. Raban said that they would comply. Washburn said that the inspectors would go over it before it's put in.

Open to the public for Mr. McGovern  
All in Favor

Mary Buzby was previously sworn in and asked if the building could be smaller and have more landscaping and make it more attractive. She also asked about the exhaust fans and the odors that wood fire ovens have. Mr. McGovern said that on drawing A1 there is a 42 inch high solid knee wall and thinks it will be high enough for the mechanicals to control the sound as much as they can. Mrs. Buzby asked about energy conservation. Mr. McGovern said that there are energy standards and that is addressed when permits are applied for. Mr. Sabarese said that it is not a wood fired oven that it is a gas oven. Mrs. Shendell asked if that equipment would be visible like the Daymark. Mr, McGovern said that things have changed since that was installed. Mrs. Connelly asked if there was a requirement for fencing and Washburn said there is not and that they can have a fence if they want it. Larson asked if the wall could be made higher on the roof. Mr. McGovern thinks it could go up to 5 feet. There were no further questions of Mr. McGovern.

Comments from the public

Mr. Buzby thinks it is a very bright site and it could be toned down. Larson commented that the lights could be addressed and Washburn agreed and that he has had cooperation from other businesses when there is an issue with lights and noise. Nancy Connelly does not think the variance should be approved and that

the neighborhood should be protected by the ordinances. She is concerned about parking on the street. Larson commented that he didn't think the restaurant would be full all of the time. Mr. Coronato said that this board cannot approve the liquor license. That can only be done by Mayor and Council and it is not part of this application. Mr. Coronato said that each application stands on its own and that precedents are not set. Mrs. Connelly asked how many businesses have parking variances and Washburn said that most restaurants do have variances for parking and that's not just Barnegat Light. Mr. Sabarese said that he would like a fence around the property and the town determines what is allowed with regard to lighting, signage and fencing and he will not do anything he is not allowed to do as he wants to get along with his neighbors. Mrs. Shendell said that there was a problem with exhaust fans and lights on the Daymark and that was fixed after speaking with Brian. She thinks there should be fencing around the trash area. Mr. McGuffin commented that he doesn't think there is a hardship and doesn't think variances should be granted. Mrs. Buzby commented that she thinks that small details will make this property more attractive with regard to stones and lighting. Ms. Creo said that she thinks there is overdevelopment to a point that destroys natural beauty. She doesn't think there should be exceptions for variances.

No further comments from the public

Close to the public

Manookian so moved, all in favor

Mr. Coronato said the board may want to consider installing a fence on the rear and side portion of the property. Washburn said it could be six feet and solid. Larson commented on the fence that is currently there.

Chairman Gutowski asked for a motion on this application. Mikuletzky made a motion to approve, seconded by Washburn.

**MOTION: MIKULETZKY**

**SECOND: WASHBURN**

**They must comply with the lighting requirements and the wall height.**

**They will have to come back to the board if the county does not approve the 2 parking spaces.**

**There will be a bike rack installed.**

**VOTE: AYES: MIKULETZKY, WASHBURN, LARSON, SULOCK, MANOOKIAN,  
GUTOWSKI**

**NAYS: NONE ABSTAIN: NONE**

**ABSENT: PATTERSON, MESCOLOTTO**

Mr. Raban wanted to make sure the variance for the ramp at the rear on the property and parking in the setback would also be included in the resolution.

## **OTHER BUSINESS**

Larson said that there was talk at the last Mayor and Council meeting about forming a committee to raise height restrictions west of Bayview Avenue for all marine commercial properties from 30 feet and building base elevation starting points on properties between Bayview and Central Avenue because houses continue to be built in swamps because of our regulations. The committee met this morning and consisted of Ed Wellington, Sponge Washburn, and Frank Mikuletzky. Sponge said that they are proposing to Mayor and Council that the marine commercial properties west of Bayview be raised to 32 feet. They talked about

changing marina parking going from 1.5 places to 1 place per slip. Properties east of Bayview Avenue to Central Avenue will be discussed at a later date with Frank Little to raise ground levels to bring properties out of flood areas. At this time, they will recommend only marine commercial properties west of Bayview be raised to 32 feet. This does not include residential or liveries.

Motion made by Gutowski to recommend to the Mayor and Council to start discussions about amending the ordinance to raise the height restrictions to 32 feet on marine commercial properties west of Bayview Avenue, second by Washburn

**MOTION: GUTOWSKI**

**SECOND: WASHBURN**

**VOTE: AYES: MIKULETZKY, WASHBURN, LARSON, SULLOCK, MANOOKIAN,  
GUTOWSKI**

**NAYS: NONE ABSTAIN: NONE**

**ABSENT: PATTERSON, MESCOLOTTO**

There being no further business before the board, a motion by Manookian, carried by all, the meeting was adjourned.

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**ELAINE TOLLISON  
PLANNING BOARD SECRETARY**