

FREEHOLD BOROUGH PLANNING BOARD

MINUTES OF SEPTEMBER 11, 2019

MONTHLY MEETING

The monthly meeting of the Freehold Borough Planning Board was held on Wednesday, September 11th at 7:00 p.m. in the Council Room of the Municipal Building.

Chairman Reich stated that this meeting was provided in accordance with the Open Public Meeting Act, by providing a copy of the agenda to the official newspaper and posting same on the official bulletin board of the Municipal Building.

Mr. Reich – please remain standing for a moment of silence to remember those who lost their lives on this day in 2001, eighteen (18) years ago.

ROLL CALL

PRESENT	MR. WILLIAM BARRICELLI
ABSENT	MS. MICHELE GIBSON
PRESENT	MR. GARRY JACKSON
PRESENT	MR. PAUL CEPPI
PRESENT	MR. JOSE GERONIMO
PRESENT	MR. MICHAEL McCABE
PRESENT	MR. ADAM REICH
PRESENT	MR. MICHAEL WILDERMUTH
PRESENT	COUNCILMAN GEORGE SCHNURR

Mr. Reich read Item No. 4 on the Agenda as follows:

Memorialize Resolution for Green House at Freehold LLC

Application Number: PB-UV-2019-007

Location: 3 Monument Street - Block 39 Lot 5 - Zone: R-7

Request: Use Variance with Preliminary and Final Major Site Review and Approval

Mr. Cucchiaro – I had conversations with some Board members, I am going to add an additional condition which specifically delineates the requirement for the driveway;

Mr. Barricelli – I have a question for Mr. Wentzien relating to that; when we spoke about the driveway at the meeting (8-28-2019) are we talking about only the driveway or including the parking area behind it;

Mr. Wentzien – we requested that all pavement, existing and/or proposed be total new full depth pavement; that would require removal of all existing pavement and building an entire new pavement area – parking lot and driveway – all;

Mr. Reich – any other further comments or questions regarding the resolution;

Mr. Cucchiaro – Mr. Chairman, because we have some new members, only the Board members who voted yes are able to vote on the memorialization of the resolution.

Mr. Jackson made a motion to approve the Resolution with the added information just stated regarding the driveway and parking area, Mr. Geronimo seconded.

ROLL CALL

Yes	4	Barricelli, Jackson, Geronimo and Reich
No	0	
Abstain	4	Ceppi, McCabe & Wildermuth & Schnurr
Disqualified	0	
Absent	1	Gibson

Mr. Reich read Item No. 5 on the Agenda as follows:

Application Number: PB-SP-2019-008
Applicant: 618 Park Avenue LLC
Location: 618 Park Avenue - Block 110 Lot 9.03
Zone: B2-B
Request: Preliminary and Final Minor Site Plan Review and Approval

Mr. Reich - Mr. Halleran-

Let's list the exhibits first;

Mr. Cucchiaro – we have pre-marked exhibits;

A-1. Land Use Application Checklist, signed June 14, 2019

A-2. Planning Board Application Form, signed June 12, 2019.

A-3. Zoning Denial from Matt Young, Zoning Officer dated 12/4/2018.

A-4. Site Plan Application, dated June 12, 2019.

A-5. Site Plan Checklist, signed June 12, 2019

A-6. Plans entitled 'Site Plan for Lot 9.03 in Block 110, 618 Park Avenue, Borough of Freehold, Monmouth County, New Jersey', prepared by Ronald J. Sadowski, P.E., consisting of 3 sheets, dated December 20, 2018.

A-7. Architectural plans entitled 'Proposed Covered Patio, 618 Bistro, 618 Park Avenue, Freehold Borough, New Jersey', prepared by William J. Doran Architect, consisting of 2 sheets, dated February 1, 2019.

A-8. Coloring Rendering of Site Plan (A-6)

Planning Board Exhibits

B-1. Completeness Review by Abbington Engineering date August 2, 2019

B-2. Engineering Review by Abbington Engineering date August 26, 2019

Mr. Halleran – witness will be Matthew Borowski and Ron Sadowski, Engineer

Mr. Cucchiaro – swear in Matthew Borowski, Operating Owner of LLC;

Mr. Halleran – Matt please tell the Board what you are proposing;

Mr. Borowski – there is an existing patio, competing with the TRE and Tommy's of the world, I'm doing an all season indoor downstairs / outdoor; upstairs there is an existing banquet hall, guests look for a place to go outside; I am proposing to cover the existing patio area;

Mr. Halleran – looking at the engineering report, any changes to existing fencing or signs;

Mr. Borowski – no, nothing changing;

Mr. Halleran – the report says you need a variance for the loading area;

Mr. Borowski – the loading area has existed for over 20 years; I have been a part of since becoming 618 and prior was a night club; any deliveries are early before guests arrive – it is a bad look if deliveries are being made during operating hours;

Mr. Halleran – so you haven't needed a loading area and don't foresee needing one;

Mr. Borowski – correct; most delivers are by van or truck; occasionally you get a box truck; there is no problem with turn radius; our parking lot is pretty large for Freehold;

Mr. Halleran – any changes in grading, drainage, utilities, landscaping and lighting;

Mr. Borowski – no changes, all remain the same, existing;

Mr. Halleran – Bill did you have any specific concerns;

Mr. Wentzien – clarity, conformance that can be addressed with the engineer;

Mr. Halleran – any questions for Matt;

Mr. Reich – Site Plan check list, number of employees on maximum shift restaurant use; maximum number of people in the building at one time for the banquet hall use;

Mr. Borowski – employees, party up stairs and restaurant down, 20 employees, includes management and myself; banquet hall occupancy with table and chairs, is 181; when it was a night club, no tables it was 400;

Mr. Reich – design of covered deck; the architectural drawings show a fire pit inside the first floor;

Mr. Borowski - if you look at TRE, they have a hood, it is a gas fire place, rated for indoor use, with a hood that is vented up the chimney through the second floor;

Mr. Reich – only access to the balcony is from the second floor banquet hall and the exterior;

Mr. Borowski – there is an emergency exit which we won't use for egress; but upstairs, a private party sometimes people like to go outside; it will be seasonal because of the New Jersey weather (two to three months maximum use)

Mr. Jackson – the deck is used when the banquet room is in use, your not increasing the occupancy load, this is just for those already at the event that want to go outside;

Mr. Borowski – I'm not sure if we'll allow smoking out there, it may be nice for a cigar rolling station or storage; the space is limited with storage; it is not covered, open space; we don't have one in Freehold, it is exciting – Asbury Park, Water Mark has a restaurant banquet hall on the outside area; really for people to hang out and conversing; there will not be seating;

Mr. Reich – only be used when banquet hall is active, not when just the restaurant is active;

Mr. Borowski – maybe a small party outside on a slow day, Tuesday or Wednesday; you can't rent it out if someone is using the banquet hall but could use it for something but mostly likely no;

Mr. Reich – the concern is if the banquet hall is closed and only restaurant is active you only have access to the deck is from the outside and inside; how will you monitor;

Mr. Borowski – correct; it will be unmonitored during out slow time but it won't be open; I can't guarantee it will be open on a Friday or during an event because of weather; I won't promise to anyone; it will be weather permitting;

Mr. Geronimo – can you talk about the lighting plan for upstairs deck and who are your neighbors that could potentially be impacted by lighting or sound;

Mr. Borowski – when it was a night club, issues where with sound mostly with Post & Coach and Jumbo Kitchen in Freehold Twsp. on Rt. 79; we have not had a single issue in five years, I'm responsible and I don't want the issues; we are restaurant, average client tell is forty plus, check average \$65 per person; we are rated number one on Trip Advisor; we are not that kind of place; there will be no sound outside;

Mr. Cucchiaro – there is a noise ordinance, you will have to comply with the noise ordinance;

Mr. Borowski – that is why I like lawyers – great answer;

Councilman Schnurr – there is a paint store next door, they close early;

Mr. Borowski – I can address parking also – CKO and Speed Auto Repair are great neighbors, long term tenants of the property; I have umbrella insurance for their parking lots, I have overflow parking there for my employees; Colors-To-Go, I also have insurance on their lot and a lease agreement for twenty spots; each business is closed at 6:00pm; the restaurant starts to get busy 6:30pm / 7:00pm; we have not had any parking issues;

Mr. Wentzien – we need to clarify some information with parking; there are two separate uses in the building; restaurant and banquet hall with separate calculations for parking in the building and could be in the building at the same time;

Restaurant 176 seats (156 seating & 20 bar seats) = 44 parking spaces

20 employees = 10 parking spaces total parking 54 spaces;

Banquet Hall – 181 seats = 46 parking spaces; total required parking is 100 on site parking spaces; you have 77 parking spaces, 23 spaces short by ordinance;

Mr. Cucchiaro – the 77 spaces, is that on site or include off site parking;

Mr. Borowski – those are on site, not including off site parking;

Mr. Cucchiaro – what is the number of off site parking;

Mr. Borowski – approximately 100; when this was first approved, they wanted to bus people in from downtown; the issues we have downtown, imagine that today; I have been at the facility for over 10 years; I know 618 and the parking better than anyone; I don't want to make dangerous for my guests and I don't want issues for me; we have not had a single issue; I have insurance everywhere, just in case; keep my neighbors happy;

Mr. Barricelli – Bill's report – shade tree, do you plan to landscape;

Mr. Borowski – we have been in the building over ten years and the owners before, almost 20 years, there is a lot of woods behind and I maintain the overgrowth from Freehold Township, over growth from behind Colors-To-Go, spending a lot of money to make the facility look great; if I don't have to plant trees, I would not like to;

Mr. Wentzien – if it is not there, then you need a design waiver for the Board to consider;

Mr. Borowski – I would like to go for a Design Waiver please;

Mr. Geronimo – can we discuss; what would be required, potted plants, things like that;

Mr. Reich – no, has to provide shade, it is to avoid creating an asphalt lake situation; shade tree to provide coverage, off gassing, environmental concern; towns have different ratios, based on parking spaces; for this property it would be a loss of parking spaces; also existing condition for many years;

Mr. Wildermuth – next to the proposed deck, there is an area that has lines, eliminate existing ADA parking;

Mr. Reich – anything else from the Board; seeing none, we will open to the public;
Seeing none;

Mr. Jackson – motion to close public questions to Mr. Borowski; Mr. Geronimo, seconded the motion;

Mr. Reich – all in favor – aye (all) – opposed (none);

Mr. Cucchiaro – swear in Ronald J. Sadowski, Licensed Professional Engineer New Jersey – 25 years;

Mr. Sadowski – exhibit A-8, coloring rendering depicts the existing conditions; rectangular dark shaded area represents the proposed deck on the second; one way in and one way out, parking in the rear, dumpster area, small shed and small green pervious at the back of the lot; previous discussion of plantings on the site, as you see, it is entirely paved, existing condition and parking is a premium on the site now; to try and increase green areas for shade trees, would be a loss of parking; there is an existing ADA space in the front and back, we are trying to combine them all near the main entrance of the building, shortest distance; there are three (3), the Board engineer's letter requires four (4) and we will add the additional space; also in the review letter, question about the three spaces in the rear, near the dumpster which are tight, if the Board feels we should eliminate we can, but we would be eliminating three on site spaces, but we do have adequate off site parking;

Mr. Wentzien – are there any problems with them now; the depth is shorter than allowed and the but right next to each other; I just want the Board to be aware; they are part of the 77 spaces;

Mr. Sadowski – lighting, we will not be increasing, we will use what is in place now; on site drainage inlets already, no grade changes; we will confirm that the ADA spaces comply with ADA regulations;

Mr. Wentzien – recommendation of a mark out cross walk needs to be in place for the ADA spaces;

Mr. Sadowski – yes; also the comment before regarding the stripped area in the back, we had an ADA space there, but don't want anyone parking near the balcony, that is why it is stripped out;

Mr. Wentzien – all under grading you will comply with;

Mr. Sadowski – absolutely

Mr. Reich – based on the parking shuffling math on site plan drawing #2, there is a loss of one space; in front, removal of three spaces one ADA and two standard and adding of four, plus one there, on the side removal of four spaces and addition of three ADA spaces, with van marking, that is a minus one, and your moving one more;

Mr. Sadowski – by adding the fourth ADA spot, we need to add the stripped isle, so a net loss of two; and we will have the ADA stripping shared where we can;

Mr. Wentzien – so we have 75 spaces;

Mr. Geronimo – I have a few questions; from your experience have you issues with limitations with the number of ADA parking spaces;

Mr. Sadowski – no I find most restaurant uses, they are open, you may get one or two of the four being used; if it was a medical use, it would be different;

Mr. Geronimo – for my learning and how the spaces are laid out, the perpendicular design optimal with getting the most cars in this lot;

Mr. Sadowski – it is the optimum layout to have a drive isle with left and right parking, sometimes your lots are narrow; you start having angle parking, one way, you don't have an option you can't get required length and width of the space; like here, you have the one way, then in with angle parking and wider area in the back, that is where you go with left and right and wider drive isle;

Mr. Wildermuth – so to revisit my question, about the stripped area adding next to the patio, considering the questions before regarding landscaping and shade tree ordinance, is there an opportunity to change that to a permeable surface area, with plantings rather than paint and concrete;

Mr. Borowski – we use that area as our loading zone, I would rather nothing there; I don't want people to think it is a spot and don't want to curb it; there is a cut in the curb now

because it was ADA compliant; it is a great delivery area, it is better for the hand truck to go up an existing cut in the curb then to go over the curb; I care about the delivery guys getting hurt;

Mr. Reich – Mr. Wentzien, is there anything we missed;

Mr. Wentzien – no, we hit all the key elements;

Mr. Reich – to summarize, there is a loss of two spaces total, all else on the site remains the same; and we have an offsite availability of approximately 100 cars;

Mr. Geronimo – in your experience have you had to completely fill your lot and the offsite spaces at any time;

Mr. Borowski – no we have not had any concerns; the only time was when people were going to TRE when they first opened; and when TRE does there San Gennaro feast, they close their parking lot and people cross over but still no issues; most of it is done by the time we start to get busy;

Mr. Geronimo – in the event things don't continue with Colors-To-Go you will be ok with the other two parking areas;

Mr. Borowski – we have a lease, and have a great relationship with all the neighbors, they are all great;

Councilman Schnurr – the leases you have, what are the terms;

Mr. Borowski – I have a one year lease with Colors-To-Go, renew each year; the others are a hand shake;

Mr. Jackson – does that cause concern, not having lease agreements;

Mr. Reich – how many spots are on Colors-To-Go lot

Mr. Borowski – approximately 25;

Councilman Schnurr – Vince can you make sure we get a copy of the lease;

Mr. Borowski – I will also provide a copy of the insurance too;

Mr. Reich – Board any other questions; seeing none, we will open to the public; seeing none;

Mr. Jackson – motion to close public questions to Mr. Sadowski; Mr. Geronimo, seconded the motion;

Mr. Reich – all in favor – aye (all) – opposed (none);

Mr. Reich – now open for public comments and questions; Board members;

Mr. Reich – the biggest concerns was parking and your making accommodations to ensure you have enough and ADA; the design of the deck looks great and will be a nice indoor space

below and nice outdoor space above; appreciate it will be tied to the banquet on the upper floor;

Councilman Schnurr – made a motion to approve the application, reconfigure parking as suggested, we have overflow of parking agreements, variance for loading dock; this is a long standing business and business owner that has a stellar track record;

Mr. Reich – we also have to include the design waiver for the trees and for the plans to include the location names and width of all existing streets;

Mr. Wentzien – I am fine with and recommend that you grant that waiver;

Mr. Cucchiaro – it will be for Preliminary and Final Site Plan approval with the relief that has been requested tonight;

Mr. Jackson - seconded the motion;

ROLL CALL

Yes	8	Barricelli, Jackson, Ceppi, Geronimo, McCabe, Councilman Schnurr, Reich & Wildermuth
No	0	
Abstain	0	
Disqualified	0	
Absent	1	Gibson

Mr. Borowski – thank you; just want to say, the clients from the last meeting, come in my restaurant all the time, sweetest, nicest, great people;

Mr. Reich – anyone from the public have any comments; seeing none;

Mr. Halleran – I sent you a letter today regarding the 32 Broad Street Church;

Mr. Cucchiaro – Mr. Halleran, I did see the letter today, we can't handle that administratively through this Board; you may want to ask Matt; it was a noticed application; you can ask for it to be amended and notice for it;

Mr. Halleran – simple amendment to the application and all else stays the same, except being upstairs rather than downstairs, send notice saying that;

Mr. Cucchiaro – we do have a conflict with the High Holy days; October 9, 2019 but as of now September 25, 2019 is open;

Mr. Reich – when is the Pennoni group coming back;

Mr. Cucchiaro – they return at some point but for now working with Council; we've done what we need to do for the moment;

Mr. Reich – don't take September 25, 2019 off the calendar yet, wait until we hear; Please hold your packets for Colts Pride LLC, carried to November 13, 2019;

Mr. Reich – anything else to come before the Board;

Councilman Schnurr – I have a couple of things for you; There used to be a time on the Planning Board where, when we received our Friday packet, sometimes the packets were sent out on Monday, um we would receive everything we need for the meeting; the site plan review or the completeness review from Abbington, the engineering review from Abbington, if we had any attorney resolution, we would have those so we would have ample time to review them; and even the engineering reviews to the applicant as well; and I am not saying that sometimes there weren't last minute things that would come up, but it just seems to me that in reviewing this year, um that there are a lot of things we are getting put on the table here for us to review and then vote on and I think that is unacceptable and will give us a lot of mistakes; and I think we need to clean up the timeliness of us getting the completeness reviews, engineering reviews from Abbington, so they are included in our Friday packets or Monday packets; we need to tighten up, um, the resolution from our attorney and make sure we get those on a timely fashion; and we don't rely on these emails that we are getting, um almost every three days, here's this, here's that, um, I just think that is unacceptable, and ah, we need to clean up our act Mr. Chairman;

Adam Reich – Chairman – ok, I'll, um, see if I can put a call into Mr. Bellina, see if there is anything;

Councilman Schnurr – there used to be an exception, now it seems like this is happening all the time, um, and I think it is very sloppy; and I think we need to clean it up;

Adam Reich – ok;

Councilman Schnurr – um, I got one other comment, in regards to that; this is a public meeting, this is a, um, public building and I know that downstairs is opened at 6:30p.m., as it should be, um, but I also think that the bathrooms ought to be open at 6:30pm as well and left open for the entire meeting;

Adam Reich – ok, I'll talk to Joe and discuss both of those;

Councilman Schnurr – great;

Adam Reich – ok; thank you for bringing them up, appreciate it;

Councilman Schnurr – yea, I mean, its just, it just uh, we are just getting sloppy and we need to clean it up;

William Barricelli – I agree with everything you said;

Councilman Schnurr – ok, thank you;

Adam Reich – thank you; anything else to come before the Board;

Mr. McCabe made a motion to adjourn, seconded by Mr. Jackson. All in favor, Aye (all), opposed (none). Meeting adjourned at 8:06 PM.

Respectfully submitted,

Dominica R. Napolitano