

Minutes of the South Toms River Land Use Board

April 15, 2019

A meeting of the South Toms River Land Use Board was held at South Toms River Borough Hall on Monday April 15, 2019 and called to order at 7:02 pm

LUB Chairman (Jason Glogolich) called to order a meeting of the **South Toms River Land Use board at 7:02pm at Borough Hall. This meeting was published in the Asbury Park Press January 26, 2019 and posted on the Bulletin Board in the Municipal Building and therefore dually advertised.**

Roll Call

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Colavito				√	Fennell	√			
Petro				√	Whalen	√			
Hailey	√				Jubert	√			
Grams	√				Principato	√			
Glogolich	√								
Handshy	√								

Abs- Abstain Ab-Absent

Approve minutes for March 18, 2019

Mr. Fennell made the motion to approve Second by Ms. Grams

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Colavito				√	Fennell	√			
Petro				√	Whalen	√			
Hailey			√		Jubert				
Grams	√				Principato				
Glogolich			√						
Handshy	√								

Abs- Abstain Ab-Absent

New Business

Resolution 2019-04 Peninsula Performing Arts LLC Block 8.01, Lot 2.10

Attorney for the applicant Harvey York asked if there was full board present to hear the case it was determined there was not a full board. He asked for time to speak with his client. After speaking with his client they decided to continue with the hearing. Mayor Handshy and Councilman Fennell were not allowed to vote on the application therefore Mr. Jubert and Mr. Principato took a seat on the Dias.

Mr. York explained the property located on Flint Rd and that the property is currently zoned residential and is currently being used as commercial. He stated that they feel this property will never be used as a residential property. As the property has substantial value and has a building with substantial value. He stated the applicant is currently paying \$300,000 for the property. He said at this price it will never be a residential property. He described the current condition of the site and it is not nice. The applicant plans to tear down the building and build a brand new building with landscaping. The use will be used as a dance school which would be a beneficial use. He also said if we don't get an approval the site will stay as it is probably for a very long time.

Jason Marciano Engineer with East Coast Engineering was sworn in to testify. He stated his credentials and the board accepted his qualifications. He discussed the location of the property and what was located in the area. He discussed the condition of the building and property. He discussed how they will be reducing the impervious surface. From an environmental perspective they are enhancing the area by reducing the flow of water into the current systems. Under the requirements the required amount of parking spaces are 36.9 they will have 36. The county requested them to reduce the parking by 2 spaces. So they are asking for a variance for 34 spaces should the county require them to reduce the parking. Currently the Dance Center is operating in STR on RT. 166 and only require 15 spaces as most of the students are dropped off. So 34 spaces would be more than needed. They explained how this use is very neighborhood friendly. The lighting is all LED down facing and will be contained to the property (no pole lights except existing utility pole light on street). They are going to have 2 signs 1 on building and 1 ground mount sign. They are proposing 9x18 parking spaces opposed to 10x20. It will be a visual improvement. The negative for the property will be increase traffic from what it currently has. Most of the traffic will be dropping off of kids and then leaving. Large recitals will be offsite and not onsite.

Mr. Whalen asked about the buffer and would mature trees be planted

Mr. Marciano stated they would be burlap style and approx. 5'-6' high

Mr. Whalen said the lights are higher than the trees so I wouldn't become a buffer for years to come

Mr. York stated the lighting would be facing downward to the property

Mr. Whalen asked if there was any on street parking on Flint Rd

Mr. Marciano said no

Mr. Whalen asked about the storm water runoff and where the drains were located

Mr. Marciano explained where the storm drains were located

Mr. Whalen expressed concern as he is located on Lakeview Dr. and didn't want his driveway to flood

Mr. York stated whatever runoff comes off the property currently it would be reduced

Mr. Whalen asked about the traffic as it is bad in the area now and wanted to make sure they were aware

Mr. York said they were very aware of the traffic situation

Councilman Fennell asked if lights would be on a timer

Mr. York said yes and would stipulate lights would be off by 10PM

Mr. Hailey asked about other structures on the property

Mr. Marciano stated there were no other building on the site and everything would be removed and only a new building would be on the site

Mr. Jubert ask about why the county was requesting the 2 less parking spots the county is requiring.

Mr. York said they didn't know why the county was requesting that

Mr. Jubert asked about the hours of operation

Sheri Daknis (owner) was sworn in and explained where the business was located and why they were looking to relocate. She also explained the hours of operation 3:30PM- 9:30PM

Mr. Whalen asked out the noise

Sheri Dahnis explained the building would be sound proof and said if the sound carries outside the building it would sound in the next classroom and they don't want that

No comments from public

Ms. Grams made the motion to approve Second by Mr. Hailey

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Colavito				√	Fennell	N/V			
Petro				√	Whalen	√			
Hailey	√				Jubert	√			
Grams	√				Principato	√			
Glogolich	√								
Handshy	N/V								

Abs- Abstain Ab-Absent

Old business

Bills

Kelaher, Van Dyke & Moriarty \$525.00 (Tesla charging station)
 Kelaher, Van Dyke & Moriarty \$150.00 (Peninsula Performing Arts)
 Kelaher, Van Dyke & Moriarty \$510.00 (general file)
Ms. Grams made the motion to approve Second by **Mr. Glogolich**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Colavito				√	Fennell	√			
Petro				√	Whalen	√			
Hailey	√				Jubert				
Grams	√				Principato				
Glogolich	√								
Handshy	√								

Abs- Abstain Ab-Absent

Adjournment

A Motion made by **Ms. Grams** Second made by **Mr. Fennell** and an affirmative voice vote of all LUB members present. The meeting was adjourned at 7:59PM

LUB Secretary_____

LUB Chairman_____