

TOWNSHIP OF OCEAN  
PLANNING BOARD  
SPECIAL MEETING  
May 10, 2010

Meeting began at 7:33 PM

The meeting of the Township of Ocean's Planning Board was held on the above date and time. The meeting was called to order.

**Pledge of Allegiance**

**STATEMENT:** Pursuant to the provisions of the New Jersey Open Public Meetings Act, sending copies of the notice of the meeting properly provided adequate notice of the meeting to the Asbury Park Press and the Press of Atlantic City. Notice was posted on the bulletin board in the Administration Building.

**ROLL CALL**

Members Present: Anepete, Avellino, Lachawiec, Sneddon, Sweeney, Tredy, VonSchmidt, Bynoe

Members Absent: Eckert, Knowles, James

Professionals Present: Steve Yost, Attorney, Wayne McVicar, Engineer and Scott Taylor, Landscape Engineer

Chairman Anepete suggested the changing of the order of the agenda to put public comments first. The board agreed.

**OPEN COMMENTS**

Deputy Mayor Tredy addressed the board. Deputy Mayor Tredy explained why he requested this meeting by the Planning Board. Many previous meetings and discussions have taken place over the sign ordinance where nothing was accomplished. Deputy Mayor Tredy stated he did not want this meeting to become another of those meetings. Moving forward, Deputy Mayor Tredy read into the record what he called the evenings "Mission Statement" which was titled, The Sign Ordinance Workshop Meeting. The purpose of this workshop is to develop a more business friendly sign ordinance while keeping the character and charm of Waretown in tact. Guarding the bottom line of business shall be a serious consideration. This is the time to share thoughts and ideas to produce positive effects not just to air complaints. We want to develop a plan for Waretown that will help us grow. Signs and advertising are the first point of contact with potential customers. They need to be attractive, but never distracting. Every new business has the potential to invite new clients into town who could ultimately support other existing business, which is how we develop the domino effect. Take a look at any successful shopping center or mall, they start with an anchor business, then they go out from there. But they must have viable plan in place that allows all new business to survive and thrive. This is first step for us to work together to grow Waretown in a strong and positive direction.

Chairman Anepete mentioned that the last time the sign ordinance was discussed, it was a regular planning board meeting and there was other business that had to be taken care of that night in

accordance with the agenda and had priority. This evening the meeting is scheduled strictly for signage. Chairman Anepete apologized for any misunderstanding at the last meeting.

Vice-Chairman Avellino spoke that there were many sub-committee meetings regarding ordinances. Recommendations were made, but nothing moved forward at that time.

Chairman Anepete explained that the Planning Board does not pass ordinances. The board only makes recommendations to the Township Committee. Chairman Anepete reiterated that we are here to listen.

Motion to open to the public was made by Vice-Chairman Avellino, seconded by Mrs. Sweeney. All in favor: (aye).

## **PUBLIC COMMENTS**

Tom Mackie – South Harbor Marine was sworn in by Mr. Yost. Mr. Mackie's concern was temporary signage/banners/banana flags that can be put up or taken down daily. Mr. Mackie understands they shouldn't be allowed to be up constantly. They should be put out at the start of business and taken down at the end of the day. Mr. Mackie also suggested one sign with one logo off the parkway to direct people to the marina district. Break it down once you hit Route 9 or Main Street. Signage on top of street signs would be a good option. Mr. Mackie feels word of mouth brings most people to Waretown.

Mr. Taylor spoke about two types of temporary signs. First - portable signs (a-frame/sandwich boards, etc.) and second - temporary signs or banner where parameters can be set for length it is left up. If it were to be up forever, everyday, then it needs to come out of the temporary sign category. Parameters need to be set to meet the objectives of the business owners. Mr. Taylor spoke about way finding signage and getting residents to the marina district and major destinations in town. This type of signage has been set up in other towns and works well to move people through town.

Route 532 is a County Road, so a meeting would have to be set up with the county to see what kind of sign could be set up at the parkway exit ramps. Until the ordinance is changed, this type of way sign cannot be put up. Standard color signs were discussed, marina symbols are an anchor. Mr. Mackie said the marina association would group together and fund their signs. Width and height of signs should also be addressed in any revised ordinance.

Spencer Hondros – 65 Pennsylvania Avenue approached and was sworn in by Mr. Yost. He explained previously his signs were on his site plan. After putting up his signs, he was told he needed a sign permit. He would like clarity as to whether or not you can erect signs based on the site plan, or if you need to wait till you get a sign permit. Mr. Hondros also spoke about franchise signs. He would like to be able to put up his "Yamaha", backlit sign.

Mr. Taylor addressed the Town Center signs and internally illuminated signs. Internally illuminated signs are not permitted in any zones, including the Town Center. At the time of the Town Center, that applicant came forward and asked for relief to permit those signs. The Redevelopment Entity because of the heightened level of architecture and site amenity in conjunction with the scope of the whole project determined that it was appropriate in limited circumstances for there to be internally illuminated signs. That same applies for anyone in town. If there is an extenuating circumstance, anyone is more than able to come before the Zoning Board of Adjustment for a variance to permit a backlit sign and if the proofs are such that it's creating a more desirable and more visual environment

because of the architecture and awnings and whatever else is happening then the board can evaluate those. That is the history of how and why some of those internally illuminated signs happened at the Town Center. Each business came before the board individually. The rules apply to everyone. Shoprite chose to come before the board to seek relief. Everyone has that opportunity. It doesn't matter what a franchise sign says. The board can not judge the content of the sign, only how it is designed, it and the location of the sign. It has nothing to do with what a franchise sign says.

Mr. Hondros suggested the township putting up blank boards so that businesses in towns can rent from the town and use to advertise, such as at the lake. The boards can be changed when the permit expires. Mr. Hondros previously purchased signs to go on top of the street signs, but he was told he cannot put them up. He would like to see this changed so that signs can be put on top of the street signs.

Mayor Lachawiec informed everyone that new maps are being looked into which will identify where businesses are in town.

Chris Karamanos, 1235 Jasmine Court, Toms River. Mr. Karamanos owns the diner in town. Mr. Karamanos feels that illuminated signs are necessary for successful business. He suggested the signs could be consistent in color. Mr. Karamanos put the copy of his sign that was denied into evidence and marked as K-1.

Mr. Sneddon inquired as to the history of the ordinance restricting illuminated signs. Chairman Anepete stated for the record, that when we are speaking of illuminated signs we are speaking of backlit or internally illuminated signs, not the gooseneck lit signs from below or above.

Mr. Eppolito, 10 So. Olympia Drive approached and was sworn in by Steve Yost. Mr. Eppolito is the General Manager of the Sonic Restaurant. Sonic doesn't have a sign in front of their building because of the county sewer line running there. The only signage is on their tower. Sonic would like to have a reader board put on their tower. Mr. Yost marked the picture as Sonic-1 and entered into evidence. This board was denied and would have had to go before the Board of Adjustment which they chose not to do. Mr. Eppolito says the fees to go before the Board of Adjustment are too costly.

Mayor Lachawiec spoke about being a destination town where larger companies who employ large amounts of people bring in a breakfast or lunch trade. The only destination spots now in town are the marinas. Mr. Mackie spoke again. He feels tourism is substantial enough with the marinas and the township should concentrate on tourism rather than attracting a large company with many employees.

Stanley Bystrek, 101 Baltic Avenue, approached was sworn in by Mr. Yost. Mr. Bystrek feels a general sign ordinance would not work. Different signs are needed for different types of businesses. Mr. Bystrek would like to see the ordinance more individualized to each business and size of the lots.

Robert Kraft, 28 Bay Parkway approached and was sworn in by Mr. Yost. Mr. Kraft feels the signs do not work. Signs cannot be seen at night. Mr. Kraft said four years ago he understood and agreed with the concept of architectural standards and designs and although were well intended, but he feels the sign ordinance needs reconsideration because it does not work.

Mr. Hondros spoke again regarding CAFRA.

Dan Collamer, 24 Bay Parkway approached and was sworn in by Mr. Yost. Mr. Collamer felt the overhaul of the sign ordinance is necessary and other ordinances in town need to be adjusted as well.

Mr. Tredy explained that the Board of Adjustment makes a yearly report which states the types of variances that were looked at and the amount of hearings they had. The reason is that if the same situation keeps coming before the board many times over, then the Township Committee would look into potential problems with the ordinance regarding that particular problem. To Deputy Mayor Tredy's knowledge, there have been no people coming before the board to request a sign variance. Mr. McVicar spoke that each variance is \$500 for residential. Commercial property applications are \$500 and each variance is \$1,000. It could become costly if there are several variances associated with one sign.

Mr. Mackie spoke that the fees are large stumbling blocks for upgrading of properties in town. He is asking the town to revisit some of their fees.

Mr. Bill Irving, 80 Railroad Avenue approached and was sworn in by Mr. Yost and spoke regarding his signs and what the time had required him to do previously.

Chairman Anepete asked for a motion to close to the public. A motion was made by Mrs. Sweeney, seconded by Mayor Lachawiec. All in favor: (aye).

At this time a short break was taken – 9:35 P.M.

The Planning Board was back in session at 9:50 P.M.

Mr. Avellino made a statement that the costs of the signs were not detrimental to business owners several years ago when the economy was soaring. This is no longer the case. However, Mr. Avellino feels that the ordinance can not go backwards to when anything went in town as a sign.

Deputy Mayor Tredy recapped the signage requests from the various business owners including: temporary signs, special event signs, signs on top of street signs, parkway signs. Changeable signs with moving lights Deputy Mayor Tredy feels would not be appropriate for the township. The other options are possible. The ordinance needs to be fair and equitable for all businesses. Variances are inevitable at certain times. However, we can try to make the process simpler and less expensive to apply for. Perhaps the engineer can be left out of the review and use the information they presented to the Zoning Officer only. That could eliminate the escrow costs for engineering.

Mrs. Sweeney said the ordinance really needs to consider the needs of each business. Every business is not the same, therefore, the sign requirements will not be the same. Depending on square footage of properties, different sizes and amounts of signs may be an option in the ordinance.

Identify the points of where the way finding signs need to go. If the township is going to cover the cost, then the township should have say in what goes on them. Way finding signs would need to deal with the Town Center and Marina District. Mr. Bynoe asked if signs could be put under the "Welcome" to the township signs. Parkway and Route 9 are the only ways into town. These would be the places to start for the way finding signs. Another good area would be where you make a left turn on to Main Street. There is a triangle there and this would be a good place for a way logo sign or way finding sign. Parkway exit signs and also the in and out of town

Chairman Anepete asked about backlit signs and whether or not to permit. Deputy Mayor Tredy suggested a sub-committee be formed to look into these signs. Our sign ordinance is in three different places in the code book. It needs to be in one place and found easily. Mr. Taylor suggested that the

definitions need to be updated as well as new banana flags for example aren't really a flag or a banner. Sign manufacturers are very creative in making new things that don't necessarily fit into any definition. Mr. Taylor suggested putting in recommendations for contrast so signs can be seen. Mr. VonSchmidt suggested a business map of the town to put in a few places throughout the town. See if the business owners would be interested in it. If enough business owners got involved and allowed them on their property, we could have maps all over town which would show people where different businesses are. Mr. Taylor suggested that maybe we could get the county to join us and use the rail trail for signage.

Chairman Anepete asked for volunteers for a sub-committee. The sub-committee would have to meet with Mrs. Clune in the Zoning Office. The board discussed further backlit signs pros and cons. As Deputy Mayor Tredy reiterated that several of the business owners requests may not have been denied by the Zoning Board of Adjustment, but the fact remains that they have to go before the Zoning Board of Adjustment and maybe the process for going for a variance needs to be altered also to make it more affordable. Mr. Sneddon, Mr. Avellino volunteered. Mrs. Sweeney and Mr. Bynoe would offer their help in a few weeks. Chairman Anepete reiterated that the sub-committee is to look at the ordinances, make recommendations for changes, consolidate into one ordinance, look into the backlit sign and report back to the full Planning Board. Then it would be referred back to the Township Committee for their review.

Deputy Mayor Tredy explained that he is continually getting complaints from business owners and also from the Zoning Office about some of the ordinances. He felt it was time to address these issues and see if this ordinance can be or should be changed. Deputy Mayor Tredy feels the sub-committee should start with some of the easy items such as "open" signs. Chairman Anepete appointed Mr. Avellino chairman of the sub-committee.

A motion to adjourn was made by Mr. Bynoe and seconded by Mr. Avellino. All in favor: (aye).

Meeting adjourned at 10:40 P.M.

Respectfully submitted,

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Beth O'Connor