

**TOWNSHIP OF OCEAN
REDEVELOPMENT COMMITTEE**

NOVEMBER 13, 2008
5:30 PM

1. CALL TO ORDER

ROLL CALL

DANIEL VAN PELT X ROBERT KRAFT X RICHARD REILLY X

FLAG SALUTE

OPEN PUBLIC MEETING ACT – PURSUANT TO THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING WAS PROPERLY PROVIDED BY SENDING COPIES OF THE NOTICE OF MEETING TO TWO NEWSPAPERS, THE ASBURY PARK PRESS AND THE PRESS OF ATLANTIC CITY. THE NOTICE WAS POSTED AT THE OFFICE OF THE TOWNSHIP CLERK AND ON THE BULLETIN BOARD OF THE ADMINISTRATION BUILDING.

REGULAR MEETING

NEW BUSINESS - INFORMAL

- Bayfront Marina & Yacht Basin LLC

Christopher Yannon, Attorney, on behalf of Bayfront Marina & Yacht Basin, presents an informal application for redevelopment for 96 Bryant Road. Mr. Robert Harrington, Engineer, can explain some of the details of the application, if there are specific questions. The location is an existing restaurant. There is a dock that was a marina at one time. The intention is to re-establish use of the boat slips for dockage. Parking spaces have been created. The parking lot has been changed.

Robert Harrington, East Coast Engineering, explains some of the details of the parking scenario. This site was previously the Galley Grill. At that time there was no parking behind the building in the stone area. That applicant came before the Land Use Board at the time. One of the directives was to provide parking behind

the building on-site. That has been accomplished. Additional parking at the paved area at the end of Bryant Road has always been used as parking to some extent. It is not striped. I don't know if it ever was striped, but it has always been used as parking. It is a County road. The applicant is proposing to provide some striping in the paved area so there's better circulation. Otherwise, cars get parked at different angles. The additional parking, along with the parking provided behind the building will work for both marina and restaurant use.

Mayor Van Pelt inquired how the applicant will get permission to stripe a piece of property they don't own.

Mr. Harrington stated at the previous application, the applicant inquired how the County Engineer would feel if they utilized that area. The end of Bryant Road is a dead end. The Township has their pavilion & dock there. The applicant has a restaurant and dock. The County Engineer stated it is fine with the County, as long as it is okay with the town. If the town didn't want it, the County would not want it. That was an issue that was never resolved with the previous owner. It still needs to be decided.

Deputy Mayor Kraft inquired if the applicant ever finished with the planning board or is the application suspended.

Mr. Harrington stated it was completed. There was a resolution. I believe the resolution was not perfected.

Mr. Yannon stated he does not know how long ago it was. Typically, when you get an approval, subject to conditions, you need to satisfy the conditions of the resolution in order to complete the application. Mr. Yannon is sure there were things the applicant needs to complete. Assuming all those things can be done, they will meet the boards approval.

Mayor Van Pelt stated there are some differences with what is being presented tonight.

Mr. Harrington stated the question was whether it was still valid – was it expired, in the terms of the resolution.

Mr. Taylor stated the comment was this has changed from what was presented to the planning board. In either case, the applicant will have to go back to the board

for an amended site plan for a change of use and change to the site conditions from what was approved by the Planning Board previously.

Deputy Mayor Kraft inquired if the marina was part of the original packet to the Planning Board.

Mr. Harrington stated, “no”.

Scott Taylor, Taylor Design, stated the applicant was allowed to use the boat slips for his own private use, not rent the boat slips.

Committeeman Reilly stated any use of the word marina was not approved. The application was never approved as a marina.

Stan Slachetka, T & M Associates, stated one of the key issues was the parking question. If the marina goes into effect, they will need a lot more parking.

Mr. Yannon stated the main part of the redesign was to create more parking and to change areas that were used for storage to parking areas.

Committeeman Reilly stated the parking in the back of the building was approved by the Planning Board.

Mayor Van Pelt inquired what is the required parking spaces for boat slips and how many slips do you have?

Mr. Harrington stated approximately one (1) or one and one-half (1 1/2) parking spaces. There is approximately a potential for 39 slips.

Deputy Mayor Kraft stated there isn't enough water for five (5).

Mr. Harrington stated that is another issue the applicant will have to address - Maintenance dredging and improvements to the dock. It's a County road.

Committeeman Reilly stated when the applicant for the previous owner was before the Planning Board, there were just enough parking spaces to satisfy the restaurant.

Mr. Harrington stated behind the building, 20 spaces have been provided. By ordinance, 25 are required for the restaurant. If the applicant is able to stripe the end of Bryant Road, that would provide 18 additional spaces.

Mr. Taylor inquired how the boat and miscellaneous storage areas impact parking.

Mr. Harrington stated that note referred to the previous application. That area was fenced in. In the winter, the owner stored boats in that area. That is not longer the case.

Committeeman Reilly inquired if the seating capacity of the restaurant increased from the previous application.

Deputy Mayor Kraft stated seasonally it goes higher up because of the outside seating and you have people walking there.

Mayor Van Pelt inquired what the maximum number of occupancy is.

Mr. Harrington stated 65, inside.

Mayor Van Pelt stated you have potential for 65 patrons and 39 boat slips and ten parking spots.

Mr. Harrington stated the ordinance requirement for the restaurant is one (1) space per 100 SF of gross for the restaurant.

Committeeman Reilly stated 25 is just indoor because the outside wasn't being utilized.

Deputy Mayor Kraft inquired what the ordinance requires for marine uses.

Mr. Harrington stated, "no".

Mayor Van Pelt stated one and one-half (1 1/2).

Mr. Harrington stated DEP also has a parking requirement ordinance. They have a range, anywhere from one to four or five spaces per slip. It's depending on the type of marina you operate. We are not talking about a full-service marina with all the bells and whistles. Maybe Mr. Boyce didn't explain what he plans to do down the road. Renting crab boats is one thing he wants to accomplish and having dock spaces for those boats.

Deputy Mayor Kraft inquired if that is part of the 39 spaces or in addition to the 39.

Mayor Van Pelt inquired if the rental boats are part of the slips.

Mr. Harrington stated, “yes”.

Mr. Taylor confirmed it is 39 including the rental slips.

Committeeman Reilly stated you have 39 slips and you are providing 18 parking spaces for those slips.

Mayor Van Pelt stated there is a challenge here. The town loves the restaurant idea and does not have a problem with the marina idea. On a summer day, if all the boat owners come down and the restaurant is crowded, you are going to have a nightmare on your hands, which will translate to phone calls to our office.

Committeeman Reilly stated the parking spaces at the end of Bryant cannot just be for the restaurant. There is a gazebo there. The spaces are for the general public.

Mr. Harrington stated to add the number of seats in the restaurant and the 39 boat slips and provide parking for all that. Somewhere in the middle is what we are going to achieve. We don't want to create a burden. Mr. Boyce has talked to other marinas in the neighborhood about having offsite parking for anyone keeping a boat long-term. Mr. Boyce has also found a number of people can walk to the site.

Mayor Van Pelt stated there is a lot of pedestrian traffic. Has your client approached the owner of the vacant parcel for parking. It's wet.

Mr. Harrington stated it's very wet. He doubts that is a possibility. We hope to achieve a little feedback. Are we headed in the right direction? Are you opposed to us using the parking at the end of Bryant Road.

Mayor Van Pelt stated there has got to be some type of lease agreement with the County. For existing businesses it is unfair for the town to give you free land for parking. I think it is a great concept. The intensity is going to be a problem for you.

Mr. Harrington inquired about having additional parking offsite.

Mayor Van Pelt stated, “I don’t know if boat owners will want to park offsite and lug their kids and fishing gear, etc.” It’s something the town could entertain. There is a marina down the street that has a good-sized parking lot.

Mr. Taylor stated there could be a 15-20 minute drop-off space, so people don’t double park when dropping off equipment. There is currently a utility pole in the middle of the paved area. We need to define a circulation patter to find more parking and avoid illegal parking. Currently the proposed parking space due North, pushes past the existing edge of pavement and eliminates the large hedge that stands between Bryant and the residential community to the North.

Mayor Van Pelt stated the town will give you a contact to remove the utility pole. There’s an expense with it, probably \$20,000.

Committeeman Reilly stated there has to be parking for residents to use the gazebo and water area.

Mr. Taylor stated if people using the marina use up all the parking spaces, people are not going to come to the restaurant.

Mr. Harrington agreed. There’s a limit on the parking.

Mr. Slachetka stated any design in the parking area should accommodate a potential bike lane and providing opportunities for bicycle storage and parking at this location.

Mayor Van Pelt stated there is one parcel due South of the restaurant. It is one home on a large lot. If you subdivide twenty feet off on the Northern side on Demmy Avenue, you have an additional 18-20 spots.

Committeeman Reilly inquired about the piece of land on the corner of Demmy and Sheriden. To the right of it looks like a foundation.

Mr. Harrington stated we can talk to the owner of the property the Mayor is referring to.

Deputy Mayor Kraft stated the town owns Lot 6.

Mr. Harrington stated there is a pipe there that flows out into the bay.

Bernadette Hanson, Demmy Avenue, lives next door to the property. Mark Jenky, Ocean County Engineer told her they are going to move the drainage system to under the pavement. The drain will not be an issue. Ms. Hansen discussed the possibility of leasing some of her property. She has 60 feet on Bryant.

Mr. Yannon stated to Ms. Hansen that she has a residential property that she is going to convert to commercial use.

Mayor Van Pelt stated once the applicant goes through the generations of finding parking, there has to be some notification to the residents with “x” amount of feet, etc. The town doesn’t want to approve parking and then have residents come to a Township Committee meeting complaining. Everyone within a reasonable distance needs to know what’s going on via certified mail.

Mr. Harrington stated they’d have to go to the planning board.

Mayor Van Pelt stated 200’ is great, especially if you think it’s going to bolster your client’s case. The more people who don’t have a problem with it, the better off you’ll be.

Mr. Yannon confirmed that his client will need to find more parking or be less ambitious about the number of boat slips.

Mayor Van Pelt stated or a combination of both.

Mr. Slachetka referred to the sixty feet on Lot 8. Lot 8 and 6 is in the WD zone. It could be made part of the redevelopment plan. Make sure the design provides for the accommodation of a future bicycle destination, with the same types of features that the town has – approved bicycle stands/racks, etc.

Mr. Harrington stated he would like to send a sketch and talk about the parking circulation with the County Engineer and get some feedback from the town engineer.

Mayor Van Pelt inquired about the bait shop.

Mr. Yannon stated it is a storehouse for the people who come and fish. It is small and minor.

Mayor Van Pelt inquired if Mr. Yannon suggested to his client that he might need approval to do that.

Mr. Yannon stated, obviously. The primary desire the applicant has is to work with the town to establish something he is happy with.

Mayor Van Pelt stated in order to work with the town, it is strongly suggested that your client does not put in any uses without telling anyone. That is not working with the town.

Mr. Yannon stated that may have been done without getting proper counsel. It will be done right in the future.

Mayor Van Pelt stated there are rules and procedures to be successful. The town has to be consistent across the board. You have to go through the channels.

Mr. Boyce apologized. There is nothing inside that room. It's just a sign.

Committeeman Reilly stated it would be good to take the sign down until you get the approvals.

Mr. Yannon stated this is an informal presentation to give us your impressions if that would be a problem.

Deputy Mayor Kraft stated you are just increasing the density, yet again.

Mr. Harrington stated he doesn't think it is to be a bait and tackle shop. If the client has boats to rent to someone who wants to go fishing, they need the bait to go with it.

Mayor Van Pelt stated anything the client can possibly conceive that he wants to do, make sure it gets in his application. The Committee needs to protect the Township's interest.

Mr. Yannon stated his client looks forward to coming up with a plan in the end that the town is happy with.

Mr. Harrington stated the end of Demmy is blocked off. The Town's intention is to stop circulation there?

Mayor Van Pelt stated there is a paper street that runs through there, which I believe the town owns. There became a problem with the previous occupant in terms of traffic pattern.

Mr. Yannon just wanted to make sure it is going to stay. It was an issue previously with trucks coming down.

Mayor Van Pelt stated I would say that will remain pedestrian oriented.

Mr. Yannon stated previously there were fences and gates. Does the town want them to remain?

Committeeman Reilly stated that was the intention so you could access that parking and both streets.

Deputy Mayor Kraft inquired if the client will put a fence on the West property line.

Mr. Yannon stated, "yes".

Mr. Taylor stated the current proposal has the Demmy Avenue access closed off.

Mr. Yannon stated the plan that Mr. Taylor has does. That is the previous application.

Mr. Taylor stated leaving that open might lead to off-street parking on Demmy.

Mayor Van Pelt stated Demmy is clearly residential. Bryant is not. It is in your best interest to leave it closed and not interfere with the quality of life on that street.

Mr. Boyce stated the whole thing was basically for people coming to the restaurant, having a bite to eat and then maybe renting a rowboat, go into that room, walk up to a garage, sign the paperwork for the rental and maybe grab a pack of gum. It's for people renting the rowboats. I shouldn't have called it a storage. I should have called it a rental office.

Mayor Van Pelt stated you don't have approvals to rent boats yet. Quit while you are ahead.

PUBLIC COMMENT

Motion to open to the public was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft.

Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

No comment from the public.

Motion to close to the public was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft.

Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

ADJOURNMENT

Motion to adjourn meeting was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft.

Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date