TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
July 11, 2023 MINUTES

Mr. Tobia called the meeting to order by reading the following statement: "As Chairman and Presiding Officer of this meeting of the Planning Board, I hereby declare that the notice requirements of the law have been satisfied by prominently posting on the Township bulletin board a notice of this meeting, and that there has been transmitted a notice to the Asbury Park Press and the Star Ledger and that a copy is on file in the Office of the Township Clerk. This meeting is a quasi-judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be always maintained. I further order that this public announcement be placed in the minutes of this meeting."

Salute the Flag

Roll Call:
Present: Tobia, Rizzuto, Bader, Corsi, Stanford, Lutkewitte, and Taeschler
Absent: Lukowitz, Fitzpatrick, and Visci (excused), Penczak (non-excused)

Also Present: Glenn Gerken, P.E., Timothy Anfuso, P.P., Mike Steib, Esq., and Joni VanNest

Approval of Minutes:

Motion to approve the June 13, 2023 meeting minutes
OFFER: Stanford
SECOND: Corsi
AFFIRMATIVE**:** Tobia, Bader, Corsi, Stanford, Lutkewitte, and Taeschler
NEGATIVE: None

RESOLUTIONS:

1. **PB757 – Country Day School – Block 48. Lot 7.02 – 293 Route 537**
   Memorialization of Resolution granting Minor Site Plan approval with Variances to replace and upgrade the existing outdoor play area in the B-1, Business Zone.

   OFFER: Lutkewitte
   SECOND: Taeschler
   AFFIRMATIVE**:** Tobia, Bader, Corsi, Stanford, Lutkewitte, and Taeschler
   NEGATIVE: None

2. **PB754A – Boraie / CN Community Church – Block 33, Lots 20.02 & 21 – 249 Route 537**
   Memorialization of Resolution granting Preliminary and Final Major Subdivision approval with Variances for a 4 lot subdivision in the A-1, Agricultural/Residential Zone.

   OFFER: Taeschler
   SECOND: Stanford

AFFIRMATIVE**:** Tobia, Bader, Corsi, Stanford, Lutkewitte, and Taeschler
NEGATIVE: None

ADMINISTRATIVE ITEMS:

1. Motion to appoint Joni VanNest as Colts Neck Planning Board Secretary.

OFFER: Lutkewitte
SECOND: Corsi
AFFIRMATIVE: Tobia, Rizzuto, Bader, Corsi, Stanford, Lutkewitte, and Taeschler
NEGATIVE: None

OLD BUSINESS:

None

NEW BUSINESS:

Chairman Tobia recused himself from the application and turned the meeting over to Mr. Lutkewitte.

1. **PB759 – Spinella Chiropractor – Block 41, Lot 25.01 – 400 Route 34**
Application for Preliminary and Final Major Site Plan to convert previous bank to a chiropractic office in the B-1 Business Zone. Time to July 24, 2023.

Twelve items were marked as exhibited.
1. Development application dated February 23, 2023
2. Architectural Floor Plans prepared by SOME Architects dated March 10, 2023
3. Preliminary and Final Site Plan drawings prepared by Two River Engineering dated February 1, 2023
4. Email from citizen Morello dated July 3, 2023
5. Engineer's report prepared by Glen Gerken dated July 5, 2023.
6. Email from citizen Morello containing prior traffic report excerpts from a prior application
7. Aerial photos of the subject property
8. Architect Review Committee report dated April 11, 2023
9. Shade Tree Commission report dated April 13, 2023
10. Fire Council report dated June 22, 2023
11. Color rendering of the Site Plan, sheet 3 of 8 dated February 1, 2023 and revised April 20, 2023
12. Photo board with 6 mounted color photos of the property as it is today

Appearing on behalf of the applicant, Lauren Papaleo, Esq. and A.J. Garito, P.E., Two River Engineering, were sworn.

Mr. Garito stated that the property had previously been subdivided into two lots. The Morello lot contains a Dunkin Donuts and other office and retail space. The subject lot contains a former bank, with shared access agreements for parking. The applicant wants to convert the bank building into a chiropractic office. Phase I will consist of 4 exam rooms on the first floor.

Phase II will entails enclosing the drive through portion of the bank, creating an additional 6 exam rooms, for a total of 10. The additional rooms will require additional parking spaces.

Current zoning regulations for medical offices require 1 parking space for every 150 s f, or it can be based on the number of exam rooms. The first exam room requires 5 parking spaces; each additional room requires an additional 2 parking spaces. Which calculation is used is based on which will yield the greatest number of parking spaces. Based on the square footage calculation, after the full build out, the site will require 34 parking spaces. Currently there are 23 parking spaces. The site plan includes adding 11 parking spaces, 5 spaces north of the drive through and 6 spaces south of the drive through, minor curb adjustments, added sidewalks, and landscaping. Minor technical adjustments suggested by the Township Engineer will be adhered to. Likewise, the lighting plan will comply with lighting standards; they will add parking/fire zone lanes per the Fire Marshal's request; the septic is sufficient for Phase I and will be reviewed for adequacy if Phase II is ever developed.

The sign is illuminated. Previously granted variances for a sign had no restrictions on internally illuminated signs. The Township Planner asked if the applicant would be willing to replace the current internally lit sign with an externally illuminated one, keeping the same variances that were granted previously. M. Papaleo stated the applicant was willing to use an externally lit sign.

Mr. Anfuso asked for clarification regarding comments contained in his Planning Review that had not yet been addressed, such as missing screening around the trash enclosure area, a hedgerow in front of the 10 spaces on Merchant's Way, and landscaping on the north side of the freestanding sign. Mr. Garito stated that they will address these concerns. Also, if there will be a façade sign it needs to be added to the site plan as part of resolution compliance. Currently, there are no plans for a façade sign. Mr. Anfuso also suggested building in a condition to the resolution that authorizes the applicant to add a walkway leading to a side door for Phase II.

The applicant, Vincent J. Spinella, was sworn. He stated that Phase I is expected to be complete by March 2024. There is no plan yet for Phase II. It will be eased in beginning in 2024.

Mr. Lutkewitte opened the meeting up to questions from the Board. It was clarified that Phase II will not require any additional parking than what the site plan calls for.

The Board asked for comment on a letter received from Mr. John Morello regarding the location of 5 of the proposed parking spaces. Mr. Morello believes they will create unsafe conditions for their tenants' clients. Mr. Garito stated that the proposed parking configuration was designed according to industry standards and poses no threat to pedestrians or other vehicles, and is typical for other medical office parking lots. Glen Gerken, P.E., was sworn. Mr. Gerken also disputed Mr. Morello's safety concerns, adding that shifting the parking as Mr. Morello suggested would make it more confusing to drivers.

The meeting was opened up to public comment. Antionette Morello, John Morello's mother and owner of the abutting property was sworn. Mrs. Morello read a statement expressing the same safety concerns as Mr. Morello. She proposed a slight modification to the 5 parking spaces adjacent to the shared driveway - to increase the size of the spaces by 16 feet and locate them closer to the new chiropractic office.

Conversation ensued. The Board reiterated that, per professional testimony, there were no safety concerns with the new parking configuration. It was agreed upon that, as a condition of approval, the applicant will insert a painted crosswalk, subject to approval by Morello Properties, as there would have to be a cut out of their curb to accommodate the crosswalk. The Board felt this was the safest way to address the situation. The Project Engineer will submit additional drawings for the Morellos' approval. Mrs. Morello stated she would speak to her son about it and review the drawings. If Morello Properties declines, the crosswalk will not be inserted, and the project would go ahead as previously determined.

A motion was made with the conditions the applicant revise the plans to include at least 1 EV-ready parking space, to comply with the Fire Department Report, the Health Department Report, to comply with the technical recommendations of Glen Gerken, to comply with the recommendations of Tim Anfuso's letter, including paragraphs 2 through 9, that Phase 2 would have a sidewalk and separate entrance subject to approval by Mr. Anfuso and Mr. Gerken, and that they will add a crosswalk from the subject property five spaces to the Morello property, subject to review and approval by Mr. Anfuso and Mr. Gerken, and subject to consent by the Morello Properties' owners.

OFFER:	Corsi
SECOND:	Rizzuto
AFFIRMATIVE:	Rizzuto, Bader, Corsi, Stanford, Lutkewitte, and Taeschler
NEGATIVE:	None

DISCUSSION:

Mr. Anfuso reminded Board members there will be no meeting in August. The next meeting will be on September 12, 2023 and will be in the new location at 1 Veterans Way.

EXECUTIVE SESSION:

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Rizzuto at 8:40 p.m. and unanimously carried.

I hereby certify that the above is a true and exact copy of the Planning Board Meeting minutes for the meeting conducted on July 11, 2023, adopted by the Planning Board of the Township of Colts Neck at its meeting held on September 12, 2023.

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Joni VanNest, Secretary
Planning Board of the
Township of Colts Neck