

## **BOROUGH OF FAIR HAVEN PLANNING BOARD**

### **Regular Meeting Minutes**

**January 10, 2017**

1. The meeting was called to order at 7:31 by Mrs. Fuller, Board Secretary, with a reading of the Open Public Meetings Act statement.

### **2. ROLL CALL**

Present: Mr. Banahan, Mrs. Dale, Mr. Folker, Mr. Ingle, Mr. Lehder, Mr. Lucas, Mr. Marchese, Mr. Rice, Mr. Rue

Absent: Mr. Hoffman, Mrs. Flanagan

Also Present: Mr. Moody, Board Attorney

### **3. REORGANIZATION**

Mr. Lehder and Mr. Ingle were sworn in.

Mrs. Fuller called for nominations for Chair. Mr. Rue was nominated. There were no further nominations. MOTION made by Mr. Folker, second by Mr. Marchese to close the nominations. Motion passed unanimously. MOTION to elect Mr. Rue Chair passed unanimously and Mr. Rue assumed the Chair.

Mr. Rue called for nominations for Vice Chair. Mr. Banahan was nominated. There were no further nominations. MOTION by Mr. Ingle, second by Mr. Marchese, to close nominations. Motion passed unanimously. MOTION to elect Mr. Banahan Vice–Chair passed unanimously.

Mr. Rue called for nominations for Board Engineer. Mr. Gardella was nominated. There were no further nominations. MOTION by Mr. Ingle, second by Mr. Rice to close nominations. Motion passed unanimously. MOTION to appoint Mr. Gardella Board Engineer passed unanimously.

Mr. Rue called for nominations for Board Planner. The firm CCH was nominated. There were no further nominations. MOTION by Lucas, second by Marchese, to close nominations. Motion passed unanimously. MOTION to appoint CCH as Board Planners passed unanimously.

Mr. Rue called for nominations for Board Secretary. Mrs. Fuller was nominated. There were no further nominations. MOTION by Ingle, second by Rice, to close nominations. Motion passed unanimously. MOTION to appoint Mrs. Fuller Board Secretary passed unanimously.

Calendar – There was discussion regarding the need for two regular monthly meetings or whether a workshop meeting would be sufficient for the second meeting. The Board preferred to stay with two regular meetings. At the suggestion of Mr. Lucas, the Board delayed vote on the proposed calendar until a Board Attorney selected.

MOTION by Mr. Lucas, second by Mr. Rice to designate the Asbury Park Press, Star Ledger and Two River Times the newspapers of record.

In Favor: Mr. Banahan, Mrs. Dale, Mr. Folker, Mr. Ingle, Mr. Lehder, Mr. Lucas, Mr. Marchese, Mr. Rice, Mr. Rue

Opposed: None

#### **4. ADMINISTRATIVE ITEMS**

Mr. Rue called the Board's attention to the 2015 Annual Report prepared by the Zoning Board. Mr. Lehder provided brief information about the report which describes the Board's activity, recommendations and general concerns.

MOTION Mr. Marchese, second Mr. Rice, to accept the 2015 Zoning Board Annual Report

In Favor: Mr. Banahan, Mrs. Dale, Mr. Folker, Mr. Ingle, Mr. Lehder, Mr. Lucas, Mr. Marchese, Mr. Rice, Mr. Rue

Opposed: None

Informal hearing - Sisteam, LLC – 609 River Rd.

Brad Batcha, Esq., Red Bank, representing the applicants, stated that the owner of the Kind Burger franchise had purchased the building and wanted to expand and add a small office space upstairs. He stated there were existing non-conforming issues but the main issue is parking. He went on to say that the restaurant does a lot of business with children who ride bikes. The ordinance calls for 27 spaces. They are looking for feedback from the Board.

In response to questions about table space, Mr. Batcha said there would be 3 additional tables @two seats and seats for 6 at a bar. He added that most of the evening business is take-out.

Mr. Rice expressed concern about the precedent of waiving all the parking.

Mr. Lucas said he thought the town could benefit from open parking.

Mr. Banahan said the parking requirement was aggressive and not realistic. He has never seen the lot full and the shortage is not traumatic.

Mrs. Dale noted that this is not the type of restaurant where people linger.

Mr. Lehder stated there is a need to track the history of prior approvals.

It was stated that the parking requirement included an additional 4 spots for the office, which is to be used by the owners.

Mr. Rue questioned whether there was sufficient safe crossing of River Rd. and Mr. Marchese noted that this was a state road.

Mrs. Dale questioned the architecture. Peter Goodhue, the architect, said they were cleaning up the front of the building and adding a cantilever. The front would be stucco but the second story might be Brazilian wood and modern.

Mr. Lehder stated he thought the office looked larger.

Mr. Goodhue said there would be a separate rear entrance for the second floor. The ballards would remain in the rear and handicapped access would be created. He asked the Board about the architecture. He said he believes that the design requested by his client is best but if the

Board objects it could be changed. Mrs. Dale said she wasn't comfortable with a box and Mr. Goodhue responded that adding a pitched roof would make the building look bigger.

In response to questions from the Board, Mr. Goodhue went on to say that the proposed wood is a silvery gray, commonly seen in shore towns. An awning and lighting will soften the effect. The design is driven in part by the desire to keep the restaurant running while the project is in process.

Mr. Rue read a resolution thanking Joan Jay for her work on the Board.  
MOTION Dale, second Rice, passed by acclimation.

MOTION Rice, second Folker to accept the minutes of the November 17, 2016 meeting  
In Favor: Mr. Banahan, Mrs. Dale, Mr. Folker, Mr. Ingle, Mr. Lucas, Mr. Marchese, Mr. Rice, Mr. Rue  
Opposed: None

MOTION to adjourn made by Mr. Lucas, second by Mr. Rice and approved unanimously by voice vote.

Meeting adjourned 8:40 PM.

Respectfully submitted,

Judy Fuller, Secretary