

**VILLAGE OF LOCH ARBOUR PLANNING BOARD  
MINUTES –RESCHEDULED REGULAR MEETING  
December 17, 2019**

**THE RESCHEDULED REGULAR MEETING OF THE VILLAGE OF LOCH ARBOUR PLANNING BOARD WAS HELD IN THE LOCH ARBOUR MUNICIPAL BUILDING, 550 MAIN STREET, LOCH ARBOUR, NEW JERSEY, ON TUESDAY, DECEMBER 17, 2019 AND WAS CALLED TO ORDER BY CHAIRPERSON, ROBERT FERNICOLA AT 7:30 PM.**

FOLLOWING THE SALUTE TO THE FLAG, the secretary called the roll. PRESENT WERE: Commissioner D' Angelo, Mayor Fernicola, Ms. Appello, Mr. R. Fernicola, Ms. Gosline, Mr. Santos. ABSENT WERE Mr. Wiener, Ms. Wilusz, Mr. Maisto.

Also present were Board Attorney, Sanford Brown and Board Secretary, Marilyn Simons.

The Board Secretary announced the notice requirements of C. 231, P.L. 1975, have been met by transmitting the notice of this rescheduled Regular Meeting to the Planning Board's two designated newspapers on December 2, 2019, posting a copy of the notice on the Municipal bulletin board, and filing a copy of the notice with the Municipal Clerk on the same date.

**MINUTES –**

UPON MOTION of Mr. R. Fernicola, seconded by Ms. Appello, carried, the following minutes are hereby approved as presented.

- Rescheduled Regular Meeting of the Planning Board held on November 4, 2019;
- Special Meeting of the Planning Board held on November 26, 2019.

**Recorded Vote:**

Ayes: Ms. Appello, Mr. R. Fernicola, Mr. Santos

Nays: None                      Absent: Mr. Wiener, Ms. Wilusz, Mr. Maisto

Abstain: Commissioner D' Angelo, Mayor Fernicola, Ms. Gosline

**CORRESPONDENCE – None**

**NEW BUSINESS –**

Ms. Gosline is within 200' of this property and is recused from this application.

**A. Manopla, 206 Euclid Avenue, Block 10, Lot 2 (Major Alteration)**

Application for a Certificate of Appropriateness: An Application was received on behalf of Joseph and Maureen Manopla, regarding the Historic Preservation Ordinance of the Village of Loch Arbour for a Certificate of Appropriateness for a MAJOR ALTERATION.

The following Exhibits were marked into evidence:

Exhibit A-1: A - Colored photo of the premises located at 206 Euclid Avenue  
(east side)

Exhibit A-1: B – Colored photo of the premises located at 206 Euclid Avenue  
(west side)

Exhibit A-1: C - Colored photo of the premises located at 206 Euclid Avenue  
(back)

Exhibit A-2 - Site Plans, prepared by Robert A. Hazelriff, AIA, with the latest revision date of November 18, 2019, consisting of 3 pages.

Present was Applicant's Attorney, Robert Farber, Esq. Mr. Farber summarized the application for the Certificate of Appropriateness. Mr. Farber stated the addition is to the back of the home and the footprint of the home will not be affected by the renovation. He referenced Exhibit A-1 ABC.

Robert Hazelrigg, Architect, was sworn in and accepted by the Board as a Professional Architect.

Mr. Hazelrigg, referenced Exhibited A-2 and testified the addition is to the back of the home. He testified the addition does not affect the footprint of the home. He also testified the materials that are existing on the home, will be matched for the addition, including materials, window sizes, etc.

The Board discussed with Mr. Hazelrigg the separation of the addition to the existing home and the building height. Mayor Fernicola questioned the building height.

Mr. Brown questioned Mr. Hazelrigg regarding the Historic Preservation Ordinance Criteria.

UPON MOTION of Mr. R. Fernicola, seconded by Commissioner D' Angelo, carried that this application for a Certificate of Appropriateness of Mr. and Mrs. Manopla, 206 Euclid Avenue, Block 10, Lot 2 be and the same is hereby granted with the conditions, which will be stated in the Resolution. The Resolution will be memorialized at the next Planning Board Meeting to be held on January 15, 2020.

Recorded Vote:

Ayes: Commissioner D' Angelo, Mayor Fernicola, Ms. Appello, Mr. R. Fernicola, Mr. Santos

Nays: None      Recused: Ms. Gosline      Absent: Mr. Wiener, Ms. Wilusz, Mr. Maisto

#### **OLD BUSINESS -**

##### **Continued:**

##### **A. Shams, 214 Euclid Avenue, Loch Arbour, Block 10, Lot 5.**

The Applicant is requesting amended approval from the Planning Board to continue to construct a new single-family dwelling with a driveway, in ground swimming pool, and storage shed. The Applicant made the following changes from the approved plan; a half story addition to the 2-story house; a new configuration of the front porch; relocation of the basement Bilco door, generator and air conditioning condenser units; and relocation of an in-ground swimming pool, raised patio and shed.

UPON MOTION of Mr. R. Fernicola, seconded by Ms. Appello, this matter has been continued until the next Planning Board Meeting scheduled for January 15, 2020 with no further notice necessary.

Ayes: Mayor Fernicola, Mr. R. Fernicola, Ms. Appello, Mr. Santos

Nays: None

Abstain: Ms. Commissioner D' Angelo, Ms. Gosline

Absent: Mr. Wiener, Ms. Wilusz, Mr. Maisto

#### **NEW BUSINESS - (CONTINUED)**

Ms. Gosline returned to the dais.

##### **B. PE, 601 Main Street, LLC, Block 1, Lot 3 –**

An application was received on behalf of Patti Englert, 601 Main Street, LLC., requesting review of plans to determine if they conform with the requirements of the Land Use Development Ordinances.

##### **C. PE, 601 Main Street, LLC, Block 1, Lot 3 – (Major Alteration)**

Application for a Certificate of Appropriateness: An Application was received on behalf of Pattie Englert, 601 Main Street, LLC., regarding the Historic Preservation Ordinance of the Village of Loch Arbour for a Certificate of Appropriateness for a MAJOR ALTERATION.

The following Exhibits were marked into evidence:

Exhibit A-1: Existing Restaurant Building Rehabilitation prepared by MMA Architecture, dated December 19, (16) 2019, consisting of 1 page.

Exhibit A-2: Parking Lease Agreement between ATS Management, LLC and PE 601 Main Street, LLC, consisting of 8 pages

Exhibit A-3: Site Plan, Existing Restaurant Building Rehabilitation prepared by MMA Architecture, dated November 6, 2019, consisting of 4 pages.

Exhibit A-4: (Poster Board) Existing restaurant building renovations. SP5 (1 page)

Exhibit A-5: Village of Loch Arbour Resolution 2019-83, consisting of 3 pages.

Exhibit A-6: Village of Loch Arbour Planning Board Resolution and Minutes, dated May 19, 1999, consisting of 12 pages.

Exhibit B-1: Peter Avakian, P.E. report dated December 16, 2019, consisting of 5 pages.

Present was Applicant's Attorney, John Sarto, Esq., of the law firm of Giordano, Halleran and Ciesla, PC. Mr. Sarto summarized the application.

There was a discussion regarding the New Jersey Transit property in the back portion of the premises. There is no written Agreement with the property owner and New Jersey Transit regarding the parking spaces on the back portion of the premises. If this application is approved the Board will stipulate a condition in the Resolution, upon if the New Jersey Transit ever revokes the authorization to use the property, the property owner must report to the Village, and at that time must apply to the Planning Board for a determination regarding parking spaces required.

Mr. Brown referenced Exhibit B-1 and summarized report for the Board. Mr. Brown discussed variance regarding building coverage. Attorney's discussed the Notice for this meeting. The Board discussed the building coverage and the existing pavers in the patio area.

Mr. Brown referenced Exhibit B-1 and discussed was the proposed sign. Mr. Sarto stipulated the sign will comply with all Village Ordinances.

Mr. Brown referenced Exhibit B-1 and summarized the report at length and Mr. Sarto stipulated the applicant will comply with all conditions (A-F) of Exhibit B-1.

The Certificate of Appropriateness was discussed. Mr. Sarto reference Exhibit A-1 and discussed the color changes from the previous rendering submitted. Mr. Sarto stated the building will be a sand color with a nautical blue sign and aluminum awnings with white accents and trim.

Also discussed was the 2 handicapped parking spaces, which are existing.

UPON MOTION of Mr. R. Fernicola, seconded by Mayor Fernicola carried, that the Meeting was opened to the public for comments regarding the Certificate of Appropriateness.

No questions at this time. UPON MOTION of Mr. R. Fernicola, seconded by Mayor Fernicola, carried, that the Meeting was closed to the public comments regarding the Certificate of Appropriateness.

Recorded Vote:

Ayes: Commissioner D' Angelo, Mayor Fernicola, Ms. Appello, Mr. R. Fernicola, Ms. Gosline, Mr. Santos

Nays: None

Absent: Mr. Wiener, Ms. Wilusz, Mr. Maisto

Michael Gokberk, Architect, of MMA Architecture, PC., was sworn in and accepted by the Board as a Professional Licensed Architect.

Mr. Gokberk referenced Exhibit A-3 (page 3) and testified to the relocation of three parking spots from the west side of the business to the back of the building. This will allow the main entrance to be on the west side of the building.

Mr. Gokberk testified to the following:

- Removal of the outside tiki bar to be relocated and replaced by a smaller scale bar.
- Railings around the outside bar area. Proposed is a Metal/cable system; stainless steel with wood cap for the top of the railing. Mr. Gokberk referenced Exhibit A-4.
- Shed in the parking lot is being removed.
- Wall mounted sign on building
- Retractable doors are being installed on south side of building. Mr. Gokberk reference Exhibit A-3.

The Board discussed the railing material around the outside bar area.

The professional and the Board discussed the 1999 Resolution of the Village of Loch Arbour Planning Board regarding the seating on the patio and the number of seating the applicant is proposing. Exhibit A-5 was referenced.

Mr. Brown referenced Exhibit A-6 and discussed the conditions of the 1999 Resolution. He also referenced Exhibit A-2 and discussed Parking Lease Agreement.

The Board referenced Exhibit B-1 Pages 4 & 5 and discussed the waivers as specified in Mr. Avakian's letter.

Five minutes recess

Mr. Sarto requested if the proposed railing is approved tonight, then if changed, the new material will be submitted to the Board for approval.

UPON MOTION of Mr. R. Fernicola, seconded by Mayor Fernicola carried, that the Meeting was opened to the public for comments regarding this Application.

No questions at this time. UPON MOTION of Mr. R. Fernicola, seconded by Mayor Fernicola, carried, that the Meeting was closed to the public comments regarding this Application.

Recorded Vote:

Ayes: Commissioner D' Angelo, Mayor Fernicola, Ms. Appello, Mr. R. Fernicola, Ms. Gosline, Mr. Santos

Nays: None

Absent: Mr. Wiener, Ms. Wilusz, Mr. Maisto

UPON MOTION, of Mayor Fernicola, seconded by R. Fernicola, carried that the Application of PE, 601 Main Street, LLC, Block 1, Lot 3, Certificate of Appropriateness be and the same is hereby granted with conditions, which will be stated in the Resolution. The Resolution will be memorialized at the next Planning Board Meeting to be held on January 15, 2020.

Recorded Vote:

Ayes: Commissioner D' Angelo, Mayor Fernicola, Ms. Appello, Mr. R. Fernicola, Ms. Gosline, Mr. Santos

Nays: None

Absent: Mr. Wiener, Ms. Wilusz, Mr. Maisto

UPON MOTION, of Mayor Fernicola, seconded by R. Fernicola, carried that the Applications of PE, 601 Main Street, LLC, Block 1, Lot 3, Site Plan Approval be and the same is hereby granted with conditions, which will be stated in the Resolution. The Resolutions will be memorialized at the next Planning Board Meeting to be held on January 15, 2020.

**Recorded Vote:**

Ayes: Commissioner D' Angelo, Mayor Fernicola, Ms. Appello, Mr. R. Fernicola, Ms. Gosline, Mr. Santos

Nays: None

Absent: Mr. Wiener, Ms. Wilusz, Mr. Maisto

**DISCUSSION/VOTE –**

**A. Reorganization and Regular Meeting scheduled for January 15, 2020.**

**B. Pending Applications -**

- **329 Euclid Avenue, Block 3, Lot 12, Variance Application – Tentatively scheduled for January 15, 2020. Applicant's Attorney must notice meeting in accordance with the law.**
- **Terzi, 5 Ocean Place, Block 9, Lot 10, Variance/Cert of Appropriateness – Tentatively scheduled for January 15, 2020 Planning Board Meeting. Applicant's Attorney must notice meeting in accordance with the law.**

**PUBLIC COMMENTS –**

UPON MOTION of Mr. R. Fernicola, seconded by Commissioner D' Angelo, carried the meeting be opened to the public.

Mr. Goodman, Elberon Avenue, discussed with the Board the Historic Preservation Ordinance as well as a recent submission of an Application of a Certificate of Appropriateness. Also discussed were various other issues.

Sandy Brown, Esq., reminded the Board and Mr. Goodman the Board has no jurisdiction of this matter.

Being no further comments, UPON MOTION of Mayor Fernicola, seconded by Commissioner D' Angelo, carried the meeting be closed to the public.

**Recorded Vote:**

Ayes: Commissioner D' Angelo, Mayor Fernicola, Ms. Appello, Mr. R. Fernicola, Ms. Gosline, Mr. Santos

Nays: None

Absent: Mr. Wiener, Ms. Wilusz, Mr. Maisto

UPON MOTION of Mr. R. Fernicola, seconded by Commissioner D' Angelo, carried, that the meeting be finally adjourned at 10:00 PM.

---

Marilyn Simons  
Board Secretary