

Minutes of the Asbury Park Planning Board Regular VIRTUAL Meeting
March 7, 2022
7:00pm

Announcement by the Chairperson that the virtual meeting is being held in accordance with the with the “Open Public Meetings Act,” Chapter 231, Public Law 1975, amended 2020, which explicitly permits a public body to conduct meetings electronically during a state of emergency. Adequate notice of this meeting has been provided to the Coaster and Asbury Park Press. All notices are on file with the Board Secretary.

Members in Attendance: Mayor John Moor, Councilwoman Yvonne Clayton, Michael Manzella, , Eric Galipo, Jennifer Souder, Rick Lambert, , Daniel Sciannameo (alt) & Juanita Barnes (alt)

Members Absent: Barbara Krzak, Alexis Taylor, Jim Henry

Members Recused: None

Staff: Jack Serpico (Board Attorney); Donna Miller (Board Planner); Doug Clelland (Board Engineer); Irina Gasparyan (Board Secretary)

Meeting begins at 7:00 pm

A. Salute to the Flag

B. Roll Call

C. Minutes:

- a. Minutes of the February 7, 2022 Regular Virtual Meeting
Motion by: Manzella Seconded by: Sciannameo All members vote in favor
- b. Minutes of the January 25, 2021 Regular Virtual Meeting
Motion by: Manzella Seconded by: Clayton All members vote in favor

D. Applications:

1. **PB-2021-16**

Isabella In Charge, Inc. d/b/a Asbury Ale House
531 Cookman/300 Emory, Block 3104, Lot 1, CBD Redevelopment Area
Site plan approval to replace ground floor windows located with a garage door and counter.

Andrew Karas, attorney for applicant

Jeffrey Bell, architect for applicant, sworn in; credentials accepted

Board professionals sworn in

Exhibit A-1: Architectural plans dated 2/24/22

Exhibit B-1: CCH Board planner report

Karas: not roll top door; mentions uez guidelines, any features of building being altered? Existing use not altered?

Bell: not roll top door, no only glazing, use to remain

Exhibit B-2: Insite Board engineer report

Clelland: confirm that countertop not located in ROW?

Bell: correct

Open to Public Q's

Elissa Bennet, 601 Mattison: What is anticipated increase in crowd & what's going to be done for crowd control & control noise

Robert Weiner, 601 Mattison: the picture used looks nothing like it is now.

Karas: lot of revisions, original picture when plan prepared only to depict the window.

Close public Q's

Lambert: is there any capacity limit set for area?

Matthew Gullace, owner of applicant, sworn in

Karas: how capacity will change, how area looks, and window

Gullace: reasons for change- street opening ending, indoor outdoor element, air circulation. Don't have capacity limit at this time for outdoor seating. Used to have roped area but we added a wall to prevent guests from disturbing

Moor: weekends have entertainment, how late open on other days?

Gullace: open sun-thurs until midnight making decisions whether open more days in summer

Open to Public Q's

Bennett: how will town control the noise, is there time limit when window will be brought down?

Serpico: witness indicated that they are willing to talk to city about times & days.

Weiner: will allow walk up purchases at counter?

Gullace: not sure yet there are internal things to do to allow that. Trying to limit long trip for service to outdoor seating, so main reason.

Weiner: think we need an answer for that- there is possibility of long lines of people.

Gullace: if we did allow, only 14-15 people because they would be backed to table.

Weiner: are you allowed that not allowed to have amplified music?

Karas: there are sound ordinance that my client will abide by

Moor: can you confirm length of counter?

Gullace: 14'

Serpico: let me make sure that I understand to include; anytime live music the windows will be lowered?

Tom Fereudenheim, 601 Mattison: how can assure that won't be louder with these new windows?

Gullace: I was told that these windows would have

Open

Public Comment Closed

Sciannameo: no problem w design, concerned about how many stools @ bar & don't want 3 rows of people standing. Danger of having open is having people 3 deep standing at bar

Lambert: Capitoline has same setup & sitting at window counter but they're served by server & have to sit there.

Agree it should be seating area or servers collect from that window

Manzella: I would agree with those conditions, I would propose close @ 10pm regardless of music or not.

Lambert & Sciannameo agree

Barnes: wonder why no police presence there on weekends when crowded? Not sure if that can be condition

Clayton: is police presence there in CBD, there are restrictions if get called too many times that city can put on the liquor license.

Serpico: don't want to get into the policing issues

Lambert: in planners report there was a number of variances not discussed

Miller: the relationship of windows to structure, when change window panel to vertical

Karas: not variance relief. Always been design waivers not variance.

Miller: issued under guidance of Planning that design standards be treated as variances because cbd doesn't have design standards. The windows are triggering variance. All asking to maintain the vertical elements. Its contrary to design of building.

Serpico: you're never going to agree. Respect Donna's opinion. Standards for bulk variances & standards for design standards are same, except don't have to prove negative criteria for design exceptions. Does the board find that substantial deviation from standard? Does the applicant have hardship? That's your choice.

Sciannameo: does the verticality get any better if top bottom match sides?

Miller: no, when change one block to horizontal that's deviation

Lambert: so were charged with decision of whether or not the design change made. I feel that I don't have problem with it & its different use than original building.
Galipo: agree, but this could be opportunity to restore some elements to bring harmony. Would be nice if could see what other architectural responses
Manzella: original design makes most sense b/c it will maintain verticality.
Serpico: as originally proposed by applicant?
Conditions: capacity limited to ABC & applicable city ordinances
No live music inside when window open
Top panel & bottom panel to match
Number of stools to be specified- limit- you come up with number based on counter area
No standees in entire area
Window closed at 10pm everyday
Lambert: area of counter will be designated for service for servers & the rest will be for seating at counter.
Serpico: so 5 stools (after discussion)
Lambert: Conform to the door
Serpico: everyone agree with that condition?

Motion to approve application with conditions specified: Sciannameo
Seconded by: Manzella
Opposed by: Barnes & Clayton
All other members in attendance vote in favor 6:2
APPLICATION APPROVED with conditions

E. Adjournment

Motion to adjourn by: Manzella **Seconded by:** Lambert All in favor
Meeting Adjourned: 8:50pm