BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES ● DECEMBER 10, 2019

Regular | **Maple Place School** | **7:30 PM**

2 Maple Place, Oceanport, NJ 07757

I. Call to Order: Chairman Widdis called the meeting to order at 7:30 p.m.

II. Open Public Meetings Statement: This meeting complies with the Open Public Meetings Act by notification on January 9th and 11th, 2019 of this location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site.

III. Flag Salute: Chairman Widdis led the audience and members of the Board in the flag salute.

IV. Roll Call:

Attendee Name	Title	Status	Arrived
Christopher Widdis	Chairman	Present	
James Whitson	Vice Chairman	Present	
Darren Davis	Mayor's Designee	Present	
Joseph Foster	Environmental Liaison	Present	
John (Jack) Kahle	Class IV	Present	
Michael Savarese	Class IV	Present	
Robert Kleiberg	Class IV	Present	
Thomas Tvrdik	Alternate I	Present	
Linda Landrigan for Jeanne Smith	Board Secretary	Present	
Kevin Kennedy	Board Attorney	Present	
William White	Board Engineer/Planner	Present	

V. Board Business:

1. Approval of Minutes, Nov 12, 2019

RESULT:	**ACCEPTED [6 TO 0]**
MOVER:	Joseph Foster, Environmental Liaison
SECONDER:	Darren Davis, Mayor's Designee
AYES:	Widdis, Whitson, Davis, Foster, Kahle, Kleiberg
ABSTAIN:	Savarese
INELIGIBLE:	Tvrdik

VI. Old Business - None

VII. New Business:

1. PB2019-19 Merces, Paul & Dallas, Erica - *Carried from November 26, 2019*

At the request of the Applicant's Attorney this matter was carried to the January 14, 2020 meeting with no additional notice required.

Mr. Davis recused himself from the next matter due to conflict and exited the meeting at 7:35 pm

2. PB2019-18 Lynch, Robert
   29 Pocano Avenue

Block 38, Lot 6

Bulk variance relief for accessory structure

Exhibits:
A-1 Land Development Application
A-2 Correspondence from Applicant, dated October 2, 2019
A-3 Zoning Denial Letter, dated September 17, 2019
A-4 Photographs (3) of Subject Property
A-5 Survey of property with Applicant's hand-written details
A-6 Survey of Property prepared by Nelson Engineering, dated July 20, 2004

Mr. Kennedy asked if there was anyone present who had an objection to the notice provided for this application. Hearing none, advised that he had reviewed the notice, found service in order and the Board had jurisdiction

Robert Lynch, Applicant was sworn. Mr. Lynch explained that renovations to his home created a lack of storage and decided to add a shed. He stated that all his neighbors had sheds either on the property line or right at it. He did not realize a permit or variance was required. Mr. Lynch stated that the day the shed was delivered, John Johnson, Construction Official, approached and asked if Mr. Lynch had a permit and was advised that a permit was required and a variance might be required. Based on the setbacks, Mr. Johnson determined a variance would be required.

Mr. Kennedy marked **Exhibits A-1, A-2, A-3, A-4, A-5 and A-6** for the record.

Mr. Lynch described the location of his property, bulkhead, flooding/drainage issues and the reasons for the placement of the shed.

PUBLIC:

Chairman Widdis opened the meeting to the public for questions regarding the Application. As no one from the public wished to be heard, Chairman Widdis closed that portion of the meeting. Chairman Widdis opened the meeting to the public for comments regarding the Application. As no one from the public wished to be heard, Chairman Widdis closed that portion of the meeting.

Mr. Savarese made a motion to approve the Application with a 3 ft. side yard setback, 12 ft. from the house and approximately 35 ft. from the bulkhead, which was seconded by Mr. Kleiberg and received the following roll call:

RESULT:	**ADOPTED [7 TO 0]**
MOVER:	Michael Savarese, Class IV
SECONDER:	Robert Kleiberg, Class IV
AYES:	Widdis, Whitson, Foster, Kahle, Kleiberg, Savarese, Tvrdik
INELIGIBLE:	Davis

Mr. Davis re-entered the meeting at 7:53 PM.

VIII. Resolutions:

1. Resolution of Approval - John Czajkowski, 8 Haskell Way

As the resolution had been previously provided to the Board, Mr. Kennedy summarized the Resolution, after which Mr. Davis made a motion to approve the resolution as presented which was seconded by Mr. Kahle and received the following roll call:

Motion to Approve PR-19-25

RESULT:	**ADOPTED [7 TO 0]**
MOVER:	Darren Davis, Mayor's Designee
SECONDER:	John (Jack) Kahle, Class IV
AYES:	Widdis, Whitson, Davis, Foster, Kahle, Kleiberg, Tvrdik
INELIGIBLE:	Savarese

2. Resolution of Approval - Donald & Darcy Lawes, 121 Horseneck Pt. Rd.

As the resolution had been previously provided to the Board, Mr. Kennedy summarized the Resolution, after which Mr. Whitson made a motion to approve the resolution as presented which was seconded by Mr. Kleiberg and received the following roll call:

Motion to Approve PR-19-26

RESULT:	**ADOPTED [7 TO 0]**
MOVER:	James Whitson, Vice Chairman
SECONDER:	Robert Kleiberg, Class IV
AYES:	Widdis, Whitson, Davis, Foster, Kahle, Kleiberg, Tvrdik
INELIGIBLE:	Savarese

3. Resolution of Approval - Nichola Mangan, Shrewsbury Ave

As the resolution had been previously provided to the Board, Mr. Kennedy summarized the Resolution including conditions to pursue consolidation of the two lots and filing same with the County, reviewed minor changes and an added condition that the resolution be recorded at the County as well. After which Mr. Foster made a motion to approve the resolution as amended which was seconded by Mr. Kahle and received the following roll call:

Motion to Approve PR-19-27

RESULT:	**ADOPTED AS AMENDED [6 TO 0]**
MOVER:	Joseph Foster, Environmental Liaison
SECONDER:	John (Jack) Kahle, Class IV
AYES:	Widdis, Whitson, Davis, Foster, Kleiberg, Kahle,
INELIGIBLE:	Savarese, Tvrdik

IX. Informal:

1. Fredrick Beshore

Block 15, Lot 6.01
36 Algonquin Ave
Minor Subdivision Proposal

Mr. Kennedy explained that informal presentations are unusual, but permitted under the statute unless there is a use variance associated with the Application. He cautioned Board members to remember that no one is under oath and nothing is official until an application is formally submitted, properly noticed, and sworn testimony.

Mr. Tvrdik stated he was recusing himself from this matter and exited the meeting at 8:02 PM.

Mr. Beshore provided copies of the tax map to Board members. He stated that he will not apply for a variance, but appears only for the Board's guidance. He stated his current circumstances and need to sell his home. Mr. Beshore said the house was on the market for 4 or 5 months and there was no interest. He described the condition of the house. Mr. Beshore described neighboring lots which are smaller than his. If he subdivided his lot, each would be approximately 105 ft. which is not out of character for the neighborhood. His question was basically if the Board would approve a subdivision of the lot to make it more attractive for sale. There was discussion regarding surrounding lot sizes. Due to the informal nature of the presentation, Board members were unable to vote or make any kind of recommendation.

X. Petitions from the Public: Chairman Widdis opened the meeting to Petitions from the Public. As no one from the public wished to be heard, Chairman Widdis closed that portion of the meeting.

XI. Adjournment: As there was no further business, the meeting was adjourned at 8:19 pm on a motion by Mr. Whitson which was seconded by Mr. Kahle and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary