BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES ● NOVEMBER 12, 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	Departed
Christopher Widdis	Chairman	Present		
James Whitson	Vice Chairman	Present		
Darren Davis	Mayor's Designee	Present		
Robert Proto	Council Liaison	Absent		
Joseph Foster	Environmental Committee Liaison	Present		
John (Jack) Kahle	Class IV	Present		
Michael Savarese	Class IV	Absent		
Robert Kleiberg	Class IV	Present		
Thomas Tvrdik	Alternate I	Present		08:11 PM
Jeanne Smith	Board Secretary	Present		
Dan Roberts for Kevin Kennedy	Board Attorney	Present		
William White	Board Engineer/Planner	Present		

V. Board Business:

1. Planning/Zoning Board - Regular - Oct 22, 2019 7:30 PM

Chairman Widdis called for a motion to approve the minutes of October 22, 2019, which was made by Mr. Whitson, seconded by Mr. Kleiberg and approved by the eligible members of the Board.

RESULT:	**ACCEPTED [6 TO 0]**
MOVER:	James Whitson, Vice Chairman
SECONDER:	Robert Kleiberg, Class IV
AYES:	Widdis, Whitson, Davis, Kahle, Kleiberg, Tvrdik
ABSENT:	Proto, Savarese
INELIGIBLE:	Foster

2. Environmental Considerations, EAC Liaison Joseph Foster

Mr. Foster reported that the Environmental Committee is concerned with environmental aspects of Planning Board applications. The Committee created an Environmental Committee Site Plan/Sub-Division checklist, which should be used by Applicants to ensure compliance with the Committee's requirements. Mr. Foster also discussed development at the former Ft. Monmouth, remediation requirements and the need for information in a timely manner. Chairman Widdis asked when the checklist would be applicable. Mr. Foster would like to incorporate the form in the sub-division application. Additional work is required regarding the process. Mr. White suggested the Board review the proposed form and provide comments to the Environmental Committee. Mr. Roberts stated that Mr. Kennedy would be providing a memorandum on the process.

3. Oceanport School Referendum Projects Update

Chairman Widdis reported that the Secretary had invited the architect to attend that evening for the presentation on the proposed school renovations. The architect and engineer advised that the plans were only conceptual and would likely not be able to provide additional information until after the referendum were passed and actual plans were prepared beyond conceptual for their formal capital presentation to the Board. There were no objections by any of the Board Members.

VI. Old Business - None:

VII. New Business:

1. PB2019-16 Czajkowski, John
   8 Haskell Way
   Block 121, Lot 4
   Bulk variance for Generator Installation

Exhibits:

A-1 Land Development Application
A-2 Zoning Denial letter, dated July 31, 2019
A-3 Property Survey, prepared by Schoor DePalma, dated August 12, 2008
A-4 Generator specifications
A-5 Photographs of other generators at the Jockey Club, taken by Mr. Czjakowski, Oct. 30, 2019

The following people were sworn: John Czajkowski and William White, Board Engineer/Planner. Mr. Roberts marked **Exhibits A-1, A-2, A-3 and A-4** for the record. Mr. Czajkowski testified that he would like to install an electrical backup generator. Zoning requires a 20 ft. setback. The location of the generator is indicated on the survey provided. Mr. Czajkowski identified and described **Exhibit A-5**. He explained his reasons for requesting the variance. Chairman Widdis stated the generator is to be installed 4 ft. from the house, 4 ft. from the side yard, 25 ft. from the front, 88 ft. from the rear. Mr. White stated that generators are typically exercised once a week, and he recommended that it be exercised during the day so neighbors are not disturbed. Vice Chairman Whitson asked if the Applicant had discussed the installation with his neighbors. Mr. Czajkowski stated he had. Mr. Kleiberg asked how many air conditioner zones the Applicant had. Mr. Czajkowski replied only one zone. Mr. Davis asked if there would be landscape buffering. Mr. Czajkowski will install small shrubs.

PUBLIC: Chairman Widdis opened the meeting to the public for questions. 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.

Doug Glassmacher, 16 Iselin Lane, was sworn and expressed his support of the Application. He requested a resolution to address the setback issues for the entire Jockey Club community. Chairman Widdis advised that any resolution or ordinance amendment would have to be approved by the Governing Body.

As no one else from the public wished to be heard, Chairman Widdis closed that portion of the meeting.

Mr. Whitson made a motion to approve the application, which was seconded by Mr. Davis and received the following roll call:

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

2. PB2019-17 Lawes, Donald & Darcy
   121 Horseneck Point Rd.
   Block 109, Lot 18
   Bulk variance for retaining wall

Exhibits:
A-1 Land Development Application
A-2 As Built drawings, prepared by Fiore, dated Sept. 27, 2019
A-3 Maser Review letter dated, Sept. 30, 2019
A-4 Zoning Denial letter, July 8, 2019
A-5 Photographs, taken by Ms. Lawes

The following persons were sworn: Donald Lawes, Darcy Lawes. Mr. Roberts marked **Exhibits A-1, A-2, A-3 and A-4** for the record.

Ms. Lawes introduced and described **Exhibit A-5**. She testified that the house was raised 4 ft. after Superstorm Sandy and described current conditions of the property, including height of the retaining walls. The Applicants were unaware that a variance was required. Mr. White asked if the Applicants submitted a grading plan when they applied for the house lift permit and were any changes made to which Ms. Lawes confirmed there were no changes. Ms. Lawes stated the house was lifted in either 2016 or 2017. Mr. White advised the retaining wall was not within the right of way, the height of the wall and grading were compliant.

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

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

Mr. Kahle made a motion to approve the application, which was seconded by Mr. Foster and received the following roll call:

RESULT:	**ACCEPTED [7 TO 0]**
MOVER:	John Kahle
SECONDER:	Joseph Foster
AYES:	Widdis, Whitson, Davis, Foster, Kahle, Kleiberg, Tvrdik
ABSENT:	Proto, Savarese

Mr. Tvrdik recused himself from the next application and exited the meeting at 8:11 PM

3. PB2019-11 Mangan, Nichola
   Vacant Lot – Shrewsbury Ave.

Block 66, Lots 3 & 4

Bulk variance for lot width, 120' required, 102.09' existing

Exhibits:

A-1 Land Development Application
A-2 Architectural Plan, (2) Sheets, not titled, not dated
A-3 Plot Plan, prepared by DW Smith, dated Sept. 9, 2019
A-4 Maser Review letter dated September 23, 2019
A-5 Tax Map Sheet 10, prepared by Leonardo Ponzio, dated Jan. 31, 2011

Mr. Roberts marked **Exhibits A-1, A-2, A-3 and A-4** for the record. Ms. Feigin submitted **Exhibit A-5**.

The following persons were sworn: Carolyn Feigin from DW Smith and Ms. Mangan. Ms. Feigin presented her qualifications as a Professional Engineer/Planner and accepted as an expert by the Board. Ms. Feigin described the location, total lot area 18,855 sq. ft. where 12,000 sq. ft. is required, front width and depth. The Applicant is requesting permission to build a single family dwelling. DEP approval was received, all FEMA requirements satisfied, sewer and water connections will be installed from Shrewsbury Ave., under 5,000 sq. ft. of soil disturbance. Ms. Feigin described the location of the proposed house and grading. Total square footage of the two story house 2,840, rear deck and front porch. Mr. White stated a concern that the height of the building should be measured from the crown of the road to the peak, under 35 feet, and recommended the standard condition requiring an As Built of the peak after sheathing. Ms. Feigin provided front, side and rear setbacks. There was discussion regarding the driveway, clearing the lot, DEP restrictions, and location of the proposed residence. Mr. Foster asked questions regarding the wetlands. Ms. Feigin stated the area Mr. Foster asked about is wooded and will remain wooded, and described the location of wetlands. Chairman Widdis asked for an explanation on the grading. Ms. Feigin described a swale, elevations and topography. Mr. Davis asked additional questions about the location of the house. Ms. Feigin stated the DEP has approved the location and any change would require another application to the DEP.

PUBLIC: Chairman Widdis opened the meeting to the public for questions from the witness. As no one wished to be heard, Chairman Widdis closed that portion of the meeting.

Ms. Feigin moved on to the planning portion and described the existing lot width is 102.09 ft. where 120 ft. is required. She referred to **A-5** regarding lot width of neighboring properties.

PUBLIC: Chairman Widdis opened the meeting to the public for questions from the witness. As no one wished to be heard, Chairman Widdis closed that portion of the meeting.

PUBLIC: Chairman Widdis opened the meeting to the public for comments regarding the Application.

Mario Zolofro, 548 Shrewsbury Ave., was sworn and expressed his support of the Application. Mr. Zolofro stated that the speed limit for Shrewsbury Ave. is 35 MPH, but cars are clocked at about 50 MPH and wanted to know what could be done about that. Chairman Widdis advised that issue needs to be presented to the Governing Body. Mr. White advised that police have been there with radar and the 85th percentile were clocked at 35 MPH. Since it is a County road, Monmouth County has also looked at it extensively. Mr. Foster suggested contacting the Monmouth County Transportation Council for assistance.

As no one else wished to be heard, Chairman Widdis closed that portion of the meeting.

Mr. Whitson made a motion to approve the Application, which was seconded by Mr. Davis and received the following roll call:

RESULT:	**ACCEPTED [6 TO 0]**
MOVER:	James Whitson, Vice Chairman
SECONDER:	Darren Davis
AYES:	Widdis, Whitson, Davis, Foster, Kahle, Kleiberg
ABSENT:	Proto, Savarese, Tvrdik

VIII. Resolutions:

1. Resolution of Approval - Gregory Pulley, 27 Morris Place

As the resolution had been previously provided to the Board, Mr. Roberts 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-19-24

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	James Whitson, Vice Chairman
SECONDER:	Robert Kleiberg, Class IV
AYES:	Widdis, Whitson, Davis, Kahle, Kleiberg
ABSENT:	Proto, Savarese, Tvrdik
INELIGIBLE:	Foster

IX. Petitions from the Public:

Petitions from the Public: Chairman Widdis opened the meeting to Petitions from the Public.

Anne Facendo, Superintendent of Oceanport School District, appeared and stated the Board of Education (BOE) would like to cooperate with the Planning Board. To date, the BOE has not been copied on correspondence, instead, correspondence has been sent to the architect for the school renovations. She requested that the BOE be copied on correspondence so that members are notified when issues regarding the renovations are being discussed. She also stated that schematic plans have been developed over the last year, with input from multiple stakeholders and provided details about how much work has been performed. Ms. Facendo added that the schematic plans are conceptual drawings. The BOE had concerns that the schematic plans would not meet the Planning Board’s need for details for code requirements. If the referendum passes on Dec. 10th, the BOE would like to make a full presentation with detailed plans and actual drawings to be used. Ms. Smith advised that the Board normally deals with the applicants’ professionals when it is not an individual application but had no issue with adding the BOE to the distribution list when they returned with a formal capital presentation. Ms. Smith will forward previous correspondence to Ms. Facendo for her records.

As no one else from the public wished to be heard, Chairman Widdis closed that portion of the meeting.

X. Adjournment:

Adjournment: As there was no further business, the meeting was adjourned at 9:57 pm on a motion by Mr. Whitson which was seconded by Mr. Davis and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary