BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES ● NOVEMBER 9, 2022

Regular | **Clement V. Sommers Municipal Building** | **7:00 PM**

910 Oceanport Way, Oceanport, NJ 07757

I. Call to Order: Chairman Whitson called the meeting to order at 7:01 PM.

II. Open Public Meetings Statement: This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 20, 2022 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.

III. Flag Salute: Chairman Whitson led attendees and members of the Board in the flag salute.

IV. Board Policy: Chairman Whitson advised of the following Board policies: It is Board Policy that no application will be opened after 10:00 P.M.; no new testimony will be taken after 10:30 P.M., except at the discretion of the Board

V. Roll Call:

Attendee Name	Title	Status	Arrived
James Whitson	Chairman	Present	
John (Jack) Kahle	Vice Chairman	Present	
Patty Cooper	Mayor's Designee	Present	
Thomas Tvrdik	Class III	Absent	
Joseph Foster	Environmental Commission Liaison	Absent	
Christopher Widdis C	Class IV	Present	
Robert Kleiberg	Class IV	Present	
Darren Davis	Class IV	Absent	
Michael Dailey	Class IV	Absent	
Leslie B Widdis L	Alternate I	Present	
Jeanne Smith	Board Secretary	Present	
Kevin Kennedy	Board Attorney	Present	
William White	Board Engineer/Planner	Present	

VI. Board Business:

1. Report of Pending Applications - Ms. Smith advised the next meeting was scheduled for December 13, 2022 and described applications for 51 Algonquin Ave, 7 Bayview Place and 60 Werah Place.
2. Correspondence – Ms. Smith read a letter from Applicant Bradley Sherman thanking the Board and appreciation for the professional manner in which his application was handled.

VII. Approval of Minutes:

1. Planning/Zoning Board - Regular - Jan 25, 2022 7:00 PM – carried to December 13, 2022
2. Planning/Zoning Board - Regular - Apr 26, 2022 7:00 PM – carried to December 13, 2022
3. Planning/Zoning Board - Regular - May 10, 2022 7:00 PM – carried to December 13, 2022
4. Planning/Zoning Board - Regular - Sep 13, 2022 7:00 PM – carried to December 13, 2022
5. Planning/Zoning Board - Regular - Oct 11, 2022 7:00 PM – carried to December 13, 2022
6. Planning/Zoning Board - Regular - Oct 25, 2022 7:00 PM

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Christopher Widdis C, Class IV
SECONDER:	John (Jack) Kahle, Vice Chairman
AYES:	Whitson, Kahle, Cooper, Widdis C, Widdis L
ABSENT:	Tvrdik, Foster, Davis, Dailey

VIII. Old Business:

1. PR-22-33 Resolution of Approval - Harvey, 28 Revere Dr. - As the resolution was provided in advance of the meeting, Mr. Kennedy summarized the resolution and its conditions which was moved for approval by Mr. Widdis, seconded by Mrs. Cooper.

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Christopher Widdis C, Class IV
SECONDER:	Patty Cooper, Mayor's Designee
AYES:	Whitson, Kahle, Cooper, Widdis C, Widdis L
ABSENT:	Tvrdik, Foster, Davis, Dailey
INELIGIBLE:	Kleiberg

2. PB2022-18 Carchio, Kathleen
   60 Werah Place
   Block 51, Lot 2
   Carried from October 25, 2022
   Applicant is proposing the construction of a covered porch addition to rear of dwelling seeking relief for:
   - Rear yard setback of 19.6' where 25' required
   - Building coverage of 28.4% where 25% is maximum permitted
   - Impervious coverage of 43.4% where 37% is maximum permitted.

EXHIBITS:
A-5 Plot Plan prepared by Shorepoint Engineering dated October 25, 2022
A-6 Collier's Engineering Review Letter dated November 8, 2022

Mr. Widdis recused himself from the matter due to his residence being on the 200' list and exited the meeting at 7:09 PM

The following person(s) were sworn in: William White, Board Engineer/Planner
Mr. Kennedy asked if there was anyone from the public with a question as to the sufficiency of the notice. As there were no objections to the notice, stated that he and Ms. Smith had reviewed the notice and found it to be in order. Mr. Kennedy then described and marked Exhibits A-1, A-2, A-3, A-4.
Mr. Evan Shelby owner of Shorepoint Engineering was sworn in and testifying as applicants professional engineer. Mr. Shelby prepared applicants plot plan. Mr. Shelby was required to prepare a grading and drainage plan for proposed improvements. The plan is now proposing a small retaining wall starting at the back corner of the house going around the rear of the property so that they can raise the rear yard about 18inches up which will allow any runoff to go towards the front into the street which eliminate any drainage issue.
Chairman Whitson invited questions from Mr. White and Board members.
Mr. White asked where the high point would be in the yard.
Mr.Shelby said the high point will be where the paver patio and the hot tub are. There will be no additional run-off from this property now.
Mrs. Cooper thanked the applicant for taking all the Boards comments and suggestions into consideration.

PUBLIC:
Chairman Whitson opened the meeting to the public for questions and then comments. As there was no one, Chairman Whitson closed that portion of the meeting.

Motion to Approve Application as Amended

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	Patty Cooper, Mayor's Designee
AYES:	Whitson, Kahle, Cooper, Widdis C, Kleiberg, Widdis L
ABSENT:	Tvrdik, Foster, Davis, Dailey

Mr. Widdis rejoined meeting at 7:27 PM.

IX. New Business:

1. PB2022-23 Saladino, Andrea / MSA Architects
   Block 105, Lot 6
   61 Riverside Avenue
   Proposed improvements including new pool, cabana, garage, mud room, modification to porch, modification to driveway and fence that requires variance relief as follows:
   - Minimum Lot Area of 21,469 s.f. existing where 30,000 s.f. required.
   - Minimum Lot Width of 97.80' existing where 150' required.
   - Minimum Lot Depth of 175' existing where 200' required.
   - Minimum front yard setback 47.4' existing from Riverside Avenue where 50' required.
   - Minimum front yard setback - The secondary front yard setback is required to provide a minimum of 25 feet. The garage addition is 10 feet from the unimproved right of way.
   - Maximum Impervious Coverage - 19.97% existing, 31.7% proposed, 25% permitted.

EXHIBITS
A-1 Land Development Application
A-2 Boundary Survey prepared by InSite Surveying dated August 12, 2020
A-3 "Variance, Addition, Pool & Garage Grading Plan" prepared by D.S. Engineering, P.C. dated July 8, 2022
A-4 "Saladino Residence," prepared by Michael Savarese Associates Architects, last revised August 4, 2022, (5) sheets.
A-5 Collier's Engineering Review Letter dated October 11, 2022
A-6 "Variance, Addition, Pool and Garage Grading Plan," prepared by D.S. Engineering, P.C., last revised October 26, 2022.
A-7 "Saladino Residence," prepared by Michael Savarese Associates Architects, last revised October 26, 2022, consisting of five (5) sheets.
A-8 Collier's Engineering Review Letter dated November 8, 2022

The following person(s) were sworn in: William White, Board Engineer/Planner, Andrea Saladino, Applicant/Owner and David Grimm, Applicant's Architect. Mr. Grimm presented his qualifications and was accepted as an expert witness in architecture.

Mr. Kennedy asked if there was anyone from the public with a question as to the sufficiency of the notice. As there were no objections to the notice, stated that he and Ms. Smith had reviewed the notice and found it to be in order. Mr. Kennedy then described and marked Exhibits A-1, A-2, A-3, A-4, A-5, A-6, A-7 and A-8.

Mrs. Saladino testified that she was the owner of the property with a single-family home and does live there, she provided a background of her history and happy to be in Oceanport. She thanked Ms. Smith for her handling of her multiple phone calls.

Mr. Grimm provided testimony with description of the property and its characteristics, the proposed improvements for a new pool, garage, mud room, porch modification, fence and associated improvements. The property has an existing shed. Mr. Grimm reviewed the site characteristics including the non-conformities for minimum lot area, width, depth, front yard setbacks and maximum impervious coverage – existing and proposed, property fronts on Riverside Avenue, an unimproved street on the western side of the property that creates a second front yard, the interior features of the house, existing and proposed, the aesthetic improvements and practical use of the site.

Chairman Whitson invited questions from Mr. White and Board members.

Mr. White commented that Mr. Grimm covered his comments and noted for the homeowner's information, concerning flood requirements, there is a look back period so if she were to improve anything further on the structure that reaches the 50% she would be required to comply with code at that time. Mr. Grimm acknowledged same and that Applicant was aware.

Mr. Widdis asked a question about the garage with a playroom as detached, Mr. White pointed out that it was an attached garage.

Mr. Kahle asked about the existing shed. Mr. Grimm testified that it would be relocated to a compliant location.

Mr. Kleiberg asked questions about the pool and if there would be a heater. Mr. Grimm responded yes, and would be in a compliant location.

Mrs. Barham-Widdis asked if the 2nd floor would be constructed immediately and was told yes. She asked if the playroom would be a bedroom – and was told no, the idea was to have a large open flex space.

Chairman Whitson asked what utilities would be in the garage and was told no plumbing – just electric and air conditioning/heating. Chairman Whitson asked if there was any intention to use as an apartment and was told no.

PUBLIC:

Chairman Whitson opened the meeting to the public for questions and then comments. As there was no one, Chairman Whitson closed that portion of the meeting.

Ms. Barham-Widdis made a motion to approve the application which was seconded by Mr. Kahle.

Motion to Approve Application

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Leslie B Widdis L, Alternate I
SECONDER:	Robert Kleiberg, Regular
AYES:	Whitson, Kahle, Cooper, Widdis C, Kleiberg, Widdis L
ABSENT:	Tvrdik, Foster, Davis, Dailey

2. PB2022-24 White, Joseph
   274 Port Au Peck
   Block 122, Lot 25

Due to a potential notice issue, the Applicant's Attorney has requested a new hearing date and new notices will be issued for the new hearing date.

X. **Petitions from the Public:** Chairman Whitson opened the meeting for petitions from the public. As there was no one from the public present, Chairman Whitson closed that portion of the meeting.

XI. **Adjournment:** As there was no further business, the meeting was adjourned at 7:50 pm on a motion by Mr. Kleiberg which was seconded by Ms. Cooper and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary