BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES ● OCTOBER 23, 2018

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: Chairman Widdis gave the Statement of Compliance with the Open Public Meetings Act: "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 16, 2018 and by the posting of same on the municipal bulletin board and Borough Web Site."

III. Flag Salute: Chairman Widdis led the audience, 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	
William Sullivan	Mayor's Designee	Present	
Robert Proto	Council Liaison	Absent	
Joseph Foster	Environmental Commision Liaison	Absent	
John (Jack) Kahle	Class IV	Absent	
MIchael Savarese	Class IV	Absent	
Robert Kleiberg	Class IV	Present	
Daphne Halpern	Class IV	Present	
Thomas Tvrdik	Alternate I	Present	
Michael O'Brien	Alternate II	Absent	
Jeanne Smith	Board Secretary	Present	
William White	Board Engineer/Planner	Present	
Kevin Kennedy	Board Attorney	Present	

V. Board Business:

1. Approval of Minutes, September 25, 2018

Chairman Widdis called for a motion to approve the Minutes of September 25, 2018, which was made by Mr. Whitson, seconded by Mr. Kleiberg and approved by the eligible members of the Board.

2. Approval of Minutes, October 9, 2018

Chairman Widdis called for a motion to approve the Minutes of October 9, 2018, which was made by Mr. Whitson, seconded by Mr. Kleiberg and approved by the eligible members of the Board.

3. Referral from Governing Body - Fort Monmouth Plan Amendment #11

Chairman Widdis asked Mr. White to address the Fort Monmouth Reuse Plan Amendment #11. Mr. White advised the Amendment refers to a 12 acre parcel on the west side of Oceanport Avenue in front of Allison Hall and includes 4 other buildings. He explained that the original plan called for demolition of all buildings except Allison Hall (Bldg 209), which was to be used for office space. The current plan is to also save Bldg 210 and 199 for office/retail/commercial, allow a boutique hotel and swap previously planned residential to an adjacent parcel to the west. He stated there is an increased amount of interest in the area. There were no questions, comments or objections from

Board members. Ms. Smith will prepare a memo to the Governing Body stating that the Planning Board has no objection to the Amendment.

VI. Old Business - None:

VII. New Business:

A. *PB2018-07 Joseph Fiore, 36 Tohicon Place, Block 4, Lot 5: Demolish existing dwelling and construct a single-family dwelling with an attached front entry two-car garage seeking relief for:*

Minimum Lot Width: 120 feet required, 100 feet existing/proposed.

EXHIBITS

A-1 Land Use Board Application
A-2 Zoning Denial dated August 13, 2018
A-3 Plot Plan prepare by MidAtlantic Engineering Partners, Rev. Aug 1, 2018
A-4 Survey prepared by Land Control Services, dated Jan. 19, 2007
A-5 Architectural Plans by Monteforte Architectural Studios, dated Aug 17, 2018
A-6 Maser Consulting review memorandum, dated Sept 25, 2018
A-7 Illustrated Architectural elevation prepared by Monteforte Architectural Studios, dated 8/17/18

William White, Board Planner/Engineer was sworn. Mr. Kennedy entered Exhibits A-1, A-2, A-3, A-4, A-5 and A-6 into evidence. Mr. Kennedy stated that service had been reviewed, was in order and the Board accepted jurisdiction.

Albert Rescinio, Esq. appeared on behalf of the Applicant. He stated this Application is for a C-1 variance for minimum lot width. He explained the proposed plan eliminates the existing side yard set back variance. He introduced Kevin Shelly, Applicant's Engineer, was sworn and provided his qualifications. He provided a description of the project, including demolition of the existing structure and constructing a new 2 story single family dwelling with a 2100 sq. ft. footprint, rear and front porches and a raised 466 sq. ft. rear deck. He testified the lot width is an existing non-conforming and no possibility for the Applicant to increase the lot width. A majority of nearby lots are also non-conforming.

Chairman Widdis asked Mr. White if the location of the generator was in the setback. Mr. White replied that the generator is HVAC and pool equipment and a variance is not required.

Chairman Widdis also asked if there were any drainage/runoff issues. Mr. White stated the Applicant submitted a grading plan which was approved.

Mr. White asked Mr. Shelly if the proposed dwelling completely complied with all bulk requirements including height. Mr. Shelly replied it did. The architectural plans will be amended to provide height from the crown of the road

Chairman Widdis opened the meeting to the public for questions of this witness only. As no one had any questions, Chairman Widdis closed that portion of the meeting.

Mr. Resignio, introduced James Monteforte, Applicant's Engineer, who was sworn and provided his qualifications. Mr. Monteforte explained there will be 3,878 sq ft of habitable space, including a full basement, and described the layout of the house. He introduced and described Exhibit A-7. Ms. Halpern asked if there were rear exit doors on the garage, which Mr. Monteforte confirmed. Ms. Halpern noted there was some concern expressed about those doors at the previous hearing. Mr. Monteforte stated the doors were not for vehicles, but for moving equipment out of the garage. Chairman Widdis asked where the pool equipment would be located. Mr. Monteforte advised of the location of the equipment, which would be screened with solid fencing. There was discussion regarding lighting in the pool and gazebo. Chairman Widdis expressed concern over light spillage. Mr. Kleiberg expressed concern about the garage and rear doors being open at the same time and suggested the owner have some method of securing them to prevent access to the pool.

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

Mr. Rescinio introduced Jamie Pavlis, real estate appraiser/broker was sworn and provided his credentials. He testified that he met with the Applicant and walked the property. He is familiar with the neighborhood and stated that 11 out of 16 residences are on undersized lots, with a mix of 2 story and ranch style homes. The proposed residence is typical for the area. He opined the proposed building could double the value of the property, and it would have a positive impact on neighboring properties' values.

PUBLIC:
Chairman Widdis then opened the meeting to the public for questions of this witness only. As no one from the public wished to be heard, Chairman Widdis closed that portion of the meeting. Chairman Widdis then 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. Rescinio provided closing comments, stating the proposed building would be a substantial upgrade to the existing structure, to the neighborhood overall and increase neighbors' property values. The application meets all of the criteria and removes an existing side yard setback issue.

1. Motion: Motion to approve application as presented subject to standard conditions

Mr. Kennedy advised that standard conditions apply to the approval and added that a condition of approval will require no light spillage to neighbors.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	William Sullivan, Mayor's Designee
SECONDER:	Thomas Tvrdik, Alternate I
AYES:	Widdis, Whitson, Sullivan, Kleiberg, Halpern, Tvrdik
ABSENT:	Proto, Foster, Kahle, Savarese, O'Brien

VIII. **Resolutions:** As the resolution had been previously provided to the Board, Mr. Kennedy summarized the Resolution and brought to the Board's attention a request from the Applicant's professional that the language on page 3 reflect that they began construction with permits and when existing non-conforming wall was removed they were required to come before the Board. Mr. Whitson made a motion to approve the Resolution with the correction which was seconded by Ms. Halpern.

1. Resolution of Approval - 502 Branchport Ave (Neale) PB2018-08

As the resolution had been previously provided to the Board, Mr. Kennedy summarized the Resolution, including revisions provided by Applicant's expert Andrea Fitzpatrick. Vice Chairman Whitson made a motion to approve the resolution, which was seconded by Ms. Halpern and received the below roll call:

RESULT:	**ADOPTED [4 TO 0]**
MOVER:	James Whitson, Vice Chairman
SECONDER:	Daphne Halpern, Class IV
AYES:	Widdis, Whitson, Kleiberg, Halpern
ABSTAIN:	Sullivan, Tvrdik
ABSENT:	Proto, Foster, Kahle, Savarese, O'Brien

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

X. **Adjournment:** As there was no further business, the meeting was adjourned at 8:16 p.m. on a motion by Mr. Whitson which was seconded by Ms. Halpern and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary