OCEANPORT PLANNING BOARD
MINUTES
October 12, 2011

Chairman Widdis called the meeting to order at 7:30 p.m. and announced that the meeting had been advertised in accordance with the Open Public Meetings Act.

Chairman Widdis led the flag salute.

MEMBERS PRESENT: Mr. Kahle, Mr. McCarthy, Councilman Johnson, Mr. Savarese, Mr. Kleiberg, Mr. Sullivan, Mr. Whitson, Mr. Widdis

MEMBERS ABSENT: Mr. Gervolino , Ms. Flor, Mr. Fichter

OFFICIALS PRESENT: Jeanne Smith, Board Secretary, Rick DeNoia, Board Attorney and William White, Board Engineer/Planner

BOARD BUSINESS:

1. Minutes of the meeting of September 14, 2011 were approved with corrections on a motion from Mr. Whitson and a second from Mr. McCarthy and approved by the eligible Board members.

OLD BUSINESS: None

NEW BUSINESS:

2. PB File: 2011-08
   John S. Zawadzki
   Block 138, Lot 6
   11 Dwayne Street
   Request for Bulk Variance(s) for improvements to single family home

   A-1 Set of Architectural Pans, Sheets 1-3, prepared by Passman & Ercolino, P.C., dated August 1, 2011

John S. Zawadzki, 11 Dwayne Street, Property Owner and Applicant was sworn in. Mr. White, Board Engineer and Planner was also sworn in.

Mr. DeNoia stated for the record that he had conferred with the Secretary and the service for the application was reviewed and in order and the Board has jurisdiction to hear the application.

Mr. Zawadzki submitted for consideration a Set of Architectural Plans, Sheets 1-3, prepared by Passman & Ercolino, P.C., dated August 1, 2011 which marked as **Exhibit A-1**. Mr. Zawadzki described the improvements he was proposing including adding a second floor to the existing house and construction of a 2-story addition to the rear of the house with a proposed deck and the replacement of the front porch roof. There was discussion on the total area existing and proposed and the area of foundation for the addition, the type of roofing material and overhangs.

Mr. White clarified for the Board the relief being sought was for an undersized lot of 6,750 s.f. where 10,000 s.f. was required, lot width of 50 feet where 100 feet was required and added that the current tax map shows the lots on either side of the subject property were also 50 feet wide and improved with homes so the Applicant would not be able to purchase adjacent land to create a conforming lot, and a side yard setback for the existing detached garage of 3.36’ where 10’ was required.

Mr. Kahle commented that he had reviewed the Ordinance and it appeared that the application was also short minimum habitable floor area for the first floor proposed at 954 s.f. where 1050 s.f. was required for a 2-story dwelling.

Mr. DeNoia asked to review the notice after which stated for the record that the notice was for 3 variances and that there was a 4th variance needed based on the square footage of the first floor and that the applicant had noticed for any and all other variances that the Board may deem necessary and appropriate upon the Board's finding and that the Board could determine that the notice was consistent with the matter and that it was appropriate for the Board to continue based on the fact that the 4th variance was technical in nature and did not specifically impact the surrounding property owners. The notice was found to be appropriate.

Mr. Widdis asked Mr. Zawadzki to testify that the provided survey reflected current conditions which Mr. Zawadzki testified that the survey did reflect the existing conditions of the property.

Chairman Widdis asked Mr. White if he had any concerns. Mr. White responded that the Applicant had addressed all of his concerns.

Mr. Kleiberg asked why the proposed addition had a job in the footprint. Mr. Zawadzki responded that it was for aesthetic purposes.

Mr. McCarthy commented that the lot was long-existing and that none of the existing non-conformities were being expanded or extended but asked about the impervious coverage and drainage.

Mr. White responded that there was no maximum permitted for impervious coverage for residential areas and unless the Applicant were to create more than a ¼ acre of additional impervious or disturbs more than an acre of land, the Applicant was not required to comply with the stormwater management regulations.

Mr. McCarthy added that his concern was for downspouts and where they would be directed.

Chairman Widdis asked Mr. Zawadzki what provisions he would be providing for drainage and runoff.

Mr. White stated that the survey did not show topography and that this issue would be addressed by himself and the Construction Official during the building permitting process and that they would be sure that any runoff would not impact adjacent neighbors.

Mr. Whitson asked if there was any outside lighting planned that would impact neighbors.

Mr. Zawadzki answered that he had not thought about that but would be sure to be considerate of his neighbors.

Mr. DeNoia stated that the Board could add a general condition regarding lighting to a Resolution.

Chairman Widdis added that the Applicant was showing a willingness to upgrade his house and that the neighborhood warranted that and that other properties in the neighborhood had made similar improvements and that the proposed work would have a positive impact.

As there were no additional questions from the Board, Chairman Widdis opened the meeting to questions from the public.

PUBLIC:

As no one from the public wished to be heard Chairman Widdis closed the public portion of the hearing.

Mr. McCarthy made a motion to approve the application with the conditions as discussed which was seconded by Mr. Kleiberg and received the following roll call:

AYES:	Mr. Whitson, Mr. Kahle, Mr. McCarthy, Councilman Johnson, Mr. Savarese, Mr. Kleiberg, Mr. Sullivan, Mr. Widdis
NAYES:	None
ABSTAIN:	None
ABSENT:	Mr. Gervolino, Ms. Flor, Mr. Fichter
INELIGIBLE:	None

Ms. Smith stated the motion carried, application was approved.

RESOLUTIONS:

4. PB2011-06 (D'Onofrio) **–** As the Resolution was made available to the Board previously, Mr. DeNoia summarized the Resolution after which Mr. Sullivan made a motion to approve the resolution which was seconded by Mr. Whitson and received the following roll call:

AYES:	Mr. Whitson, Mr. Kahle, Mr. McCarthy, Mr. Kleiberg, Mr. Sullivan, Mr. Widdis
NAYES:	None
ABSTAIN:	None
ABSENT:	Mr. Gervolino, Ms. Flor, Mr. Fichter
INELIGIBLE:	Councilman Johnson, Mr. Savarese

Ms. Smith stated the motion carried.

5. PB2011-07 (Long) - As the Resolution was made available to the Board previously, Mr. DeNoia summarized the Resolution after which, Mr. Kleiberg made a motion to approve the resolution which was seconded by Mr. McCarthy and received the following roll call:

AYES:	Mr. Whitson, Mr. Kahle, Mr. McCarthy, Mr. Kleiberg, Mr. Widdis
NAYES:	None
ABSTAIN:	Mr. Sullivan
ABSENT:	Mr. Gervolino, Ms. Flor, Mr. Fichter
INELIGIBLE:	Councilman Johnson, Mr. Savarese

Ms. Smith stated the motion carried.

PETITIONS FROM THE PUBLIC: Chairman Widdis opened the meeting to Petitions from the Public and as no one from the public wished to be heard, Chairman Widdis closed that portion of the meeting.

ADJOURNMENT: As there was no further business, the meeting was adjourned at 8:03 p.m. on a motion by Mr. McCarthy which was seconded by Mr. Sullivan and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary