BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES ● OCTOBER 10, 2023

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 7:00 PM

II. **Open Public Meetings Statement:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on Feb. 10, 2023 of this meeting and its location, date and time to the Asbury Park Press, Star Ledger 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 9:30 P.M.; no new testimony will be taken after 10:00 P.M., except at the discretion of the Board.

V. **Roll Call:**

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

VI. **Board Business:**

1. Report of Pending Applications: Ms. Smith advised the next meeting was scheduled for October 24, 2023 with one application for 540 Shrewsbury Ave seeking multiple variance relief for the removal of an existing above ground pool, replace an existing deck in a slightly altered configuration and construct a screened in porch.

VII. **New Business:**

1. PB2021-26 Kuchinski, Greg
   34 Main Street
   Block 115, Lot 5
   Existing shed installed without approval seeking variance relief for:
   - Accessory structure side yard setback of 5.5' where 10' required

EXHIBITS:
A-1 Land Development Application
A-2 Survey of Property prepared by Morgan Engineering & Surveying, dated November 3, 2020
A-3 Colliers Engineering & Design Review Letter, August 8, 2023
A-4 Letters of Support, 3 pages

Chairman Whitson asked if there was anyone from the public with a question as to the sufficiency of the notice, hearing no objections, Ms. Smith stated notice was reviewed and found to be in order. Ms. Smith described and marked **Exhibits A-1, A-2 and A-3.**

The following persons were sworn in: William White, Board Engineer/Planner, Greg Kuchinski, Prior Owner/Applicant and James Conahan, current property owner.

Mr. Kuchinski testified that he had sold the property and at the time it was brought to his attention that the existing shed was installed without property permits and was seeking approval for the shed to stay in the same location which requires variance relief for the side yard setback for 5.5' where 10' required.

Mr. Conahan submitted letters of support for the application which were marked as Exhibit A-4.

Chairman Whitson asked if there were questions from the Board.

Mrs. Barham Widdis asked questions about electricity to the shed, height of the shed, was an electrical permit obtained - no, would be upon approval from the Board.

Mr. Widdis asked questions about the shed dimensions and if there was a ramp - no.

Mr. Foster asked additional questions about the electricity and were there plans to install lighting such as spotlights. Mr. Conahan testified there was none currently and no plans to install.

Councilman Tvrdik asked questions about the description of the property, grading, drainage.

Mr. Foster asked if the shed was on stone and was told yes, on stone and 2x4s.

Mr. Widdis asked if there was code requiring the shed to be tied down. Ms. Smith advised that the shed was undersized for UCC code and only required zoning approval.

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.

Councilman Tvrdik made a motion to approve the application on the condition that if the shed were to have any work other than maintenance, it would need to be relocated to comply with the setbacks and that proper permits are applied for which was seconded by Mrs. Barham-Widdis.

Motion to Approve with Conditions

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Thomas Tvrdik, Class III
SECONDER:	Leslie B Widdis L, Class IV
AYES:	Whitson, Tvrdik, Foster, Widdis C, Widdis L, Davis, Dailey
ABSENT:	Kahle, Cooper, Calver, Kleiberg

VIII. **Petitions from the Public:** Chairman Whitson opened the meeting to Petitions from the Public.

Mary Corej, Contract Purchaser, 5 Sunset Road, Parkers Creek development appeared seeking guidance as to the appropriate official/agency to address the ongoing construction in front of her unit as there was a light pole installed directly in front of her front door. Discussion ensued after which it was decided Ms. Smith and Mr. White would meet with her to get location information in order to review the approved site plan and lighting plan to be sure it was being installed in the correct location.

Irene Elliott, 64 Kimberly Way, was sworn in and asked questions about the status of the water drainage issue related to the school property at Wolf Hill. Councilman Tvrdik provided an update including a design was developed, requires approval from an adjacent property owner as the drainage would pass over their property which the Borough had not yet been able to obtain and he will be following up on the matter.

Ms. Elliott next asked about the result of the NJSEA Monmouth Park Development presentation and the result of the meeting. She was advised that the Board had approved a resolution that memorialized the Board's findings and recommendations and the developer has responded in some ways including reduction of the number of units. Plan needs to be approved by the State.

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

IX. **Adjournment:** As there was no further business, the meeting was adjourned at 7:26 pm on a motion by Mr. Foster which was seconded by Mr. Davis and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary