



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES • SEPTEMBER 24, 2024

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 January 10, 2024 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 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	Present
Christopher Widdis C	Mayor's Designee	Present
Patty Cooper	Class III Council Liaison	Present
Joseph Foster	Environmental Commission Liaison	Present
Leslie B Widdis L	Class IV	Present
Darren Davis	Class IV	Absent
Michael Dailey	Class IV	Present
Kevin Calver	Class IV	Present
David Gruskos	Alternate I	Present
Louis J. Padula	Alternate II	Absent
Jeanne Smith	Board Secretary	Present
Kevin Kennedy	Board Attorney	Present
William White	Board Engineer/Planner	Present

VI. **Board Business:**

- Report of Pending Applications: Ms. Smith advised the next meeting of the Board was scheduled for October 8, 2024. One new application for variances was submitted for a property on Vreeland Place not yet ready for scheduling. Ms. Smith advised that Netflix attorney had requested the Board consider scheduling a meeting for November 12th as it appears that date works best for their professionals and witness(es).

VII. **Approval of Minutes:**

- Planning/Zoning Board - Regular - Aug 13, 2024 7:00 PM

RESULT:	ACCEPTED [6 TO 0]
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	James Whitson, Chairman
AYES:	Whitson, Kahle, Widdis C, Cooper, Widdis L, Gruskos
ABSTAIN:	Foster, Dailey, Calver
ABSENT:	Davis, Padula

2. Planning/Zoning Board - Regular - Sep 10, 2024 7:00 PM

RESULT:	ACCEPTED [4 TO 0]
MOVER:	Joseph Foster, Environmental Commission Liaison
SECONDER:	Patty Cooper, Class III Council Liaison
AYES:	Whitson, Cooper, Foster, Calver
ABSENT:	Davis, Padula
INELIGIBLE:	Kahle, Widdis C, Widdis L, Dailey, Gruskos

VIII. Old Business:

1. PB2024-03 Buono, Frank CARRIED FROM SEPTEMBER 10, 2024
 Block 19, Lot 14.01
 35 Wyandotte Ave.
 Proposed improvements for pool, patio, pergola seeking variance relief for:
 - Impervious Surface-37% permitted, 28.6% existing, 47.6 originally proposed, 43.7% revised proposal
 - Minimum Setback Rear- 25' required, 25.421 existing, 8' proposed, 8.78' revised proposed
 - Minimum Total Sides- 25' required, 50.9' existing, 20.5' proposed, revised - now complies

EXHIBITS

06/25/2024

- A-1 Land Development Application
- A-2 Final as built survey, prepared by InSite Surveying, last revised October 2, 2023
- A-3 Plot Plan, prepared by InSite Surveying, last revised March 22, 2024
- A-4 Architectural Plans, prepared by Brian Fitzgerald, last revised January 30, 2024
- A-5 Review memorandum, prepared by Colliers Engineering, dated June 13, 2024
- A-6 Set of Photographs, series of overhead photos representing the area where the property is located, prepared by Insight Engineering, dated June 20, 2024

09/10/2024

- A-7 Plan entitled "Plot Plan" prepared by InSite Surveying, LLC, last revised August 23, 2024, consisting of one (1) sheet;
- A-8 Plan entitled "Proposed Alteration for Buono Residence," prepared by Brian Fitzgerald Architect + Design, last revised August 27, 2024, consisting of six (6) sheets.
- A-9 Review memorandum, prepared by Collier's Engineering, dated September 9, 2024.

09/24/2024

- A-10 Aerial Exhibit of Buono Residence prepared by InSite Engineering, dated September 19, 2024
- A-11 Neighborhood Aerial Exhibit of Buono Residence prepared by InSite Engineering, dated September 19, 2024

Mr. Kennedy stated this was a hearing continuance and reviewed with the Secretary the eligible Board members. All members present were eligible to vote for this matter. Mr. Kennedy summarized the new exhibits that were entered at the previous meeting which were marked **Exhibits A-7, A-8, A-9.**

Mr. Wittek, Attorney for the Applicant, thanked the Board Members for certifying and getting up to date on what transpired at the previous meeting and asked the Board if they had any questions on the prior presentation.

Mr. Foster asked about the stormwater runoff issues and the engineering plan mitigating that. Douglas Cleland, Applicants Engineer, explained in detail that when the home was built, there was a drainage system installed, there are three pop-up emitters that are identified on the plot plan, a surveyor went out and obtained the information and a new survey now shows the drainage information along with the generator location. There are a series of pipes going from the spouts of each roof that are going to tie into the proposed covered rear porch and will tie into the existing system and will protect the neighboring property. Mr. Foster asked if the plan was to have the runoff go to the public right of way and if so that is an issue because the water is full of fertilizers and chemicals which causes algae and seaweed and potentially killing the fish; the DEP came out and said they no longer like the idea of storm water running into the street and should be recharged into the property. Mr. Cleland followed up by stating that there is a good amount of recharge on site with the amount of grass and lawn and the pervious area they have, the pool handles its own runoff.

Mr. Gruskos asked how the pool could not generate runoff in a storm since the pool will fill up with water; questioned the elevation of the land and how the water will run off in between the two properties. Mr. Cleland responded that when it rains the pool can handle its own water as the water elevation is typically eight inches below the coping; in the back left corner lot there is an inlet which the water is directed to and is piped to a lower elevation out towards Wyandotte Avenue.

Mr. Kahle asked a few questions about the water runoff and the pipes that will be connected to it. Mr. Cleland responded that the pipes are PVC pipes not corrugated. Mr. Widdis asked Mr. White to give his thoughts on the drainage system; Mr. White spoke in detail

about the elevation and the drainage system that was installed. Mr. Widdis asked about what changes were made to the impervious, the original application it was 47 and it is now down to 43.

Mr. Cleland advised that this would be the time to go into the new testimony and went over the new exhibits that were submitted in detail. After hearing the Boards comments at the June 25th meeting, the following changes were made; coverage charts were updated for clarification with a itemized list of each item on the plan and a grand total of the coverage identified on the lot coverage calculations chart. The original coverage request was 47.6% and it is now down to 43.6%; changes were made to the covered rear patio with it now being 11 feet from the rear property line, a minor tweak to the patio to line up with the edge of the coping of the pool, the pool was reduced in size from 18x26 to 16x25, the pool equipment is now located on the right side of the home, the lighting will be directed downward to not create any issues with the neighboring properties and a landscape berm was added around the entire rear yard which will be planted with Evergreen screening to prevent any addition runoff; the proposed covered patio has a 30 inch drop from the finished floor so some minor changes can be made to avoid adding a railing or the railing can be installed. The homeowners agree to the deed restriction to prohibit the ability to enclose the covered patio. Mr. Kennedy asked Mr. Cleland if he felt that after listening to the Boards concerns that all of the issues have been addressed at which time Mr. Cleland stated he felt they had.

Board members asked questions related to the location of the walkway where the pool equipment and generator are located, the setback on the covered patio, type of pavers being used for the patio, the size of the Evergreen trees that are being planted, dimension of the covered patio, plumbing and electric in the grill area, purpose of covered patio. There was discussion that the numbers on the plans submitted do not match what is being proposed, at which time Mr. Buono's attorney asked to carry this over to the October meeting which will give more time to make the corrections and address the concerns the Board expressed with the drainage issues.

Motion to Carry to October 22, 2024 Meeting with no Additional Notice Required

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	Christopher Widdis C, Mayor's Designee
AYES:	Whitson, Kahle, Widdis C, Cooper, Foster, Widdis L, Dailey, Calver, Gruskos
ABSENT:	Davis, Padula

IX. Petitions from the Public: Chairman Whitson opened the meeting to Petitions from the Public. As no one else from the public wished to be heard, Chairman Whitson closed that portion of the meeting.

X. Adjournment: As there was no further business, the meeting was adjourned at 8:12 pm on a motion by Councilwoman Cooper which was seconded by Chairman Whitson and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary