OCEANPORT PLANNING BOARD
MINUTES
Special Meeting
August 17, 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, Councilman Johnson, Mr. Savarese, Mr. Kleiberg, Mr. Sullivan, Mr. Whitson, Ms. Flor, Mr. Widdis

MEMBERS ABSENT: Mr. McCarthy, Mr. Gervolino , Mr. Fichter

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

BOARD BUSINESS: Ms. Smith advised the Board Members of the Monmouth County Planning Board's Annual Dinner meeting and to contact her for arrangements to attend.

OLD BUSINESS: None

NEW BUSINESS:

1. PB File: 2011-05
   Block 10, Lot 16
   130 Sagamore Ave
   Request for Bulk Variance(s)

A-1 Pool Grading Plan prepared by MidState Engineering Inc. dated July 5, 2011 last revised August 3, 2011
A-2 Final Survey prepared by Charles Surmonte, P.E. & P.L.S. dated February 17, 2010, last revised April 7, 2010.
A-3 Schematic of Pool Location prepared by Pool World, not dated.

Chairman Widdis recused himself from the matter. Vice-Chairman Whitson was seated as Chair.

Michael Barnwell, 30 Sagamore Avenue, Applicant was sworn in. Mr. White, Board Engineer and Planner was also sworn in.

Mr. Barnwell stated that he was before the Board requesting construction of an in ground pool to keep his children happy. Mr. Barnwell described the proposed location in the rear right yard. Mr. Barnwell presented a Pool Grading Plan prepared by MidState Engineering Inc. dated July 5, 2011 last revised August 3, 2011 which was marked as Exhibit A-1. Referring to A-1 Mr. Barnwell explained that the left rear yard was not considered because it receives run off from the adjacent neighbor and his own home and tends to remain wet. Mr. Barnwell also submitted a Final Survey prepared by Charles Surmonte, P.E. & P.L.S. dated February 17, 2010, last revised April 7, 2010 which was marked as Exhibit A-2. Mr. Barnwell also submitted a Schematic prepared by Pool World which was marked as Exhibit A-3. Mr. White added that the schematic was basically used to create the grading plan.

Mr. Whitson asked about a setback shown as 7'. Mr. White responded that was to the walkway and not the pool itself which was required 10'.

Mr. Kleiberg asked if there was a fence around the area and what type. Mr. Barnwell answered yes there was a 6' fence with 1 gate which were self-closing and self-latching.

Mr. Savarese asked was the fence near Shrewsbury Avenue that makes a triangle existing. Mr. Barnwell answered yes it was existing.

Mr. Kahle asked if the fence would be returned to the house which Mr. Barnwell said it already was.

Mr. Kahle expressed concern with any lighting directed at neighbors. Mr. Barnwell testified that he was not planning to install any lights other than a solar light which he had discussed with his neighbor and that he was on board with it.

Mr. Kahle asked about the new curb if it were damaged during construction. Mr. White stated that they could use sheets of plywood to drive over. Mr. Barnwell stated that the Borough paid for the sidewalk and that he had paid for the curb to be installed.

Mr. White asked where the filter and heater would be located which Mr. Barnwell referred to Exhibit A-1 in the southwest corner was where they would be installed.

Mr. White asked if Mr. Barnwell had reviewed his August 10, 2011 review letter with regard to the NJDEP requirement for a GP#7 for a flood zone which Mr. Barnwell acknowledged he had.

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

PUBLIC:

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

Councilman Johnson made a motion to approve the application as presented which was seconded by Mr. Kleiberg and received the following roll call:

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

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

Mr. Widdis resumed as Chair.

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.

At 7:48 p.m. the Board entered an Executive Session for the purpose of litigation as required by law to be confidential on a motion made by Councilman Johnson and seconded by Mr. Whitson and approved by the Board.

At 8:20 p.m. the Board returned from Executive Session and re-opened the Special Meeting on a motion by Mr. Whitson which was seconded by Councilman Johnson and approved by the Board.

Chairman Widdis asked for a motion concerning the request for recommendation on potential off-tract improvements for Morris Place as discussed by the Board.

Ms. Flor made a motion that the Developer be provided the option to design and build the roadways himself for the improvements to Morris Place, Vreeland Place and a portion of River Street as well as the required bonding for those improvements all of which would be reviewed by the Borough Engineer as the Developer may find that to be less expensive due to prevailing wage or alternatively the Borough could design the project to be put to bid in which case the Developer would have to pay fair share of the bid received as calculated by Maser Consulting or determined by the Court Master which was seconded by Mr. Whitson and received the following roll call:

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

Ms. Smith stated the motion carried

Mr. Savarese commented that he did not believe it right to have the town pay for half the value of the road and was not in favor of it.

ADJOURNMENT: As there was no further business, the meeting was adjourned at 8:26 p.m. on a motion by Ms. Flor which was seconded by Councilman Johnson and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary