



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES • JULY 12, 2022

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 20, 2022 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 10:00 P.M.; no new testimony will be taken after 10:30 P.M., except at the discretion of the Board

V. **Roll Call:**

Attendee Name	Title	Status	Departed
James Whitson	Chairman	Present	
John (Jack) Kahle	Vice Chairman	Present	
Patty Cooper	Mayor's Designee	Present	
Thomas Tvrdik	Class III	Absent	
Joseph Foster	Environmental Commission Liaison	Absent	
Christopher Widdis C	Class IV	Present	
Robert Kleiberg	Class IV	Absent	
Darren Davis	Class IV	Present	7:28 PM
Michael Dailey	Class IV	Absent	
Leslie B Widdis L	Alternate I	Present	7:19 PM
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 that there are three applications being reviewed but not ready to be scheduled. She updated the Board that the pending application for the District A project is still waiting for FMERA MCR report.
- 5 Balmer Court – Zoning Officer request for clarification. Ms. Smith advised the Board of an issue concerning the relocation of pool equipment that places it in the front yard that would need a variance that was not granted in the original approval. Discussion ensued, need for more information and a plan, concern that neighbors were potentially not notified appropriately and general consensus was that the Applicant should make application to the Board.

VII. **Approval of Minutes:**

- Minutes of May 10, 2022 7:00 PM - Rescheduled
- Planning/Zoning Board - Regular - Jun 28, 2022 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Christopher Widdis C, Class IV
SECONDER:	John (Jack) Kahle, Vice Chairman
AYES:	Whitson, Kahle, Cooper, Widdis C, Davis, Widdis L
ABSENT:	Tvrdik, Foster, Kleiberg, Dailey

VIII. Old Business:

1. Resolution of Approval - 20 Balmer Court – As the resolution had been previously provided to the Board, Mr. Kennedy summarized the resolution and conditions. Mr. Widdis made a motion to adopt the Resolution, which was seconded by Ms. Cooper and received the below roll call.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Widdis C, Class IV
SECONDER:	Patty Cooper, Mayor's Designee
AYES:	Whitson, Kahle, Cooper, Widdis C, Davis, Widdis L
ABSENT:	Tvrdik, Foster, Kleiberg, Dailey

2. Resolution of Approval - 1600 Avenue of Memories - As the resolution had been previously provided to the Board, Mr. Kennedy summarized the resolution and conditions. Ms. Cooper made a motion to adopt the Resolution, which was seconded by Mr. Davis and received the below roll call.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Patty Cooper, Mayor's Designee
SECONDER:	Darren Davis, Class IV
AYES:	Whitson, Kahle, Cooper, Widdis C, Davis, Widdis L
ABSENT:	Tvrdik, Foster, Kleiberg, Dailey

3. PB2022-08 Molino, Bruno
Motion to Carry Application to August 9, 2022 with no additional notice required at Applicant's request.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	Leslie B Widdis L, Alternate I
AYES:	Whitson, Kahle, Cooper, Widdis C, Davis, Widdis L
ABSENT:	Tvrdik, Foster, Kleiberg, Dailey

Ms. Barham-Widdis recused herself from the following matter and exited the meeting at 8:16PM

IX. New Business:

1. PB2022-13 Reilly, Nicole
Block 65, Lot 1.10
2 Balmer Court
Proposed 6' solid privacy fence where not permitted in front yard

EXHIBITS:

- A-1 Land Development Application
- A-2 Plan entitled "Plot Plan - 2 Balmer Court Proposed Fence", prepared by InSite Surveying, LLC, dated May 19, 2022
- A-3 Plans entitled "Final As-built Survey" prepared by InSite Surveying, LLC, dated July 14, 2021, (1) sheet
- A-4 Colliers Engineering & Design Review Letter dated July 6, 2022.
- A-5 Copy of Exhibit A-2 with fence location highlighted
- A-6 Photo Example of Proposed Fence with horizontal slats

The following person(s) were sworn in: William White, Board Engineer/Planner

Mr. Kennedy asked if there was anyone from the public with a question as to the sufficiency of the notice, hearing no objections, stated that he and Ms. Smith had reviewed the notice and found it to be in order. Mr. Kennedy then described and marked Exhibits A-1, A-2, A-3, A-4.

Nicole Reilly, Owner/Applicant and Matthew Skirkanich, Fiancé were sworn in.

Ms. Reilly testified that she was the owner of the property for about a year, described the application for her property which has two front yards and the proposal to install a 6' privacy fence in the front yard along Monmouth Boulevard frontage due to a lot of noise, vehicles being pulled over with flashing lights.

Chairman Whitson invited questions from the Board.

Ms. Cooper asked questions about the location of the fence, fence material is wooden and requested plantings to buffer the look of a "wall". A red-marked version of A-2 showing the fence location was marked as Exhibit A-5.

Mr. Davis recused himself due to a potential conflict with the landscape company being used and exited the meeting at 7:29pm

Mr. Kahle asked questions about the type of wood fence, and would the panels be vertical or horizontal. Ms. Reilly produced a photograph of the planned fence showing horizontal slats which was marked as Exhibit A-6.

Mr. Widdis asked what type of landscaping to be used. Ms. Reilly responded that she has a plan with her landscaper which she could submit. The landscaping location to be on the outside of the fence.

Mr. Kahle asked questions regarding the fence offsets and distances and gate locations. Mr. White advised the plan shows it as 10' offset from Monmouth Blvd and 40.93' offset from Balmer Court.

Mr. White commented that he reviewed the site distance and there was no issue on Monmouth Blvd. with the site triangle.

Mr. Kahle commented that there's a number of white vinyl fences going up and the requests for the landscaping were to diminish the look of a long white wall. Ms. Reilly responded they agreed which was why they selected the cedar wood.

PUBLIC: Chairman Whitson asked if there were any questions or comments from the public. As there was no one from the public, Chairman Whitson closed this portion of the meeting.

Mr. Kahle made a motion to approve the application based on plan presented with the homeowner to provide as much landscaping on the outside of the fence which was seconded by Ms. Cooper. Mr. Widdis requested that it be further detailed that the fence would have horizontal slats and not vertical.

Motion to Approve Application with Conditions

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Widdis C, Class IV
SECONDER:	John (Jack) Kahle, Vice Chairman
AYES:	Whitson, Kahle, Cooper, Widdis C, Davis, Widdis L
ABSENT:	Tvrdik, Foster, Kleiberg, Dailey

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

- XI. Adjournment:** As there was no further business, the meeting was adjourned at 7:38 pm on a motion by Mr. Widdis which was seconded by Mr. Kahle and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary