OCEANPORT PLANNING BOARD
MINUTES
May 28, 2013

Chairman Widdis called the meeting to order at 7:30 p.m. and announced that gave the Statement of Compliance with the Open Public Meetings Act: "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 17, 2013, and by the posting of same on the municipal bulletin board and Borough Web Site."

Chairman Widdis led the flag salute.

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

MEMBERS ABSENT: Ms. DeSousa, Mr. Gruskos, Mr. Savarese, Mr. Sullivan

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

Ms. Smith stated that both Ms. DeSousa and Mr. Sullivan had called to advise that they were ill and wouldn't be attending.

BOARD BUSINESS:

1. Minutes of the meeting of January 22, 2013 were approved as presented on a motion from Mr. Whitson and a second from Councilman Johnson and approved by the eligible Board members.

2. Minutes of the meeting of April 9, 2013 were approved as presented on a motion from Mr. Whitson and a second from Mr. McCarthy and approved by the eligible Board members.

3. Minutes of the meeting of April 23, 2013 were approved as presented on a motion from Mr. Whitson and a second from Mr. Kleiberg and approved by the eligible Board members.

4. Ms. Smith reminded Board members that Financial Disclosure Statements had to be submitted by May 31, 2013.

OLD BUSINESS: None

NEW BUSINESS:

1. Monmouth County Park System
   Capital Review for Storage Pole Barn at
   Wolf Hill Recreation Area
   Block 127, Lot 7

Chairman Widdis noted that no one was in attendance and moved to the next item on the Agenda.

Councilman Johnson recused himself from the Supko application as he was a resident within 200'.

2. PB2013-02 Supko, Michael
   78 Cayuga Avenue
   Block 27, Lot 10
   Request for Bulk Variance for Lot Width

A-1 Architectural Plans, Sheets 1-4, prepared by Atlantic Modular Builders, dated February 27, 2013, last revised Sheet 4 May 28, 2013

A-2 Correspondence from Salvatore Massaro, Jr., Construction Official, dated January 13, 2013, "Super Storm Sandy" Work Constitutes Repair of Substantial Damage

Michael Supko, Owner and Applicant, submitted two additional documents to supplement the record which were marked **Exhibits A-1 and A-2**. Mr. Supko also described the variance relief being sought was for lot width of 60' where 120' was required, described the property's characteristics and advised they had been impacted by Super Storm Sandy and were seeking approval to construct a new home on the lot that would otherwise conform. Mr. Supko further stated that the location of the new home would actually be placed further back from the front and would remove the existing shed that was within a setback, reviewed lot coverage and explained the design chosen to address the new flood requirements.

Chairman Widdis asked Mr. Supko to give additional details on the dimensions of the house and the proposed height.

Michael Supko, Applicant and William White, Board Engineer and Planner were sworn in. Mr. Supko then provided additional details on the exhibits submitted and then requested his builder continue with the testimony.

Ryan Meyers, Atlantic Modular Builders, was sworn in and then referring to the Exhibits gave additional descriptions of the proposed structure and proposed elevations.

Chairman Widdis asked if the plan was to raise the elevation. Mr. Meyers referring to Sheet 4 of A-1 explained the proposed elevations of the first floor and bottom of finished floor.

Mr. White asked if the detached garage would be removed and was told yes and asked if the existing stone driveway would be restored to grass and was told yes.

Mr. White brought up the matter of the average front yard setback of properties within 200' asked if the Applicant's Engineer Charles Surmounte would be addressing that. Mr. Supko responded not that he was aware.

Chairman Widdis asked how far off the front and was there an idea of what the neighbor's setbacks were.

Mr. Supko stated that he believed everything was in line but if they needed to slide the house back they had no problem with that.

Mr. White recommended to the Board that review of that front setback be a condition if the Board were to approve the application. There was discussion on the item and the Applicant agreed to provide revised plans demonstrating the average front yard setback and to shift location of the house back if necessary.

Mr. Kahle asked if the height was being measured from the crown of the road or from the grade. Mr. White responded that the application was submitted prior to the Ordinance amendment that redefined how height was measured.

Mr. Fichter asked how the lower level would be constructed…pilings…breakaway walls. Mr. Meyers responded that they would be breakaway walls with no electric or any finished materials.

Mr. Fichter asked how they arrived at the finished floor of 16.10'. Mr. Meyers answered that it was based on 8' from the concrete floor of the garage to the bottom of the floor joists giving 8' of headroom which was an appropriate size for cars to pull in.

Mr. Kleiberg asked where the panels would be located and was told in the 1st floor level with the furnace in the attic and a tank-less water heater in the closet in the foyer. Mr. Kleiberg asked if there would be zones and was told one zone was planned. There was some comments about what would go in the garage area which the Applicant confirmed would only be pilings and breakaway walls.

Mr. Kahle asked additional questions about the ridge measurement which Mr. White answered.

Chairman Widdis asked about the ingress/egress which Mr. Meyers described as the front and rear doors and from the garage through a fire-rated door at the top of stairs inside garage for access to home providing 3 points of ingress/egress.

Chairman Widdis opened the meeting to questions from the public on that witness only.

PUBLIC:

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

Mr. Supko further testified that the adjacent lots were developed and no additional land available to purchase to bring his lot to conformance.

Mr. Kleiberg asked if there would be on the ground floor any other rooms or anything like that back behind the garage. Mr. Supko answered maybe light storage but it would be in the flood plain and had no plan to develop it.

Mr. Whitson asked if there would be any change in outside lighting that would adversely affect the neighbors and was told no, minimal outside lighting.

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

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

Ms. Smith stated the motion carried.

Councilman Johnson resumed his position.

3. PB2013-03 Corsi, David & Ellen
   19 Hiawatha Ave
   Block 15, Lot 18
   Request for Bulk Variances for Rear yard setback and setback from pool

David Corsi, Applicant, was sworn in and described the application proposing to create an enclosed porch with a 19.7’ rear yard setback where 25’ was required and install an in-ground pool with a 5’ setback from the rear deck attached where 10’ was required.

Chairman Widdis asked questions about the deck being screened and was told no, the size of the porch, the height of the porch and the size of the pool at 26’x14’ and its setbacks, the location of the pool equipment which was proposed along the side of the house and would conform with the requirements and minimize sound impacts on the neighbors.

Mr. Kleiberg asked if they would be installing a heater for the pool and was told they were undecided. Mr. Kleiberg cautioned that if one was installed to watch the setbacks.

Chairman Widdis opened the meeting to questions from the public.

PUBLIC:

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

Chairman Widdis expressed concern about lighting impacts on the neighbors and asked if there would be a fence and was told there was an existing fence.

Mr. White asked if the 2008 survey submitted adequately reflected existing conditions and was told no.

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

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

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.

EXECUTIVE SESSION: The Board entered Executive Session at 8:10 p.m. on a motion by Councilman Johnson which was seconded by Mr. Kleiberg and approved by the Board.

At 8:29 p.m. the Board returned from Executive Session and re-opened the Regular Meeting on a motion by Mr. Kahle which was seconded by Councilman Johnson and approved by the Board.

ADJOURNMENT: As there was no further business, the meeting was adjourned at 8:31 p.m. on a motion by Mr. McCarthy which was seconded by Mr. Kleiberg and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary