



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES • MAY 26, 2020

Regular

Maple Place School

7:30 PM

2 Maple Place, Oceanport, NJ 07757

- I. **Call to Order:** Chairman Widdis called the meeting to order at 7:30 p.m.
- II. **Open Public Meetings Statement:** This Meeting complies with the Open Public Meetings Act by notification on January 15, 2020 of this location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site. This meeting further complies with the Open Public Meetings Act by notification on April 1, 2020 of this virtual/remote meeting, its location, date and time, and URL address at which to participate in the meeting to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site.

Chairman Widdis then read the virtual/remote meeting advisory advising the public how to attend and participate during public portions of the meeting as detailed on the meeting agenda.

- III. **Flag Salute:** Chairman Widdis led the audience and members of the Board in the flag salute.

IV. **Roll Call:**

Attendee Name	Title	Status	Arrived
Christopher Widdis	Chairman	Remote	
James Whitson	Vice Chairman	Remote	
Patty Cooper	Mayor's Designee	Remote	
Thomas Tvrdik	Class III	Remote	
Joseph Foster	Environmental Committee Liaison	Remote	
John (Jack) Kahle	Class IV	Remote	
Michael Savarese	Class IV	Remote	
Robert Kleiberg	Class IV	Remote	
Darren Davis	Class IV	Remote	
Michael Dailey	Alternate I	Remote	
Jacob Rue	Alternate II	Remote	
Jeanne Smith	Board Secretary	Remote	
Kevin Kennedy	Board Attorney	Remote	
William White	Board Engineer/Planner	Remote	

- V. **Board Business:** None

VI. **Old Business:**

1. 1634 : PB2020-08 MSA at 64 Main Street LLC - CARRIED from April 28, 2020

At the request of the Applicant's attorney, Mr. Rick Brodsky, this application was carried to the June 23, 2020 meeting as additional time was needed to prepare revised plans. Mr. Kennedy requested that the record reflect that Mr. Brodsky had consented to an extension of time for a decision on the application.

VII. **New Business:**

1. PB2020-11 Verbosh, Michael & Debra

26 Hedge Drive

Block 142, Lot 34

Variance relief for landscape wall and shed

EXHIBITS:

- A-1 Land Development Application
- A-2 Zoning Denial Letter, dated July 25, 2020
- A-3 Narrative of Intent
- A-4 Maser Consulting Review letter dated March 26, 2020
- A-5 Survey of Property prepared by Leo A. Kalieta and Co., Inc., signed October 14, 2019
- A-6 Survey of Property, prepared by Leo A. Kalieta and Company, Inc. dated January 18, 2017

Mr. Kennedy asked if there was anyone present who had an objection to the notice provided for this application. Hearing none, advised that he had reviewed the notice, found service in order and the Board had jurisdiction.

The following persons were sworn: William White, Board Engineer/Planner, Michael Verbosh and Deborah Verbosh, Applicant/Owners.

Mr. Verbosh provided a brief history of the property, site characteristics and intent to update and replace existing landscape wall that had been there for 50 years and was deteriorated and relocate a shed. Mr. Verbosh testified that he had started the work thus the reason that the plan shows some of the wall already rebuilt when it was brought to his attention that he needed permits. Mr. Verbosh also testified that the height of the wall was between 16 and 20 inches where original was about 16 inches. The adjacent neighbor's property has an elevation between 12 and 18 inches higher than his yard and thereby all the water drains to that low spot. He would like to replace the landscape and grade the yard to correct that. Mr. Verbosh referring to Exhibits A-5 and A-6, described existing and proposed drainage. Additionally, there is an 8'x10' shed presently shown in the southeast corner of the property temporarily while the wall being constructed but would like to relocated it the west side with a 5' setback to side yard and 37' to rear yard. The shed will have no electric and no water.

Mr. White summarized the variances being sought - retaining wall with 3' setback, where 10' required and the shed with 5' setback where 15' required. Mr. White asked expressed concern about the low spot and not sufficient topo / contour to see if the drainage would be addressed or just move the problem closer to the front of the house. Discussion ensued on the elevations, the driveway, current drainage pattern.

Mr. Savarese asked if the back yard would remain all grass and was told yes.

Mr. Foster asked for clarification regarding the shed location and was told moving to the west side.

Mr. Kahle commented his only concern was the water issue as long as it was taken care of by the Engineer.

Mr. Whitson asked for the record, with no electricity there would be no lighting to impact neighbors which Mr. Verbosh confirmed.

Councilman Tvrdik asked Mr. White if he would have the elevations confirmed for the west side of the property which Mr. White confirmed he would.

Mr. Davis stated he had no issues as long as the drainage was addressed.

Ms. Cooper stated she had no issues, was a replacement of an existing wall and noted that some previously existing structures had been removed which should help with drainage. She worked the property and assured everyone that there was a great distance from the other properties and had no concerns that water would impact adjacent neighbors.

Mr. Rue asked what was the admissible height of a fence such as the Verbosh's had. Mr. White advised maximum height is 6' for fence, 15' for shed. Mr. Rue commented he was supportive of the application.

PUBLIC:

Chairman Widdis opened the hearing to the public for questions. As no one wished to be heard, Chairman Widdis closed that portion of the meeting.

Motion to Approve Application

Mr. Kennedy stated the two variances for side yard setback for accessory structure and setback for landscape wall and summarized the standard conditions and review by the Board Engineer of the grading and drainage plans, no utilities.

Mr. Davis made a motion to approve the application with those conditions which was seconded by Mr. Savarese and received the following roll call:

RESULT:	ADOPTED [10 TO 0]
MOVER:	Darren Davis, Class IV
SECONDER:	Michael Savarese, Class IV
AYES:	Widdis, Whitson, Cooper, Tvrdik, Foster, Kahle, Savarese, Kleiberg, Davis
INELIGIBLE:	Dailey, Rue

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

IX. Adjournment: As there was no further business, the meeting was adjourned at 8:05 pm on a motion by Councilman Tvrdik which was seconded by Mr. Whitson and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary