OCEANPORT PLANNING BOARD
MINUTES
April 14, 2010

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. Ibex, Mr. Savarese, Mr. Kleiberg, Mr. Sullivan, Ms. Flor, Mr. Fichter, Mr. Whitson, Mr. Widdis

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

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

BOARD BUSINESS:

1. Minutes of the meeting of January 13, 2010 were approved as presented on a motion from Mr. Whitson and a second from Mr. Sullivan and approved by the eligible Board members present.

OLD BUSINESS: None

NEW BUSINESS: None

1. PB File: 2010-02
   Anthony Burdi
   50 Wolf Hill Avenue
   Block 139, Lot 49
   Request for bulk variances – front and rear yard setbacks, lot area and lot width

Anthony Burdi, Applicant and Michael Geller, Professional Engineer for the Applicant, were sworn in. Mr. Geller presented his qualifications and was accepted by the Board as an expert.

Mr. DeNoia then swore in the Board's professional, William White, Professional Engineer & Professional Planner.

Mr. Geller described the application for construction of a new single family home with a carport and garage and other improvements and several map documents prepared for the site and the variances being requested. Mr. Gellar stated that there was no adjacent land available to the applicant to create a conforming lot. Mr. Gellar addressed the items presented by Mr. White's review letter and gave testimony concerning each of the variances and how the applicant had addressed the aspects of each variance.

Mr. DeNoia asked if there was an architectural plan available for the Board to purview. Mr. Burdi answered yes and brought their attention to the set of architectural plans provided to the Board.

Mr. Whitson, after reviewing the drawing, stated that per the Code, carports are prohibited.

Mr. Widdis asked the Applicant what his use and intention was for the space. Mr. Burdi answered that it would be a multipurpose space that was open with the ability to use for a picnic area, a work space, or taking groceries in from the car.

Mr. Whitson stated he liked the carport and thought it was a great idea but that it was prohibited by the code.

Ms. Flor stated she did not have an issue with the carport but if it were a problem with a Board member would the Applicant consider removing the driveway in front of the space.

Mr. Savarese commented that the Code does provide for open porches and that a detached garage would provide for the recreation space being sought through the carport or consider a 2-car garage. Mr. Savarese also stated that his greater concerns were the proposed setbacks and that he thought the footprint should be changed to meet the setbacks and suggested ways that could be accomplished.

At the request of the Applicant, the Board adjourned for a short recess at 8:03 p.m., which was unanimously approved by the Board members present. Mr. Widdis called the meeting back to order at 8:10 p.m.

Mr. White read the definition of a carport from the Ordinance.

There was further discussion regarding the applicant's options to amend the current application to comply with the Ordinance. It was explained that the pending application as it stood would require a "use" variance for the proposed carport which was not covered by the Applicant's notice and therefore the Board did not have jurisdiction to hear the matter.

Frank Burdi, 32 Wolf Hill Avenue, was sworn in and made statements concerning the area depicted as a carport and that it was not the same as a carport in the traditional sense and that the space would not be used solely for a car but a recreational area.

After a lengthy explanation to the Applicant on how he could proceed and why the Board could not continue to hear the application in its present form, the Applicant decided he did not wish to amend his application, withdrew the application without prejudice and would submit a new application with the appropriate notice for the May 12th meeting.

PETITIONS FROM THE PUBLIC: None

ADJOURNMENT: As there was no further business, the meeting was adjourned at 8:28 p.m. on a motion by Mr. Whitson which was seconded by Mr. Ibex and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary