OCEANPORT PLANNING BOARD
MINUTES
March 9, 2011

Vice-Chairman Whitson 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.

Vice-Chairman Whitson led the flag salute.

MEMBERS PRESENT: Mr. Kahle, Mr. McCarthy, Mr. Kleiberg, Mr. Sullivan, Mr. Gervolino, Ms. Flor, Mr. Fichter, Mr. Whitson

MEMBERS ABSENT: Councilman Johnson, Mr. Savarese, Mr. Widdis

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

BOARD BUSINESS:

1. Minutes of the meeting of February 9, 2011 were approved as presented on a motion from Mr. Sullivan and a second from Mr. Kleiberg and approved by the eligible Board members.

OLD BUSINESS: None

NEW BUSINESS:

1. PB File: 2011-02
   Darren Davis
   Block 60, Lot 3
   60 Seneca Place
   Request for Bulk Variance for Lot Width 100’ where 120’ required

A-1 Plot Plan, prepared by Charles Surmonte, PE & PLS, dated February 10, 2011
A-2 Front and Rear Setback Plan prepared by Charles Surmonte, PE & PLS, dated March 1, 2011
A-3 Portion of Borough Tax Map Sheet 16
A-4 Architectural Plans, Sheets 1-4, prepared by Matthew T. Cronin, AIA, dated February 21, 2011

Mr. Kahle recused himself from the application.

Charles Surmonte, PE for the Applicant, gave a summary of the application before the Board including seeking variance relief from the lot width requirement of 120' where 90' was existing

The following persons were sworn in: Darren Davis, Applicant and Owner, Charles Surmonte, Engineer & Surveyor for Applicant. Mr. Surmonte having been before the Board on many previous occasions was accepted by the Board as an expert in the fields of engineering and surveying. Board Engineer and Planner, William White was also sworn in.

Mr. Surmonte submitted and described the following exhibits for the record: Plot Plan, prepared by Charles Surmonte, PE & PLS, dated February 10, 2011 which was marked as **Exhibit A-1,** Front and Rear Setback Plan prepared by Charles Surmonte, PE & PLS, dated March 1, 2011 which was marked as **Exhibit A-2**, a portion of Borough Tax Map Sheet 16 which was marked as **Exhibit A-3,** and Architectural Plans, Sheets 1-4, prepared by Matthew T. Cronin, AIA, dated February 21, 2011, which was marked as **Exhibit A-4.**

Mr. Surmonte provided testimony concerning the lot widths of the surrounding area, the inability of the Applicant to obtain additional land from adjoining lots as those lots were also non-conforming; how the front and rear yard averages were determined for their respective setbacks; their compliance with the provisions of the Flood Hazard Area Protection Act including the base flood elevation, the Borough ordinance 1st floor elevation requirements, the proposed garage floor elevation and its relation to the elevation of the street. Mr. Surmonte provided testimony regarding grading of the lot in the front and rear, how the application minimized lot coverage and did not seek to use the maximum lot coverage allowed so that the proposed house was designed to blend with the homes in the surrounding neighborhood. Mr. Surmonte concluded testimony stating that he had discussed grading conditions on the lot with Mr. White to address his concerns and that they believed the plan presented best addressed those concerns and asked for any questions.

Mr. Gervolino asked about the size of the dressing room.

Mr. McCarthy asked about the relocation of the shed. Mr. Surmonte answered that the shed belonged to the neighbor and that they had approached the neighbor about having it removed and that as Mr. Davis had the appropriate equipment intends to offer to assist the neighbor in its relocation.

Ms. Flor asked about the concrete slab in the rear yard. Mr. Surmonte answered that it was existing and not proposing anything for it.

Mr. Kleiberg asked about the plan's depiction of 3 condensers – 1 of which was in front of a door from the garage.

Mr. Whitson expressed concern about the condensers' location so near to the property line. Mr. Davis explained there was a large hedge on that property line and that they located it on that side in order to minimize impacts to the other property owner whose dwelling was closer to that property line.

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

PUBLIC:

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

At Mr. DeNoia's request, Mr. Surmonte provided additional testimony regarding Exhibit A-2 and the Applicant's inability to obtain additional land from adjacent land areas to eliminate the relief being sought without creating new non-conformities.

Mr. Sullivan made a motion to approve the application granting relief for a 100' lot width where 120' was required which was seconded by Ms. Flor and received the following roll call:

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

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

RESOLUTIONS:

1. PB2011-01 (Schiavo) - As the Resolution was made available to the Board previously, Mr. DeNoia summarized the Resolution after which, Mr. McCarthy made a motion to approve the resolution which was seconded by Mr. Sullivan and received the following roll call:

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

Ms. Smith stated the motion carried.

PETITIONS FROM THE PUBLIC: Vice Chairman Whitson opened the meeting to Petitions from the Public and as no one from the public wished to be heard, Vice Chairman Whitson closed that portion of the meeting.

ADJOURNMENT: As there was no further business, the meeting was adjourned at 8:00 p.m. on a motion by Ms. Flor which was seconded by Mr. McCarthy and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary