OCEANPORT PLANNING BOARD
MINUTES
February 22, 2012

Chairman Widdis called the meeting to order at 7:37 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. Kahle, Councilman Johnson, Mr. McCarthy, Mr.Whitson, Mr. Sullivan, Mr. Fichter, Ms. DeSousa, Mr. Widdis

MEMBERS ABSENT: Mr. Savarese, Mr. Kleiberg

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

At 7:39 p.m. Ms. Smith read a Resolution authorizing the meeting to enter Executive Session for the purposes of litigation on a motion made by Mr. McCarthy and seconded by Mr. Whitson and approved by the Board with the exception of Councilman Johnson whom stated that he thought the Executive Session should have been held at the end of the meeting and not kept the public waiting.

At 8:09 p.m. the Board returned from Executive Session and re-opened the Regular Meeting on a motion by Mr. McCarthy which was seconded by Mr. Sullivan and approved by the Board. Ms. Smith called the roll with all members present except Mr. Savarese and Mr. Kleiberg.

OLD BUSINESS: None

NEW BUSINESS:

1. PB File: 2012-012
   Scott Borland
   Block 19, Lot 16.01
   47 Wyandotte Avenue
   Request for Bulk Variance(s) for 2 ½ stories where 2 stories permitted

Mr. Fichter recused himself from the application as he resides within the 200' area.

Chris Ilvento, Property Owner and Scott Borland, Applicant, were sworn in. Mr. White, Board Engineer and Planner was also sworn in.

Mr. Ilvento referring to the provided plans presented his application before the Board testifying that he had submitted construction plans which included a fixed stairway to the attic, however, in the process of construction was stopped by the Construction Official and advised that the fixed stairway was not permitted.

There was discussion amongst the Board and the Applicant that the attic would not to be finished, no windows were planned, equipment that would be located in the attic including furnace and duct work and that the area was need for storage because they would not be able to use the crawl space.

Mr. Kahle asked if there was a door at the top of the stairs to close off the attic. Mr. Ilvento answered yes. Mr. Kahle stated that the stairs were there for ease of access which Mr. Ilvento affirmed.

Ms. DeSousa commented that there was no basement and that the attic was their only storage and that the issue was again accessibility which Mr. Ilvento affirmed.

Mr. Ilvento added that there were 5 bedrooms and would be no need to create a habitable attic.

There was additional discussion regarding the equipment and its locations in the attic, and whether the Applicant knew of the zoning issue.

PUBLIC:

Chairman Widdis opened the meeting to the public for comment on the application and as no one from the public was present closed that portion of the hearing.

Councilman Johnson made a motion to approve the application for 2 ½ stories where 2 stories was permitted thereby allowing a fixed stairway to the attic area which was seconded by Mr. Sullivan and received the following roll call:

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

Mr. Fichter resumed his seat at 8:28 p.m.

BOARD BUSINESS:

2. Minutes of the meeting of January 11, 2012 were approved as presented on a motion from Councilman Johnson and a second from Mr. Savarese and approved by the eligible Board members.

RESOLUTIONS:

3. PB2012-01 (Cullen) - As the Resolution was made available to the Board previously, Mr. DeNoia summarized the Resolution after which Mr. Whitson made a motion to approve the resolution which was seconded by Mr. Sullivan and received the following roll call:

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

ADJOURNMENT: As there was no further business, the meeting was adjourned at 8:33 p.m. on a motion by Councilman Johnson which was seconded by Mr. McCarthy and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary