BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES ● FEBRUARY 15, 2023

Regular | **Clement V. Sommers Municipal Building** | **7:00 PM**

910 Oceanport Way, Oceanport, NJ 07757

I. Call to Order: Chairman Whitson called the meeting to order at 7:00 PM

II. Open Public Meetings Statement: This meeting complies with the Open Public Meetings Act by adequate and electronic notification on February 10, 2023 of this meeting and its location, date and time to the Asbury Park Press, Two River Times, Star Ledger and by the posting of same on the municipal bulletin board and Borough's Web Site.

III. Flag Salute: Chairman Whitson led attendees and members of the Board in the flag salute

IV. Board Policy: Chairman Whitson advised of the following Board policies: It is Board Policy that no application will be opened after 9:30 P.M.; no new testimony will be taken after 10:00 P.M., except at the discretion of the Board.

V. Roll Call:

Attendee Name	Title	Status	Arrived	Departed
James Whitson	Chairman	Present		
John (Jack) Kahle	Vice Chairman	Present		
Patty Cooper	Mayor's Designee	Absent		
Thomas Tvrdik	Class III	Absent		
Joseph Foster	Environmental Commission Liaison	Late	7:22 PM	
Christopher Widdis C	Class IV	Absent		
Leslie B Widdis L	Class IV	Present		
Darren Davis	Class IV	Present		
Michael Dailey	Class IV	Present		
Kevin Calver	Alternate I	Absent		
Robert Kleiberg	Alternate II	Present		7:10 PM
Jeanne Smith	Board Secretary	Present		
Jeff Beekman for Kevin Kennedy	Board Attorney	Present		
William White	Board Engineer/Planner	Present		

VI. Board Business:

1. Report of Pending Applications - Ms. Smith advised the next meeting was scheduled for February 28, 2023 and described applications for 6 Ticonderoga Ave and 21 Hedge Drive. Two new applications pending completeness and Nurse's Quarter's under completeness review. Ms. Smith further advised that she had been requested to schedule a Capital Presentation to the Board by Monmouth Park Racetrack for proposed development of the parking lot areas. Documents pending.
2. Development Review Committee – Chairman Whitson asked for volunteers for this year's DRC which would handle meeting with developers at early stages of projects as well as reviewing applications for completeness for large projects. Board members Kahle and Whitson volunteered and with a number of members not present would offer to them.
3. Ordinance Committee *- Added* – Ms. Smith requested consideration of appointing an Ordinance Committee to review the current ordinance in order to address topics that continually return as well as new topics including home businesses. Chairman Whitson asked for volunteers with Mr. Kleiberg, Mr. Davis and Mr. Whitson expressing interest to participate. As several members absent that evening, others would be offered and determine final appointments afterwards.
4. Oath of Office was administered to Robert Kleiberg serving as Alternate II.

VII. Approval of Minutes:

1. Planning/Zoning Board - Reorganization - Jan 10, 2023 7:00 PM

RESULT:	**ACCEPTED [6 TO 0]**
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	Darren Davis, Class IV
AYES:	Whitson, Kahle, Widdis L, Davis, Dailey
ABSTAIN:	Kleiberg
ABSENT:	Cooper, Tvrdik, Foster, Widdis C, Calver

VIII. Old Business:

1. Resolution of Approval - 7 Bayview Place, Marra - As the Resolution had been previously provided to the Board, Mr. Beekman summarized the resolution and its conditions. Mr. Davis made a motion to approve the Resolution, which was seconded by Mr. Dailey and received the below roll call:

RESULT:	**ADOPTED [6 TO 0]**
MOVER:	Darren Davis, Class IV
SECONDER:	Michael Dailey, Class IV
AYES:	Whitson, Kahle, Widdis L, Davis, Dailey
ABSTAIN:	Kleiberg
ABSENT:	Cooper, Tvrdik, Foster, Widdis C, Calver

Mr. Kleiberg recused himself on the next matter as he was located within 200' and exited the meeting at 7:10 pm

IX. New Business:

1. PB2022-28 Goldfield, M. Pamela
   Block 122, Lot 16
   38 Doreen Drive
   Variance relief for proposed pool in secondary front yard where accessory structures are prohibited.

EXHIBITS:
A-1 Land Development Application
A-2 "Pool Plot Plan" prepared by R.C. Burdick, PE, PP, PC, last revised Oct. 31, 2022
A-3 "Survey of Property" prepared by Charles Surmonte, PE & PLS, dated Dec. 7, 2022
A-4 Colliers Engineering Review letter dated Feb. 7, 2023
A-5 Photographs, 6 Sheets, taken by Applicant, undated

Mr. Beekman described and marked **Exhibits A-1, A-2, A-3, A-4, A-5.**

The following person(s) were sworn in: William White, Board Engineer/Planner.

Pamela Goldsmith, Applicant/Owner was sworn in and described her proposed project to install an inground pool for her grandkids, but because she has property along two roadways, she needs a variance for her second front yard. She testified that the lot is very private, significantly buffered with hedges and other landscaping along the Branchport Ave side, she would provide additionally buffering with plantings around the pool equipment, install a white vinyl fence and a fence around the pool itself. The pool would have a depth of 4'11", no diving board and no additional lighting and it was her belief that the proposed improvements would have no negative impacts on the neighborhood.

Chairman Whitson invited comments from Mr. White and Board members.

Mr. White reviewed for the Board his review letter comments, the variance would permit accessory structures in front yard, requested that the additional proposed fence around the pool be shown on the plans and that the fence would be pool barrier code compliant.

Mr. Davis asked for the pool equipment to be behind the fence and be buffered.

PUBLIC:

Chairman Whitson opened the meeting to the public for questions and then comments. As there was no one, Chairman Whitson closed that portion of the meeting.

Mr. Davis made a motion to approve the application which was seconded by Mr. Dailey.

RESULT:	**ADOPTED [6 TO 0]**
MOVER:	Darren Davis, Class IV
SECONDER:	Michael Dailey, Class IV
AYES:	Whitson, Kahle, Widdis L, Davis, Dailey
ABSENT:	Cooper, Tvrdik, Foster, Widdis C, Calver, Kleiberg

X. Petitions from the Public: Chairman Whitson opened the meeting to Petitions from the Public.

Mr. Foster entered the meeting at 7:22 pm

Sara Londa, 140 Monmouth Blvd, appeared and requested the Board's assistance with her neighbor who was previously before the Board for a variance as she is still having an issue with water runoff onto her property, presented photos of the site and upset because he doesn't appear to be in compliance with the Board's approval. There was discussion after which Ms. Smith would review with Mr. White and the construction department and get back to her.

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

XI. Adjournment: As there was no further business, the meeting was adjourned at 7:28 pm on a motion by Mr. Kahle which was seconded by Mrs. Barham-Widdis and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary