

**OCEANPORT PLANNING BOARD
MINUTES
February 9, 2011**

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. Kahle, Mr. McCarthy, Councilman Johnson, Mr. Whitson, Mr. Kleiberg, Mr. Sullivan, Mr. Gervolino, Mr. Fichter, Mr. Widdis

MEMBERS ABSENT: Mr. Savarese, Ms. Flor

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

BOARD BUSINESS:

1. Minutes of the meeting of December 8, 2010 were approved as presented on a motion from Mr. Whitson and a second from Mr. McCarthy and approved by the eligible Board members.
2. Minutes of the meeting of January 12, 2011 were approved as presented on a motion from Mr. Whitson and a second from Mr. Sullivan and approved by the eligible Board members.

OLD BUSINESS: None

NEW BUSINESS:

1. PB File: 2011-01
Jennifer Schiavo
Block 28, Lot 11
15 Cayuga Avenue
Request for Bulk Variances to construct expansion of principle building

**A-1 Architectural Plans, Sheets 1-2, prepared by Michael Savarese, AIA, dated
January 14, 2011**

The following persons were sworn in: Michael T. Schiavo, Joint Owner of Property with Applicant and Ralph Maida, 39 Tecumseh Ave, Contractor for Applicant. The Board's Professional Engineer and Planner, Mr. White, was also sworn in.

Mr. White asked about the last page of the application which shows the Applicant as Contract Purchaser. Mr. Widdis stated that he believed he was now the owner of the property and asked Mr. Schiavo to confirm he was the owner of the property and when the purchase took place. Mr. Schiavo confirmed for the record that he was the property owner and that the day after their application was submitted they took ownership of the property.

Mr. Schiavo introduced a set of architectural plans, sheets 1-2, prepared by Michael Savarese, AIA, dated January 14, 2011 which was marked as **Exhibit A-1** and explained that they were seeking the expansion in order to provide additional room and bathroom for himself, his wife and 2 daughters.

Mr. Maida described the proposed expansions of the west side of the house and a sunroom addition to the rear of the house, the proposed setbacks and a need for a variance for the rear yard setback.

Mr. Widdis asked questions about each of the setbacks and which were in conformity and which were not.

Mr. White stated that three variances were required – lot width of 90' where 120' required and pointed out that adjacent lots on both sides were exactly conforming preventing the property owner from purchasing land to satisfy the requirement; lot area of 9,000 s.f. where 12,000 s.f. required which again could not be satisfied for the same reasons as the lot width; and a proposed rear setback of 23' where 25' was required.

Mr. Widdis asked Mr. White if the notice had been dealt with in terms of the rear setback to which Mr. White responded that he had not seen the notice. Mr. Widdis asked Ms. Smith whom confirmed that the notice was done correctly for the proposed 23' rear setback.

Mr. Widdis asked about the square footage of the proposed house. Mr. White answered that habitable space, not footprint, was 1,640 sq. ft, and the 650 sq. ft addition totaling 2,290 sq. ft. and proposed garage was 236 sq. ft.

Mr. Fichter asked why the change in the sunroom and was the garage going to remain but not be used for cars. Mr. Maida answered that they thought the 10' was tight and that the garage would not be primarily used for cars.

Mr. Kahle stated that the application looked good but since he was decreasing the side yard setback it was his concern that leaders and gutters would be directed into a swale.

Mr. White stated that that would be handled at the plot plan stage when they go for building permits and that he saw no issues with it.

Mr. Gervolino asked if siding and roofing materials would match the existing. Mr. Maida answered that the entire house would have new roofing and siding.

Mr. Johnson asked about the side yard distance to the neighbor and expressed concern about the driveway on that side.

Mr. Kahle asked if the driveway would be cut down to a single car driveway. Mr. Maida answered no that they were leaving it double width.

Mr. Widdis asked then he was cutting out one of the garage doors but the driveway would remain. Mr. Maida answered yes.

Mr. Fichter asked if it would stay what was there – not reconfigured asked Mr. Widdis. Mr. Maida answered no.

Mr. White clarified how many off-street parking was available.

Mr. Widdis advised that the driveway could not be changed as it would need to be utilized for their parking.

Mr. Widdis expressed concern about the lighting and they would have to have lighting that was pointed down away from any neighbors both on side yards and rear yards. Mr. Widdis continued that they should know that the plans provided are what had to be built and could not be strayed from.

Mr. Maida stated they were considering making some of the stone work into vinyl siding. Mr. Widdis stated that if it were noted that was what it would be.

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

PUBLIC:

Martin Kammann, 19 Cayuga Avenue, was sworn in and asked about the expansion on the west side of the house which was adjacent to his property that they had looked at the plans at Borough Hall and wanted to make sure it was an 8' addition on the left side of the house and that there would be minimum 10 feet between the house and the property line.

Mr. Widdis answered yes and that it was conforming.

Hedwig Kammann, 19 Cayuga Avenue, was sworn in and asked how drainage would be addressed as they would like to have the gutter water directed to the street and not the back because it was low lying.

Mr. White answered that they would address the drainage at the plot plan stage and be sure that the drainage would not affect any neighbors.

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

Mr. Sullivan made a motion to approve the application for a variance on 90' lot width with the following conditions expressed by the Board: all outside lighting to be directed downward, that water runoff be addressed and the terms of the engineer's review letter which was seconded by Mr. McCarthy and received the following roll call:

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

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

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 8:00 p.m. on a motion by Mr. Whitson which was seconded by Mr. Kleiberg and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary