BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES ● JANUARY 23, 2024

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 January 10, 2024 of this meeting and its location, date and time to the Asbury Park Press and Two River Times 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
James Whitson	Chairman	Present
John (Jack) Kahle	Vice Chairman	Present
Christopher Widdis C	Mayor's Designee	Absent
Joseph Foster	Environmental Commission Liaison	Absent
Patty Cooper	Class IV	Present
Leslie B Widdis L	Class IV	Present
Darren Davis	Class IV	Present
Michael Dailey	Class IV	Absent
Kevin Calver	Alternate I	Present
Robert Kleiberg	Alternate II	Absent
Jeanne Smith	Board Secretary	Present
Kevin Kennedy	Board Attorney	Present
William White	Board Engineer/Planner	Present

VI. Board Business:

1. Administer Oaths of Office to New Appointments - Mr. Kennedy administered the Oath of Office to Class IV member Patricia Cooper.
2. Report of Pending Applications - Ms. Smith advised the next meeting was scheduled for February13, 2024, three applications are pending completeness and include variance relief for expansion of existing non-conforming structure to add a 2nd floor; rear yard setback relief for a deck and an application for outdoor improvements requiring relief for maximum impervious coverage.

VII. Approval of Minutes:

1. Planning/Zoning Board - Regular - Nov 28, 2023 7:00 PM - tabled until next meeting
2. Planning/Zoning Board - Regular - Jan 9, 2024 7:00 PM

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	Leslie B Widdis L, Class IV
AYES:	Whitson, Kahle, Widdis L, Davis, Calver
ABSTAIN:	Cooper
ABSENT:	Widdis C, Foster, Dailey, Kleiberg

VIII. Old Business:

1. Resolution of Approval - 44 Springfield Ave - As the Resolution had been previously provided to the Board, Mr. Kennedy summarized the resolution and conditions, advised of one amendment to conditions concerning roof leaders and discharging of

water runoff. Mr. Kahle made a motion to approve the Resolution as amended, which was seconded by Mr. Davis and received the below roll call:

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Darren Davis, Class IV
SECONDER:	John (Jack) Kahle, Vice Chairman
AYES:	Whitson, Kahle, Widdis L, Davis, Calver
ABSENT:	Widdis C, Foster, Dailey, Kleiberg
INELIGIBLE:	Cooper

IX. **EXECUTIVE SESSION:** At 7:16 PM Mr. Davis made a motion to adopt the resolution to enter Executive Session which was seconded by Mr. Kahle and received the following roll call.

PR-24-07 Resolution authorizing an Executive Session read in full by Mr. Kennedy

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Darren Davis, Class IV
SECONDER:	John (Jack) Kahle, Vice Chairman
AYES:	Whitson, Kahle, Cooper, Widdis L, Davis, Calver
ABSENT:	Widdis C, Foster, Dailey, Kleiberg

X. **Return from Executive Session:** At 7:58 PM Ms. Cooper made a motion to return from the regular meeting which was seconded by Mr. Kahle.

At 7:59 PM the Board adjourned for a 5-minute recess on a motion by Mr. Davis, seconded by Mr. Kahle.

At 8:07 PM the meeting resumed with all previous Board members present

XI. **Old Business:**

1. PB2020-21.1 Somerset/Parkers Creek
   Block 110.15, Lot 1
   Proposed changes to elevations/architectural features for waterfront units

Mr. Kennedy summarized the unique situation of the pending application for amended site plan approval for a development having had prior approval for “Plan A”, subsequently through the Construction Department “Plan B” and applying now for “Plan C”. The Board has discussed the legalities of the circumstances, however, there is a commitment to transparency and the Board has required other less minor application to provide notice and therefore the Board respectfully requested that they provide public notice prior to the Board continuing to hear the application. He further advised that upon return the notice and application should include the transitions from Plan A to B to C with exact details of the changes. James Mullen, Attorney for the Applicant, expressed frustration that they were merely asking for a change in the roof line and didn’t understand the need for notice. Mr. Kennedy responded that there were members of the public that attended for the original site plan and the Board desires that they have the opportunity to return. It was agreed that notice would be made for hearing date on February 13, 2024. Mr. Davis reiterated that it was his opinion, and believes the Board agrees, that the proposed changes from the original plan were not minor and the original plan was a better plan that the Board spent days working on with the developer.

XII. **Petitions from the Public:** Chairman Whitson opened the meeting to Petitions from the Public. As no one else from the public wished to be heard, Chairman Whitson closed that portion of the meeting.

XIII. **Board Business cont'd:**

1. Review - Rules and Regulations – Ms. Smith reviewed rules and regulations and recommended changes with Board members to bring them up to date with current statutes, ordinances and practice. Revised rules and regulations to be reviewed further by Mr. Kennedy and added to next meeting for consideration.

XIV. **Adjournment:** As there was no further business, the meeting was adjourned at 8:56 pm on a motion by Mr. Davis which was seconded by Mr. Whitson and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary