

EDWARD G. DONOVAN
Mayor

CONSTRUCTION DEPARTMENT

FRANK DiROMA
Supervisor of Code Enforcement

THOMAS F. FLARITY
Municipal Administrator

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

ALBERT "SANDY" RATZ
Construction Official

The Manasquan Planning Board held a Regular Meeting at 7PM on December 4, 2018 in the Council Chambers of the Borough Hall, 201 East Main Street, Manasquan, New Jersey 08736.

Chairman Neil B. Hamilton opened the meeting asking everyone to please stand and salute the Flag.

ROLL CALL:

Board Members Present

Mayor Ed Donovan, John Muly, Robert Young, Greg Love, Mark Apostolou, Leonard Sullivan, Neil Hamilton, Mark Larkin and John Burke

Board Members Absent:

Councilman Gregg Olivera – arrived at 8:02PM, Peter Ragan was present at the meeting and left as there was a quorum, Kevin Thompson, Barbara Ilaria (Mayor's Alternate)

Professionals Present:

Al Yodakis – Planning Board Engineer/Planner

George D. McGill – Planning Board Attorney

Neil asked everyone to take a moment of silence and thought for the passing of a very good President, George W. Bush, the 41st President of the United States.

George McGill read the Sunshine Law in its entirety.

Mark Apostolou made a motion to approve the minutes of November 7, 2018 Regular meeting, seconded by Greg Love, all in favor none opposed.

Leonard Sullivan made a motion to approve the vouchers, seconded by Robert Young.

Board Members Voting Yes:

Mayor Donovan, John Muly, Robert Young, Greg Love, Mark Apostolou, Leonard Sullivan, Neil Hamilton, Mark Larkin, and John Burke.

Neil stated we have Kevin and the Councilman out this evening so both alternates present will vote.

APPLICATION #28-2018 – Dattilo, Dennis – 12 Pearce Court – Block: 155 – Lot: 5 – Zone: R-3 – George swore in Dennis Dattilo, owner/applicant and Al Yodakis. He explained to the Board what he is seeking. The proposed to construct a raised partially covered deck will be 11 X 14 at the rear of his house. After Super Storm Sandy he re-built and was granted variances at that time which are existing and proposed. He explained that he has an issue with the rear yard setback. On the right side of the proposed deck he will supply 7.9-foot side yard setback, and on the left side he will supply 7-feet and some change so he won't encumber his side yards. His major problem is he doesn't have the rear yard that's basically because he is on the Creek. Mr. McGill

asked if he wasn't requesting a side yard setback and did the plans change from the time Mr. Furey reviewed them? He said no. Al said Mr. Furey's report was referring to the side setback of the house, 3.1 was granted with the original approval and it's slightly under that, it's 3.083. He won't be changing any grades or adding more impervious coverage. Al asked if there would be concrete landings for the stairs and Dennis said he doesn't have one now and he won't need one later. There were a lot of questions as to the existing deck and proposed. Neil said if the Board did a site visit they would understand this application what is existing and what is proposed. Neil said in looking at the area he didn't see anything that seems out of the ordinary from what the adjoining properties have. Mr. Dattilo said he was the first re-build after Sandy and he didn't ask for a deck at that time. Mark Apostolou asked if he would agree that if the variance is granted he will not enclose the deck and Mr. Dattilo so stipulated. Mark Apostolou made a motion to open the meeting to the public, seconded by Greg Love, all in favor none opposed. There was no public participation. Mark Apostolou made a motion to close the public portion, seconded by Greg Love, all in favor none opposed. George McGill asked to go over the variances required by this application. With regard to the A/C pad, that is located behind the house but it is in the side yard setback so that would require a variance. There is rear yard relief 20-feet is required and 9.133-feet is proposed. Looking at Al's report letter c, there is a side yard that is slightly off from what was approved with the last Resolution and if we are going to consider the A/C units, they are behind the envelope of the house. Mark Apostolou made a motion to approve the application subject to the statements of our attorney and the fact that the deck will not be enclosed, seconded by John Burke.

Board Members Voting Yes:

Mayor Ed Donovan, John Muly, Robert Young, Greg Love, Mark Apostolou, Leonard Sullivan, Neil Hamilton, Mark Larkin, John Burke

APPLICATION #29-2018 – Patton, Richard – 289 First Avenue – Block: 182.01 – Lot: 5 – Zone: R-5 – Keith Henderson is the attorney representing the applicant. The Board accepted jurisdiction. George McGill swore in Richard Patton, owner/applicant, Ryan Meyers and Joseph Kociuba and Al Yodakis. First to testify is Richard Patton, he and his wife who passed away five years ago purchased the house in late 1990, his first summer was 1991, there is no heat in the house it is strictly a summer bungalow. He is proposing to construct a new house on the property which will be a year round house and hopefully he will retire there. His parents and grandparents came to Manasquan; he came from the mid 50's. Next, Ryan Meyers came forward and had an exhibit to enter, this was marked A-1 it is a computer rendering the same as what the Board has in their packets. Ryan is an employee of Atlantic Modular Builders they have about 50 houses in Manasquan that they built over the years. He has testified before this Board before. The rendering is a product of what Mr. Patton would like to build and it's pretty true to form rendering. This house has two frontages, one on First Avenue and one on Timber Lane. In addressing Al Yodakis' report one of his concerns is underground utilities and if possible they will do that, if it's not cost prohibitive and they can hook up to the pole in the back of the property. Currently there is a three season porch on the existing home and one of the important aspects in re-building would be to do a nice covered deck on the back of the home to re-create what he has existing. That drives up the building coverage. The other variances they are seeking are side yard, they are asking for a little over 3-feet where 5-feet is required. They also need a rear yard setback to the stairs which will be 13-feet where 20-feet is required. The lot itself is non-conforming there is no property available to purchase around this lot. Mark

Apostolou said you said if the utilities are not cost prohibitive. That's a scary term, do you agree that if you receive permission from the utility companies you will install the utilities underground. Mr. Meyers said correct if they can hook up to the pole that is behind the property. Al was fine with that. Next, Mr. Kociuba came forward to testify, his credentials were accepted. He described the Land Use requirements necessary for this application. This being an R-5 Zone which requires 2700 square-feet, this block is only 97 feet deep instead of 100, so it is an undersized lot. We do require a 40-foot lot frontage, the existing lot is only 27-feet, it is a substantially undersized lot for the Zone. Right now the existing house is 7.6-foot front yard setback we are increasing that to be compliant, to 10.5-feet, we are eliminating a variance there. Side yard setbacks we are increasing, right now we are at 2.7 on the one side we are increasing that to 3.5-feet on either side of the home, balancing that. The house we are proposing is 20-feet wide. We are compliant with the impervious coverage but we are requesting a building coverage variance. I know the TRC Committee has looked at this as well and has some questions regarding the building coverage and what is really driving that coverage is that rear covered deck. We have spoken to the applicant and as he stated he would like to have the covered deck and match the building coverage that is there now. So in order to do so we have reduced the amount of covering on the rear deck. The rear deck is 20-feet wide, the left 3-feet as you are looking at the plan is for the A/C condensers and it creates an odd space behind the condensers so our thought was to reduce the width of that back deck to 17-feet. In doing so we would match exactly the building coverage that exists on the lot today. So the building coverage is now 45.18% which is the existing coverage and what was approved on the property next door when they re-built and obtained a variance as well. Mr. Kuciuba said the rear yard setback and the covered deck is 25.25 but we do require a variance for the stairs. We need a long set of stairs to make it work. He believes all the requested variances can be driven by the C-1 – hardship standard. The lot is narrow we need some side yard relief. Because of the location of the HVAC we do require a variance there as well, this goes hand in hand with our side yard variance. The application can also be granted under the C-2 standard as well. This will be a substantial improvement as to what is there now. He believes the front porch on First Avenue will make a better aesthetic appearance even though it is a dual frontage lot. Board members asking questions or making comments were, Mark Apostolou, Lenny Sullivan, Greg Love, and Mark Larkin. They are proposing a 12-foot wide driveway and can park two cars on the lot behind the house and two cars under the house so we have substantial parking. The onsite drainage will be improved and Al requested slotted covers to the down spouts and addressed the 80-feet of storage space which has been agreed to. His report has been addressed and he is satisfied with all responses. George McGill asked for clarification of the building coverage which will be 45.18%, and the deck will not be enclosed. Mark Apostolou made a motion to open the meeting to the public, seconded by Robert Young, all in favor none opposed. There was no public participation. Mark Apostolou made a motion to close the public portion, seconded by Greg Love, all in favor none opposed. Mark Apostolou made a motion to approve the application with all stipulations, seconded by John Burke.

Board Members Voting Yes:

Mayor Donovan, John Muly, Robert Young, Greg Love, Mark Apostolou, Leonard Sullivan, Neil Hamilton, Mark Larkin and John Burke.

APPLICATION #30-2018 – Re, Salvatore – 232 4th Avenue – Block: 176 – Lot: 20.01 – Zone: R-3 – Tim Middleton is the attorney representing the applicant. Mr. McGill swore in Salvatore

Re, owner/applicant, Lino Dealmeidia, PE and Al Yodakis. First to testify was Lino Dealmeidia was the first to testify, the Board accepted his credentials. Mr. Dealmeidia gave a description of the existing conditions. He prepared a Site Plan and Drainage Plan for the applicant. Currently there is a single family home right up at the front of the property, maybe 1.8-feet from the front property line, it's about 2.9-feet off the north side property line and 7.1-feet off the south side. It's a single story home. The finished floor elevation is 4.8-feet which is currently under the BFE. It does not comply. He was retained by the applicant to design a new home; the finished floor elevation will be 12.75-feet which is about 9-feet above grade. This will allow for parking underneath. It will be setback from the Street 14-feet to the front deck. 26-feet from the property line to the front of the home. The new home will be a two story dwelling. The living space will be above the garage. There are two decks, he had a rendering marked Exhibit A-1 which shows the proposed structure with the garage on the ground level, and living above. The property is 3 houses away from the corner of Brielle Road. The house is directly across from the Lagoon and the reason for the deck is to allow the owner to see the sunset and views of the Lagoon. Mr. McGill asked Mr. Middleton if he was keeping this witness to Engineering and not too far off into architecture. Exhibit A-2 is an aerial of the house taken from Google Earth. The house will be moved back in conformity with other houses on East side of 4th Avenue. There is a photograph of the existing house marked as Exhibit A-3 taken on December 4, 2018. Mr. Delmeidia had another rendering marked Exhibit A-4 of the Westerly elevation. He reviewed Al Yodakis' letter and addressed the requested variances. The applicant is requesting a little less than 2-feet on either side. Mr. Delmeidia said no matter what they would maintain the 18-foot request to the rear deck, Al said so you will turn the steps, recess them. The final variance is the building height; they are proposing 35.3-feet. They set the slab elevation in the garage about a foot higher than the curb, and from there in an effort to keep parking off the Street they wanted to maintain 8-feet in the garage, in order to get two stories above that they ended up with 35.3-feet. After discussing ceiling heights on the first and second floor it was agreed by the applicant they would bring the height to 33-feet so the height variance is eliminated. Next, Al's report was addressed. The air conditioning equipment is within the envelope of the building. Al said there would need to be a road opening permit with the Borough. Al asked about the existing apron on the right side of the building will that be removed? Mr. Delmeidia said if required that would be removed. It was stated there would be a pull through garage under the dwelling. They will use pavers as opposed to concrete. There will be two parking spots on site, one in the driveway and one in the garage. Finished floor height of 12.75-feet where BFE is 9-feet. They will address any comments from the Engineer after his review. Al said if they are able to run electric underground that is what the Board is looking for. The curb and sidewalks will be replaced as necessary. The sheds in the rear of the property will be removed. Greg Love said he would like to see the rear setback increased closer to 20-feet, the applicant stipulated to reduce the rear deck and comply with the rear setback so that variance is eliminated. Mark Apostolou made a motion to open the meeting to the public, seconded by Robert Young, all in favor none opposed.

Audience Members Coming forward and sworn in:

Patricia Walsh – 229 Third Avenue – She is happy with the 20-foot rear yard setback change. She is delighted you are removing the sheds. She is concerned with the lighting in the back. The lighting will be shielded. She is concerned with lot coverage.

Jennifer Zimmerman – 228 Fourth Avenue – She is one neighbor to the north of this property. She and her husband welcome the building. They moved to the area in the hopes that the homes in the area would be improved. She asked about the width of the driveway, the answer is 12-

feet. Her other comment is if they would put some sort of a sound barrier for the A/C units. Neil said they would put it in the Resolution that there would be some sort of a retaining wall, barrier wall around there. George asked about the reduction of coverage which was answered about 48 square feet. Al said it brings the building coverage down to 40.58-feet.

Paul Zimmerman – 228 Fourth Avenue – He asked if the garage is going to be raised concrete, will the rest of the property going to be graded or raised in any way. Mr. Dealmeida said it will be slightly re-graded but we will be directing all the storm water to the front of the house, there is also a re-charge system with pop-up emitters that discharge to the front.

Mark Apostolou made a motion to close the public portion seconded by Greg Love, all in favor none opposed. Greg Love said he would like to commend the applicant for coming in with a number of variances and being flexible to make things work. George McGill said let's get back to the coverage. It will be dropped to 39.1%. The variances were addressed again, lot area, lot frontage, building coverage, front yard setback, side yard both north and south. Mark Apostolou made a motion to approve the application, seconded by Leonard Sullivan.

Board Members Voting Yes:

Mayor Donovan, John Muly, Robert Young, Greg Love, Mark Apostolou, Leonard Sullivan, Neil Hamilton, Mark Larkin and John Burke.

Mayor Donovan told the Board that Kevin Thompson and his family said thank you very much for the fruit basket from the Board. He is not doing that great but he will be fine.

Neil said we have a letter of correspondence from Brian Moran, Perrine Boulevard application approved in February of this year, he is looking for a 9-month extension to carry on. Mark Larkin made a motion to approve the extension, seconded by Robert Young all in favor none opposed.

Mayor Donovan said Council passed the second reading of Flag Lots.

Neil said regarding the second meeting of December, we were going to cancel that but there is an applicant who purchased the date. The meeting will be on the 18th, it's a minor subdivision with no variances and if we have a quorum we are good to go at 4PM.

The meeting dates for 2019 are in your packets, one comment is July 2nd Mary will be away and Neil feels that is a tough week anyway, his suggestion is to cancel July 2nd have a regular meeting on July 16th and just have the one meeting that month. There was discussion about the Inlet Celebration possibly falling on that date. Mary asked if the Board wanted to do the 9th which will be at 7PM. It was decided to hold the meeting on the 9th of July.

Next, Greg Love the Nomination Committee Chairman addressed the Board, he said Neil has graciously accepted, Bob Young has also graciously accepted and Mark Apostolou has graciously accepted. So, that's the lineup of Chairman, Vice Chairman and Acting Chairman should both of you be unable to make it. Also, Professionals we will accept their contract for another year and also ask Mary to come back for another year. George McGill said everybody carries over until the Re-Organization meeting of January 8, 2019.

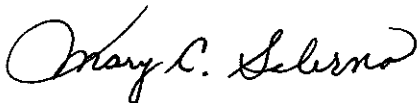
Mark Apostolou made a motion to approve the meeting dates, seconded by Lenny Sullivan, all in favor none opposed.

John Burke made a motion to accept the nominations for 2019, seconded by Lenny Sullivan, all in favor none opposed.

Mark Apostolou made a motion to go into closed session, seconded by John Burke, all in favor none opposed.

The Board came out of closed session and proceeded to vote to adjourn, the meeting was adjourned at 8:55PM.

Respectfully submitted,

A handwritten signature in cursive script, reading "Mary C. Salerno".

Mary C. Salerno
Planning Board Secretary