

The Manasquan Planning Board held a regular meeting on Tuesday, October 9, 2012 at 7PM in the Borough Hall, 201 East Main Street, Manasquan, New Jersey. Geoff Cramer read the Open Public Meeting statement. Chairman John Burke called the meeting to order and asked everyone present to please stand and salute the Flag. He then asked the secretary to call the roll.

ROLL CALL – BOARD MEMBERS PRESENT:

Mayor George Dempsey, John Muly, Patrick Callahan, Joan Harriman, Councilman Owen McCarthy, John Burke, Leonard Sullivan, Peter Ragan

BOARD MEMBERS ABSENT:

Neil Hamilton, Michael Sinneck, Jay Price, Mark Apostolou

PROFESSIONALS PRESENT:

Geoffrey S. Cramer – Planning Board Attorney

Albert D. Yodakis – T & M Engineering – Planning Board Engineer/Planner

APPLICATION #22-2012 – DePinto, Anthony and Yvette – 162 First Avenue – 161 Beachfront – Block: 170 – Lot: 15 – Zone: R-4 – Keith Henderson was the attorney representing the applicant. Mr. Henderson gave a background of the property. There were three previous applications regarding this property prior to the DePinto's. Mr. Cramer swore in Yvette DePinto – 36 Liberty Place, Weehawken, NJ, Chris Rice – Architect for the applicant and Al Yodakis – T & M Associates. Mrs. DePinto was the first to testify. They purchased the Beachfront property in October 2007. The First Avenue property July 2010. She purchased it when it was condominiums. Mr. Henderson entered Exhibit A-1 which is a copy of the Deed revoking the Condo status. She owns the property as a single lot with two houses now. They are not changing any footprints and in fact are not touching the Beachfront house at all. They are only changing the space over the garage on First Avenue to get some height so they can stand on that floor. Next witness was Christopher Rice, the Board accepted his credentials and he described the scope of the project. It's a 27-foot lot on First Avenue; they are not touching the footprint or the height of the First Avenue Structure. What's there today will remain exactly as is they are only going to rip the roof off which today is a gable roof and turn it into a Gambrel roof for the purpose of gaining more headroom on that second story. There are pre-existing conditions. Their intention is just to make the First Avenue house nicer and newer. The mechanicals are between the First Avenue house and the Beachfront. Everything was addressed on the T & M report; the 80-square foot storage area will be met in the garage. Regarding Valerie's letter, she is requesting the Tax Map be revised, she has this encroachment calculation of the front step on the Beachfront, there will be step encroachments more and more, every time you elevate a house you put steps into the setbacks. John Burke said that is something you will have to deal with the Town Council on. Chris Rice said this step exists. Joan Harriman asked if this has to be resolved prior to granting the Variances. George said it's not the Board's jurisdiction, it the Council's, they have a right to appeal it if they choose not to pay we have the right to have them remove it. So, 99% pay. Lenny

Sullivan asked why this wasn't addressed before. Keith Henderson said it never gets addressed until an application comes to the Board. Keith said if you did a Survey of the entire Beachfront you would probably find a lot more. George said little by little. Keith Henderson gave his summary. Mayor Dempsey made a motion to open the meeting to the public; the motion was seconded by Patrick Callahan, all in favor none opposed. There was no public participation.

Mayor Dempsey made a motion to close the public portion of the meeting; the motion was seconded by Patrick Callahan.

Leonard Sullivan made a motion to approve the application as discussed, Joan Harriman seconded the motion.

Board Members Voting Yes:

Mayor George Dempsey, John Muly, Patrick Callahan, Joan Harriman, Councilman McCarthy, John Burke, Leonard Sullivan, Peter Ragan

APPLICATION APPROVED

APPLICATION #21-2012 – Tomasso, Raymond – 520 Brielle Road – Block: 175 – Lot: 3 – Zone: R-3 – Geoff Cramer swore in Raymond Tomasso, Patricia Tomasso and Tom Peterson – Architect for the project. Mr. Tomasso was the first to testify. He and his wife live here full-time. They had the intention of doing a re-model on the house and discovered that it was in a flood-zone. They had to conform to the building elevation flood requirements. Upon review of all of their options they decided to remove the house, use the existing foundation, and build a new house on the slab that is there. They looked into raising the house and that didn't work out so then they met Mr. Peterson and made application to the Board and that's why they are here tonight. Mr. Cramer marked a packet Tom Peterson handed to him as Exhibit A-1. The first page consists of a Google aerial map of the property, and four additional pages two pictures on each page of the existing house from different angles. He said this is an existing structure on an existing property on Brielle Road in a flood zone as all the properties are there. The flood codes say that any improvements that you make the value of the improvements have to be less than 50% of the value of the structure that currently exists. Or, the entire property/structure has to be brought up to the flood compliance. In this case even just the second floor would be well more than the 50%, which means the existing structure would have to be brought up to flood compliance and in that case that means raising the house, putting in flood vents, types of strapping and flotation resistance would have to be put in. It makes the addition of the second floor an impossible thing to do. As we look at the structure very quickly it became obvious that the existing structure had some problems with it and it just became more viable to remove the frame entirely, add on to the existing foundation to bring the new floor level up above the flood requirements and then construct the house from there. The existing foundation is in good shape in and of itself, in terms of the load bearing capabilities that are required for a house of this size. The house itself will be exactly the same footprint that exists there now, with the exception that we wanted to add a covered porch in the front. He addressed the aerial photograph which shows that this house sits well behind the houses on either side. In fact the houses up the block you can see that many of them come out as far or further than what the applicant is proposing with the open porch. The last two pages of photographs try to show the view looking to the east and the west along Brielle Road to show you that although the front porch they are proposing is

further into the front yard setback than is required, the predominance of the homes along there, certainly the ones on either side are out even further than what they are proposing. They are requesting an open porch and the Technical Review report stipulated that that porch would never be enclosed in way and they would have no problem with that whatsoever, they have no intention of ever enclosing the porch. There are pre-existing variances other than the front yard which is where they will be encroaching with the new porch. The biggest one is the side yard setback to the west. There is an existing shed on the property which is used for typical outdoor storage; they are not proposing to change that. The only other item that Dick had noted on his denial is the setback to the existing deck which is a slightly elevated deck and you can see that in the photographs it's 12-feet, it should be 20-feet, our proposal is to simply leave the deck in place. The TRC report also alluded to raising that deck even further but he feels that would be out of place for the neighbors on either side whose decks are at or below that level to raise this up even above there would create a condition where you would almost have a wall of deck on either side. This is not a large house. He explained the interior of the house. Board members asking questions were John Burke, John Muly, Joan Harriman, and George Dempsey. There was discussion regarding the rear deck and it was agreed that they would put additional strapping on it. The third floor will have a half bath, it's not meant to be a bedroom although it does have egress windows. There is a sliding glass door out the front. Tom gave his closing statement. John Muly made a motion to open the meeting to the public, the motion was seconded by Patrick Callahan, all in favor none opposed. There was no public participation. Mayor Dempsey made a motion to close the meeting to the public; the motion was seconded by Leonard Sullivan, all in favor none opposed. John Muly made a motion to approve the application with stipulations about closing in the porch and strapping the deck, the motion was seconded by Patrick Callahan.

Board Members Voting Yes:

Mayor George Dempsey, John Muly, Patrick Callahan, Joan Harriman, Councilman Owen McCarthy, John Burke, Leonard Sullivan, and Peter Ragan

APPLICATION APPROVED

Leonard Sullivan left the meeting at 7:49PM as he couldn't vote on the Resolutions.

RESOLUTION #16-2012 – Coffey, Kevin – 574 Marlin Avenue – Joan Harriman made a motion to memorialize the Resolution, the motion was seconded by Patrick Callahan.

Board Members Voting Yes:

Mayor Dempsey, John Muly, Patrick Callahan, Joan Harriman, John Burke, and Peter Ragan.

RESOLUTION MEMORIALIZED

RESOLUTION #17-2012 – Attardo, Anthony and Tracy – 390 E Virginia Avenue – Patrick Callahan made a motion to memorialize the Resolution, the motion was seconded by John Muly.

Board Members Voting Yes:

Mayor Dempsey, John Muly, Patrick Callahan, Joan Harriman, John Burke and Peter Ragan.

RESOLUTION MEMORIALIZED

RESOLUTION #18-2012 – McKeon, William and Maryann – 506 Brielle Road – Patrick Callahan made a motion to memorialize the Resolution, the motion was seconded by John Muly.

Board Members Voting Yes:

Mayor Dempsey, John Muly, Patrick Callahan, Joan Harriman, John Burke and Peter Ragan.

RESOLUTION MEMORIALIZED

RESOLUTION #14-2012 – Fitzpatrick, James – 64 Second Avenue – Joan Harriman made a motion to memorialize the Resolution, the motion was seconded by Peter Ragan.

Board Members Voting Yes:

John Muly, Patrick Callahan, Joan Harriman, John Burke and Peter Ragan.

RESOLUTION MEMORIALIZED

RESOLUTION #19-2012 – Seem, Eric – 297 Beachfront, 298 First Avenue – Mayor Dempsey made a motion to memorialize the Resolution, the motion was seconded by Patrick Callahan.

Board Members Voting Yes:

Mayor George Dempsey, Patrick Callahan, John Muly, Joan Harriman, and John Burke

RESOLUTION MEMORIALIZED

RESOLUTION #20-2012 – White, Thomas – 37 N Jackson Avenue – John Muly made a motion to memorialize the Resolution, the motion was seconded by Patrick Callahan.

Board Members Voting Yes:

John Muly, Patrick Callahan

RESOLUTION MEMORIALIZED

Minutes of September 11, 2012 – Patrick Callahan made a motion to approve the minutes; the motion was seconded by Joan Harriman, all in favor none opposed.

MINUTES APPROVED

Owen McCarthy – abstained

Minutes of September 18, 2012 – Special Meeting – John Muly made a motion to approve the minutes; the motion was seconded by Joan Harriman all in favor none opposed.

MINUTES APPROVED

Owen McCarthy – abstained

Patrick Callahan made a motion to approve the Vouchers, the motion was seconded by John Muly, all in favor none opposed.

VOUCHERS APPROVED

Owen McCarthy went over the revised Ordinance dealing with the improvement of non-conforming structures. There was a meeting with Pat, Neil, Mark Kitrick, and Joe DeIorio as to what exactly was approved and what was not approved. It was a collaborative effort to address the concerns of the Code Enforcement area, which everyone seemed to be

satisfied with. It came to the Council in the revised manner. The copies given to the Board members are just for their record.

John Muly made a motion to adjourn the meeting, the motion was seconded by Mayor Dempsey, all in favor none opposed.

MEETING ADJOURNED AT 8:02PM

Respectfully Submitted,

**Mary C. Salerno
Planning Board Secretary**