

The Manasquan Planning Board held a Regular meeting on July 2, 2013 at 7PM in the Council Chambers of the Borough Hall, 201 East Main Street, Manasquan, New Jersey. Mr. Cramer attorney to the Planning Board read the Open Public Meeting Statement. Chairman John Burke asked everyone present to please stand and salute the Flag.

**Roll Call:**

**Board Members Present:**

John Muly, Joan Harriman, Neil Hamilton, John Burke, Greg Love, Leonard Sullivan, Jay Price

**Board Members Absent:**

Mayor Dempsey, Patrick Callahan, Councilman McCarthy, Mark Apostolou, Peter Ragan, and Robert Young

**Professionals Present:**

Geoffrey S. Cramer – Planning Board Attorney

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

**APPLICATION #21-2013 – VFW Post #1838 – 30 Ridge Avenue – Block: 43 – Lot: 4.01 – Zone: R-2** – Joseph Lane is the attorney representing the VFW, another attorney stood and introduced himself as Roger McLaughlin, he is representing Mr. and Mrs. Thomas and Patricia Coyle who reside at 47 McGreevy Drive, property which is contiguous with the VFW property along the VFW's rear line. They are objecting to the application. Mr. Lane continued to give an overview of the project. He called Chris Rice to testify, Mr. Cramer swore in all the witnesses, Chris Rice, Ray Carpenter, John Murphy and Al Yodakis.

\*For the record there was terrible buzzing in the sound system so some of tonight's testimony has been distorted.

Chris referenced Ray Carpenter's plan which he referred to as a Site Plan, he stated the VFW building is right in the middle of the property. The garage is going to be placed in the back left corner of the property. We are meeting all the setbacks, coverage for the overall property. We are reducing the size of the building if need be to 600 feet. Basically it's a garage, and meets all the requirements of a residential garage for the property. It's a two-bay, two-car garage and adjacent to it is really storage and a bathroom and a counter top and stairs up to whatever space we have left under the roof up top. They greatly need storage, if you have been in the building, it's old and we looked to add onto the building it proved to be very difficult and a much bigger deal than just adding a garage. Again, this is a residential neighborhood so you do see a lot of primary structures and detached or attached garages, so we thought it might be more in keeping with the area to leave the main building as is. It's only 10% of the building coverage, so it's minor compared to the size of the lot. Three or four times a year they do outside functions, this is going to be a nice, easy and convenient place to have a powder room, clean storage, temperature controlled. The elevations are sheet A-2, the front elevation faces the Street. They will meet the required 15-foot maximum height. The property slopes down a little bit so they might have a little

extra space up there to crawl around in for storage. It's a small building on a huge lot in a residential neighborhood. The lot size is 150 X 156-square feet, which could be three building lots. The Board members asked numerous questions of Mr. Rice. They will be under 9% building coverage, where 30% is allowed. Next Mr. McLaughlin questioned Mr. Rice. He asked what the VFW requested of him. Chris said the building as it is doesn't have storage, they have a meeting room upstairs, more of a function room downstairs. The main focus was to give them somewhere where they could store both indoor type products and exterior type products. He asked if to his knowledge the VFW had any vehicles. He then said so this building is not for a garage it's to be used for storage or other purposes. You also mentioned at certain times of year the VFW has functions. Chris said yes, outside functions, he wasn't sure what they were. Mr. McLaughlin asked what is the purpose in the design of this building a linen closet. Chris said he has that outside of the powder room. Typically when we do a bathroom that might be used by the general public you want a closet nearby for toiletries, towels, toilet paper, a mop, something like that. Mr. McLaughlin then questioned having a refrigerator and a sink and counter space provided and what is the purpose of that. Chris said again to store paper goods, cups, for events. The refrigerator will be overflow for what they can't handle inside in the refrigerators. And the serving window is that in fact what it's supposed to be. Mr. McLaughlin asked Mr. Rice why they couldn't move the garage closer to the existing building. Chris said it would affect the ingress and egress. Chris said this is really their only opportunity for a green area, if you put this building next to it or attached to it, it would take away green space. Next, Mr. Lane called John Murphy to testify, he is the Senior Vice Commander of the VFW and has been off and on for at least 10 years. He lives at 7 Main Street, Farmingdale. He testified the building is used for general meetings and three functions a year outside under tents, one is Memorial Day and the other one be a picnic and Oktoberfest. They currently run from 12:30 until about 5 in the evening, we clean up and put everything away. We hope to run a new one this year. Three are for the general public. All our neighbors are always invited. Most of our stuff is catered. He described the layout of the building which only has one ladies room and that is on the second floor. He explained what the use of the new building would be. They have files that have to be saved for the State and they would be boxed and put on shelving in the new building. He said he did speak to the neighbors to tell them about what they were thinking about doing with regard to the proposed structure. The bathroom in the new building would be completely ADA accessible. Al Yodakis said there is a reduction in the number of parking stalls with the new layout and would that affect their normal meeting schedule or parking for parties. Mr. Murphy said Chris Rice thought they would have the same amount of parking, they would just re-do the layout. They are trying to beautify the property at the same time so yes the parking is sufficient because we use the neighborhood for parking and close the lot when we put up our tents. Mr. McLaughlin questioned Mr. Murphy. There won't be a stove as they don't intend to do any cooking inside, the only thing they do on the property is grill. He is familiar with Mr. McLaughlin's client; he said he is a member. He asked if any consideration what impact this might have on his client's property. Mr. Murphy said it's far enough away from his property; the only issue he mentioned to him was the height and drainage, because he had issues with drainage. Mr. McLaughlin asked Mr. Murphy if he gave any thought to putting a storage building in a different area on the property. Mr. Murphy said no one has ever brought that suggestion up and he will leave

that to Ray Carpenter and Chris Rice to tell him the best thing to do and we were trying to make it look residential, so when people looked at it, it would look like someone's garage. Next, Mr. Lane called Ray Carpenter whose credentials were accepted by the Board. He prepared the Site Plan for the application. He explained the Variances requested for the application and it is his belief that a garage is an accepted structure for the Zone in fact they could have proposed a larger building if this were a single-family home. The proposed size of the building is 600-square feet, and the shed would be removed. They still need a "D" Variance. The applicant stipulated to a Deed Restriction on the property that this structure will never be occupied. Mr. McLaughlin had a photograph which was marked as Exhibit O-1, it depicts the property in question. Mr. McLaughlin said these events and the clean up would be very noisy for the neighbor and was this considered. Mr. Carpenter said whether it was a single-family house or the VFW Hall if someone had a party the noise would most likely be the same. Mr. McLaughlin said that didn't answer his question. Mr. Carpenter tried to answer it to his satisfaction. Mr. McLaughlin had two witnesses to call. Mr. Hamilton said this would go for another hour and we have a policy here and we are over already. Neil Hamilton made a motion to carry the application this application to July 16, 2013 at 4PM, the motion was seconded by John Muly, all in favor none opposed.  
*APPLICATION CARRIED TO JULY 16, 2013 AT 4PM*

APPLICATION #30-2013 – Gavan, Henry – 126 Fletcher Avenue – Block: 109 – Lot: 7 – Zone: R-1 – Rick Brodsky is the attorney representing the applicants, Henry and Maureen Gavan. Geoff Cramer swore in Charles Surmonte, Maureen Gavan, Henry Gavan, Robert Dull. Mr. Brodsky gave his opening statement. The Storm basically destroyed the Gavan's home. Due to the foundation damage there was no way to save the structure. Having no other choice the Gavan's demo'd their house. They did have a separate structure on the property which is basically a 2 ½-car garage with a small apartment on top. Ever since they owned the property the garage apartment was always rented out. That's where they are living now, waiting for approvals and construction of a new house. Basically what they are looking for they want a return of the status quo. They are seeking a D-Variance to grant the applicant's permission to replace their existing home and put up a new home which is a pre-fabricated type of structure and to keep the garage at the rear of the property as well. Charles Surmonte gave his credentials and they were accepted by the Board. He walked the Board through the application as to what was there and what is proposed. The property sits on the north side of Fletcher three properties up from Jackson Avenue; it's slightly greater than 50-feet in width and about 150-feet in depth. The proposed dwelling almost fits over the previously existing dwelling. It's slightly wider but the depth is almost identical. The previous house had a footprint of about 1080-square feet; the proposed dwelling with the front porch has a footprint of 1140-square feet. We are looking to elevate this dwelling to elevation 13 that would allow us to have a functional crawl space with a depth of about 3 ½-feet. The total height of the house as measured from the crown of the road is 33.96-feet. The front setback is proposed 21.8-feet to the porch, 29-feet to the porch. The average does exceed what we are proposing so they do need a variance for the front setback. The garage is an existing non-conformity. The corner of the garage encroaches onto the neighbor's property at one point by about 4-5 inches. The last variance is the dormer setback; a minimum dormer setback of 2-feet is required for non stairwell dormers, whereas 0 is proposed. The Technical Review Committee asked if

there was any possibility of relocating the stairs on the garage apartment. The Gavan's have spoken to the neighbor and they don't have a problem with that. The applicant stipulated that they would obtain an easement from the rear property owner, Justin Peters. Next, Engineer Al Yodakis' report was addressed. If they can they will provide underground utilities. Next, the issue of the driveway leading to the rear was addressed. Historically, the arrangement has been that the tenants don't park in the rear. Al said there should be four parking spaces on the property. Next, Robert Dull testified, he gave his credentials which were accepted by the Board. His company is RBA Builders of Red Bank, NJ. He addressed the request for the dormer which is not a stairwell dormer but having it as designed will balance the house. Al explained that these are not the huge dormers you see on the Beachfront, these are small and setback. The Gavan's were present in case the Board members had any questions. There were no questions from the members. John Muly made a motion to open the meeting to the public, the motion was seconded by Neil Hamilton, all in favor none opposed.

**Audience Members coming forward:**

**Harold Manson – 125 Fletcher Avenue** – he has been a neighbor to the Gavan's for fifteen years and this is a disastrous situation for the whole community and it's time to put our neighborhood back together, he asked the Board to grant the application. He lives across the Street from the applicant's. He has lived in that neighborhood since he was born. Their tenants are part of the neighborhood.

**Justin Peters** – He lives directly behind the applicants, he has lived there for seven years. The apartment has never been a problem. He will agree to an easement and he and the Gavan's will work that out. The Storm took their house away and he says let them re-build.

**Sharon Kubu** – 121 Fletcher Avenue – she said the garage apartment has never been a problem and she feels it's fair that the Board let them keep their structures as they were. Neil Hamilton made a motion to close the public portion of the meeting, the motion was seconded by John Muly, all in favor none opposed.

Leonard Sullivan made a motion to approve the application with the stipulations, the motion was seconded by John Muly.

**Board Members Voting Yes:**

John Muly, Neil Hamilton, John Burke, Greg Love, Leonard Sullivan, Jay Price

**Board Members Voting No:**

Joan Harriman – she said they are trying in this Town to make the residential area not have back apartments and to decrease the density throughout the Town. If there was a way to say in the event they moved the apartment would become not rentable she would possibly vote differently.

***APPLICATION APPROVED***

The Board took a 5-minute recess.

**Roll Call Following Recess Board Members Present:**

John Muly, Joan Harriman, Neil Hamilton, John Burke, Greg Love, Leonard Sullivan, and Jay Price.

**RESOLUTION #25-2013** – Cresitello, Don – 361 Beachfront – Block: 185 – Lot: 25 – Zone: R-4 – Neil Hamilton made a motion to memorialize the Resolution; the motion was seconded by John Muly.

**Board Members Voting Yes:**

John Muly, Neil Hamilton, John Burke and Leonard Sullivan

***RESOLUTION MEMORIALIZED***

**RESOLUTION #31-2013** – Brubaker, Nancy – 291 First Avenue – Block: 185 – Lot: 25 – Zone: R-4 – Leonard Sullivan made a motion to memorialize the Resolution; the motion was seconded by Neil Hamilton.

**Board Members Voting Yes:**

John Muly, Neil Hamilton, John Burke, and Leonard Sullivan

***RESOLUTION MEMORIALIZED***

Neil Hamilton made a motion to approve the vouchers, the motion was seconded by Leonard Sullivan, all in favor none opposed.

***VOUCHERS APPROVED FOR PAYMENT***

Leonard Sullivan made a motion to approve the minutes of March 19, 2013 Second Meeting, Neil Hamilton seconded the motion all in favor none opposed.

***MINUTES OF MARCH 19, 2013 SECOND MEETING APPROVED***

There was a brief discussion regarding building height.

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

***MEETING ADJOURNED AT 9:10PM***

Respectfully Submitted,

Mary C. Salerno  
Planning Board Secretary