

The Manasquan Planning Board held a Regular meeting at 7PM on February 3, 2015 in the Council Chambers of the Borough Hall, 201 East Main Street, Manasquan, NJ.

Chairman Hamilton opened the meeting by asking everyone to join him in a moment of silence in remembrance of the passing of our Chief, Danny Scimeca who passed away last week after a hard fight for a very difficult disease he had. Certainly he is going to be missed. We offer our best to his family and for the life that Danny gave to this Borough, he was quite an officer and certainly an outstanding Chief, he gave a lot of commitment to Manasquan.

The Chairman, then asked everyone to please stand and salute the Flag.

ROLL CALL:

Board Members Present:

Chairman Neil Hamilton, Paul Rabenda, Councilman McCarthy, Mark Apostolou and Kevin Thompson

Board Members Absent:

Mayor George Dempsey, John Muly, Joan Harriman, John Burke, Greg Love, Leonard Sullivan, Peter Ragan and Robert Young

Professionals Present:

**Geoffrey S. Cramer – Planning Board Attorney
Albert D. Yodakis – Planning Board Engineer/Planner**

Minutes, January 6, 2016, Regular and Re-Organization Meeting – Mark Apostolou made a motion to approve, seconded by Kevin Thompson, all in favor none opposed.

MINUTES APPROVED

Approval of Vouchers – Kevin Thompson made a motion to approve the Vouchers, seconded by Paul Rabenda.

Board Members Voting Yes:

Paul Rabenda, Councilman McCarthy, Mark Apostolou, Kevin Thompson and Neil Hamilton.

VOUCHERS APPROVED

RESOLUTION #39-2014 – Graham, Richard – 35 Deep Creek Drive – There are a few changes Geoff will make on the Resolution. Mark Apostolou made a motion to memorialize, seconded by Kevin Thompson, all in favor none opposed.

RESOLUTION #23-2014 – Budisak, Brian – 76 First Avenue, 77 Beachfront – Mark Apostolou made a motion to memorialize, seconded by Kevin Thompson, all in favor none opposed.

RESOLUTION #11-2015 – Savini, Daniel – 45 N Farragut – Kevin Thompson made a motion to memorialize, seconded by Mark Apostolou, all in favor none opposed.

RESOLUTION #10-2015 – Pharo, Ryan – 19 Lockwood Avenue – There will be wording added to paragraph #5 for a continuing obligation to maintain that buffer, in case something dies out. The applicant agreed to that. Mark Apostolou made a motion to memorialize, seconded by Kevin Thompson, all in favor none opposed.

Geoff Cramer read the Rules of the meeting according to the Open Public Meetings Act.

APPLICATION #46-2014 – RALCO BUILDERS, LLC – OCLAR PROPERTIES, LLC – 49 Forest Avenue – Block: 29 – Lot: 1 – Kevin Starkey is the attorney representing the applicant, RALCO Builders, LLC. Neil made a statement prior to beginning the hearing, he said there are people that are in the audience this evening who have concerns and want to voice their opinions. He suggests Mr. Starkey try to do an overview rather than get into the detail, primary up front is the use of the Mausoleum and how it's incorporated into the entire cemetery. Water is an issue up there, we are prepared to address that, traffic on Gardeners Lane is also an issue. The meeting will be carried. Mr. Cramer swore in Ray Carpenter, Engineer for the project, Troy Nicola representative of the cemetery, Land View Cemetery, Neil Ducharme contract purchaser and owner of RALCO, Builders, and Al Yodakis, Board Engineer. The application is for a major subdivision to create five (5) residential lots; the subdivision will create a sixth lot that will be the existing property that is there. Because of the way this subdivision is proposed there is one variance that will be sought for frontage for that sixth cemetery lot. There are some issues relating to setbacks, we can address those in testimony here tonight how those will be dealt with. Mr. Carpenter was the first to testify, the Board accepted his credentials. He had an overview of the application. He said at the end of Forest Avenue they will take a portion of the cemetery which is designated at Lot: 1, Block: 29 subdivide it into five (5) residential conforming lots. The remainder lot of approximately 45456 square feet as a remainder, that's the portion of the lot that has the mausoleum partially on that lot and partially on the lot to the rear of that. We are proposing no improvements to Forest Avenue, it's already paved. We spoke to Mr. Yodakis about curbs and sidewalks, they are existing opposite the Street, we would prefer just to put curbs on our side of the Street with curb cuts for the driveways to leave it more rural to blend in with the surrounding cemetery. You have a letter from your Police Department regarding traffic, it indicates they reviewed the site and they didn't feel it would be a negative impact on safety for the residents. There is also a letter from your Fire Department saying that they have no comments after they reviewed the application. Mr. Yodakis mentioned to Ray about an issue possibly of water pressure for a water main on Forest Avenue. There is a fire hydrant somewhere on the frontage of our property; he assumes that is a dead end fire hydrant, from talking with people he believes the water main does not go to the full end of the Street. Chances are we would have to extend the

water main all the way to the end of the Street to pick up the last couple of lots. He will talk to the Public Works Department and discuss the ramifications of the water pressure and the extension of the water main. He won't comment on that right now, they are perfectly willing to do it because obviously we have to provide water and sewer service to all the lots. The manhole for the sewer line is right on the property line to the last house; the sewer is not an issue. He then addressed the Engineer's letter. He took a section of the USGS Map that shows the property, it shows the cemetery, Church Street, Forest Avenue. There is approximately a 5-foot difference in grade from the rear of their property to Forest Avenue. He proceeded to explain the topography of the land from the cemetery to the proposed subdivision. He feels drainage will not be an issue. Once they develop the lots, they will conform with the Town's Ordinance on Storm water management, it is his representation to the Board that once they finish developing the site there will be less water going to Forest Avenue than there is now. Mr. Nicola assured Mr. Carpenter that water is not an issue in the cemetery. Ray also stated that these houses will have basements, but all water will be retained on each homes property per Ordinance. Geoff had the diagram Ray was using marked as Exhibit A-1. Geoff asked with respect to these swails that will come across these lots to take water over to Forest, he would assume that each of these lots would have to have some type of drainage easement to protect those swails from being excavated, built upon, whatever. Ray said there should be some kind of Deed Restriction to not change the grade. He thinks that is a reasonable expectation. He doesn't see a specific need for an easement. Al Yodakis said his concern is five – ten years down the line, a fence goes up, landscaping, etc. It's difficult without having the topography there to see what type of issues we would have. Potentially a drainage easement, in between subdivision property lines within the setbacks is not necessarily a bad idea. Al and Ray could work something out to not change the flow of the land. Neil said he would rather see each homeowner work out their own drainage issues. Al said there is a natural grade; we can't change what is there. Geoff asked if there were woodlands behind these lots. Ray said no, when this is all said and done we are going to have graves right up to the edge of the proposed new lots. There is not going to be a buffer off-site. The Cemetery is subject to specific regulations as part of their own setbacks and where they can permit graves. It's the State Cemetery Board that regulates that. Unless you get a Storm like Hurricane Irene you are probably not going to notice run off coming from the cemetery. Mr. Starkey said the structures that are placed on the site in the cemetery are subject to this Towns jurisdiction, not the State Cemetery Board, they control the graves that are being put into the ground. Any changes to the structures on that site do have to come in front of this Board for approval including drainage requirements. Ray said the existing lot is 71,548-square feet which is 1.7 acres. Mr. Cramer said your lots collectively are 25,000 square feet. Mr. Starkey said five of them, there will be six lots. It's actually a six lot subdivision; we are creating five building lots. Mr. Cramer said I understand, you have an L that wraps around the five lots. Geoff said his point is if you are having this drainage which has to somehow filter through these lots in some fashion to get to Forest Avenue, wouldn't it be possible to have a retention basin built on the backside of that tract to intercept that water without having it filtrate back into the public water storm water system and Gardeners Lane and Forest Avenue. Neil said we are looking at all that open space to the rear of the five lots. Mark Apostolou said why should we even consider this subdivision if our rights are superseded by the State regarding the Cemetery. The sixth lot, that's going to be

proposed grave sites from what I'm gathering from you, Mr. Starkey said that lot today can put those graves in, we are not changing anything on that sixth lot. Mark said you are getting a subdivision of it. Right now that's yours, but now it's part of this application. Mark said you are seeking to improve that, if we were require that you move that lot line towards the Mausoleum and not have that you wouldn't be able to do anything with those graves if we deny the subdivision. You are proposing a lot of vacant square footage with the sixth lot, we are going to be superseded by the Cemetery Act and I don't know who is going to own that property after this, is it Deeded back to the Nicola's. Mr. Starkey said the Cemetery owns this entire parcel today. Everything that is the subject of this subdivision today is owned by the Cemetery. Mark said your client RALCO is the contract purchases of five of those six lots and he was told that is correct. Mr. Starkey said yes, the remainder of that the sixth lot will remain as it is today under the ownership of the Cemetery. To transfer these five lots to my client the Cemetery needs the approval of the State Cemetery Board, which they have already received subject to this. Mark said if we are thinking about the interest of Manasquan and the residents in that area, perhaps restricting the subdivision and requiring that to be a retention area, rather than graves. We have an obligation as Planning Board members to look at the future, I appreciate your honesty and integrity by saying, listen we are going to put graves right up to that property line. Mr. Starkey said what this Board does have control over is to allow instead of graves being put on those five lots that are being subdivided for residential construction to allow them to be used for residential construction. Mr. Carpenter said you are getting hung up on is your concerned with the runoff reaching Forest Avenue. You don't want to increase that runoff, however we do it. If the same amount of water goes to Forest Avenue in the future as it goes now, is that your concern. Mark Apostolou said he thinks since he hasn't heard what the plans are so he thinks he is putting the cart before the horse. Mr. Carpenter said we are bound by your Ordinance that says when we develop these lots, we have to do a recharge system. That would address roof runoff, that drainage system can be expanded to compensate for all the impervious coverage that we propose on all these lots so that you have no increased runoff from the site. Mark said you are giving us a hypothesis. He then asked Al if there was any flow analysis that have been produced to us that show what's coming off the Atlantic Cemetery. Al said no, this is a little bit more complicated situation, and he understand where the Board is going with the whole retention basin. Part of the issue is the property slopes from the Mausoleum out to Forest Avenue, the increase in impervious coverage is going to be from the new lots and they are going to drain directly to Forest. So, we are going to need to manage the increase in impervious coverage from those lots so we don't have a problem. The retention basin behind those properties he doesn't really know serves our purpose. That basin would need to be extremely deep to manage any of the flow from the lots that are downstream from them. It would be better to manage the ultimate impact on Forest, would be to have the applicant agree that there would be no increase in runoff from the new lots, which it sounds like Mr. Carpenter is saying they are ok and can do on site. This is similar to what we have done before. We are still going to have an issue of the runoff from the cemetery and Mausoleum area, that runoff is going to be going in that direction no matter what we do. Is a swail necessary along the back of those properties, directed down towards the Creek? It will then be a wetlands issue, so now we are talking about potential DEP permits, because we are now diverting water in a new path. Mr. Carpenter said the problem he has is he can't do

drainage calculations on this site because he doesn't know what's going to be built on it. We can represent realistically that no matter what's going to be built is take the maximum allowable impervious coverage for each lot, due the calculations based on that and show that there is not going to be an increase runoff from the site, post development. As far as the swails are concerned, what we normally do is put a swail in and maybe halfway down the swail we put in what we call a yard drain or an A-basin; we pick the water up and take it into a re-charge system of some nature. Through these methods, we can reduce the offsite runoff to a net zero. Mr. Cramer said that refers to the five lots, correct. Mr. Carpenter said correct, but we are not changing anything on the sixth lot, it's going to remain as it is. Geoff said correct, but tonight we are hearing that the prospect for development of that remainder of the property is as cemetery burial sites. Mr. Carpenter asked what impervious coverage does a cemetery plot take. Geoff said I'm not an expert. Mr. Carpenter said we are talking about a headstone. Paul Rabenda said and perhaps a road. Mr. Carpenter said if they propose a road, they will have to come back before you. Because that's a site improvement, which would require a site plan approval. Mr. Cramer said he assumes the Mausoleum was a prior application to this Board and approval to this Board. Can you give me some ideas as to when that was done? Mr. Nicola said 2008/2009 there was an addition to the existing Mausoleum, the first Mausoleum he believes in about 1997, it was a 300 casket Mausoleum, he added an additional 900 caskets around it. They weren't the owner of the cemetery for the first phase, he came in 2000. They did come before the Board in 08/09. Paul asked about the trailer and is it temporary or permanent. Mr. Nicola said one of the things when they came in and bought that cemetery it was almost \$500, 00 in debt in December of 1999. Paul asked about the trailer again and Mr. Nicola said presently they are using the trailer as an office and it would be removed, when they build a permanent structure for an office with a maintenance garage attached, then obviously that trailer will be removed and it will be improving the cemetery tremendously. Al asked if there are any plans to put any roads or access paths going back in there that would increase the impervious coverage. Mr. Nicola said there are no plans for any roads other than what is there currently, obviously we will be repaving them, improving them, but there are no plans for additional access roads. He stated he has no current issues with drainage in the cemetery currently, he doesn't believe coming to Forest Avenue there is any water. Neil asked why they need the out portion of that rear lot onto Forest. Mr. Nicola said for that area we just gave five (5) conforming lots. Neil said and if you are not going to have a roadway there why wouldn't that just be incorporated somewhat into the subdivision. Mr. Nicola said that little access way could give the cemetery access from Forest Avenue to that back area if we ever needed it in the future. Neil said it would be better served by the residents if that portion be taken out of there so it doesn't become some sort of a use for in and out for utility trailers or whatever into that residential zone. If there is no purpose for it he thinks it should be eliminated. Mr. Nicola said he didn't say there was no purpose for it; it's still attached to other areas of the cemetery. Neil said correct, but you can access the back of that from the main portion of the cemetery without that area. It would neaten up the subdivision and take away the potential for any problems. This is something for further discussion. Paul Rabenda said if someone were to come in to put up a shed they would have to recalculate the coverage, Ray Carpenter said they wouldn't be permitted to do it, they would exceed the lot coverage. Paul said if they came in for a Variance Ray said you don't have to grant it. Paul said I was just wondering

why the lots can't be a little larger. Ray said we are proposing lots that are required in the Zone. We are required 5000 square foot lots, that's what we are proposing. Next, Mr. Carpenter said there was a question regarding the Wetlands, he made a copy of the NJDEP I Map, it gives them an idea of where the Wetlands would be, this is just an approximate idea of where they think there is wetlands, not that there are wetlands there. He has suggested that we go for an absence of presence, which means we make an application to the DEP, they come out and look at our site, which would be the subdivision and they would look 100-feet around the site to see if there are any Wetlands within 100-feet of the site and they would issue what we call an absence of presence. The problem with that is two-fold, it takes about two months to get that, and at this time of the year it's impossible to go out and determine where Wetlands are. The map Mr. Carpenter had was marked Exhibit A-2. Mr. Carpenter said Police, Fire, has been addressed, they have to address the DPW and they are prepared to comply with recommendations. Al Yodakis said we have touched on most of the big issues. Mr. Carpenter said they are prepared to put curbing in, sidewalk he doesn't know. That's up to the Board. They will just run the curb along the perimeter of the property that they are subdividing, down to Gardner. Paul Rabenda asked if there are sidewalks on the other side of the Street, the answer was yes. He said he would like to see that blend in with that. Mr. Carpenter said if this remains a cemetery, nobody will be walking there. Al said the big question is the water supply issue. Neil said we have Borough issues, that's something you have to work out with DPW and Council. Owen said he doesn't want to speak to that. Mr. Carpenter said he knows Tom, he will talk to him. Kevin Thompson made a motion to open the meeting to the public, seconded by Mark Apostolou, all in favor none opposed.

AUDIENCE MEMBERS COMING FORWARD:

Lori Centrella – 5 N Main Street also owns property on Central Avenue – She is a little confused, the plans she looked at in the Borough Hall didn't have Wetlands delineation on it, of course there are Wetlands there. The Borough has it on Site, we've had conversations about this, the DEP has been having ongoing issues with the culvert, and it's within 150-feet of the property. Our family actually built the house at the end of Forest Avenue. It was actually built in a Flood Zone. The Borough actually owns the property that exists from the end of Forest Avenue to the bike path, there is a paper road called Cemetery Avenue. She has it on a Plot Plan. There are many concerns, but the main concern is water. The DEP came to her about 6 months ago, because the culvert that exists underneath the bike path has been clogging up. The Monmouth County Mosquito Commission said the people upgrade of the Stream have been having a lot of water in their backyards and they mandated that she and her neighbors came and dig the Stream out all along down to Central Avenue, which they did.

Nancy Newman – 11 Gardeners Lane – Traffic, right now there are 20 cars on the North side of Forest Avenue and going down Gardeners Lane with 16 drivers. You put 5 or 6 houses in there how are those cars going to get down. Right now, it's a very narrow entry off of Central Avenue. There is a problem when there is snow for Fireman, First Aide to get down there and now you are going to put more homes. Plus the fact that on Gardeners it's a lot of clay and almost every home on Gardeners Lane has a sump pump. If you are going to bring more water down there we are going to have more problems. Also, there are a lot of children on the Street.

William Ryan – 14 Gardeners Lane – He echoed Mrs. Newman’s comments about the access to Gardeners Lane, it’s very narrow, its one car wide. He is sure the Board has been there. When two cars come there it creates a back-up on Central Avenue, unless somebody doesn’t give and then it’s like chicken. He has other concerns, but one is water drain off, right now the property in question is natural and it is pervious and if we make it impervious it concerns him. As a Planning Board I think you really have to look into that. We have taken a natural type of setting with drainage, and I’ve seen with big storms the water does scoot down Garners Lane, and I’m wondering what’s going to happen when it’s going to drain onto Forest as Mr. Carpenter stated. Well, there are houses right across the Street from Forest, is it going to hit the curb and then what. He is confused at that. So, he would request the Planning Board really take a good look at the water situation.

Steve Edwards – 4 Forest Avenue – His house is directly across the Street from the proposed subdivision. He asked if Forest would be widened to a full 50-feet, it’s currently 41 ½-feet. Neil said no there is no road widening proposed. Mr. Edwards asked if there would be no parking on that side of the Street then. Every other owner that got to build on this Street had to give 8 ½-feet for road widening, that’s going back to the ‘60’s. Mr. Starkey said that’s a good idea, we have no objection to a no-parking on that side of the Street. All these properties will have driveways, so if that was a condition that would be acceptable to my client. Mr. Edwards said then people would be parking on our side of the Street. Mr. Starkey said well we don’t control that, that’s up to you. Geoff said it’s up to the Governing Body, the Planning Board has no control over that. Neil said we’ve heard your comment, we are trying to collect all the comments from the audience. Mr. Edwards said and if it is widened that drain that crosses by Gardeners Lane, that would be affected so would the hydrant.

Mark Apostolou made a motion to close the public portion of the meeting, seconded by Kevin Thompson, all in favor none opposed.

Neil addressed Mr. Starkey stating he has heard the remarks of the public, drainage seems to be an issue, parking, the narrowness of Gardeners Lane and Forest Avenue. We have to continue, you will need time to sit down with our Engineer and Tom Nicastro, DPW to work out these water issues. Mr. Carpenter is not available for the March meeting, so the meeting will be carried to April 7, 2015 with no re-noticing, or re-publishing. Geoff said we need a waiver of the time constraints. Mr. Carpenter said he can get his Environmentalist out there to delineate it, he won’t be able to get a LOI but he will be able to get an idea of where the Wetlands are. Mr. Starkey said just to be clear we recognize our obligation to comply with the DEP regulations on Wetlands. We will do what is required by law for that. Kevin said he would like to see the road widened a bit there instead of sidewalks. Neil said the Borough owns like 7-feet inside the curb line, so if you take the sidewalk out of there the Borough is going to sacrifice that in order to maintain the lot of 100-feet. Neil said we’ve gone far enough so we are moving this to April 7, 2015. Owen made it clear to those present in the audience that they would not be receiving additional notice. Mr. Starkey kept the Exhibits and will bring them back to the April 7th meeting.

APPLICATION #45-2014 – Cresitello, Donald – 362 First Avenue – Block: 185 – Lot: 25 – Neil stated this application is an adjustment in design and the applicant is looking for a height Variance of 33-feet, where 32-feet is approved. Mr. Cresitello said the application is really to the one issue according to your Zoning Officer of the request from 32-feet to 33-

feet. That's what his denial letter is. Mr. Cramer swore in Donald Cresitello along with Al Yodakis, Board Engineer. Mr. Cresitello gave his testimony explaining to the Board this site was previously approved on May 21, 2013 by a re-stated Resolution #25-2013 for two single-family dwellings, one on the Beachfront and a garage apartment on First Avenue. He gave a description of the property, permitted uses in the Zone and the Variance he is seeking is for height. He has demolished the buildings on the property and constructed a single-two and one-half single-story home on the Beachfront. He proposes to modify the plan for the already approved garage apartment fronting on First Avenue. Neil told Mr. Cresitello that he needs to explain where the hardship is regarding his request for 33-feet in height. Mr. Cresitello gave his reasons for the hardship being the narrowness of the lot which is why he was previously granted Variances for the lot. He stated this particular property is the most vulnerable part of Manasquan Beach according to a study done by Steven's Institute. Neil asked where is the hardship in a new construction where you were approved for 32-feet before and now you re-design the structure, you took out the dormers and you kind of increased somewhat of the usable square footage of this new proposed property and now you are looking for an additional one-foot. You need to tell us why, where is the hardship and why you cannot comply with that 32-feet. Mr. Cresitello said when the Council chose to reconfigure this particular Zone to 32-feet, he thinks they meant well because of flood elevations that existed. But, directly across the Street from his structure the flood elevation is 9-feet, yet those houses are permitted to be constructed to 33-feet. On the East side of First Avenue, the flood elevation varies between 14 and 16-feet at different locations along that side of the Street, which is a 5-foot higher flood elevation. So, we are forced to construct this house at a 5-foot higher flood elevation and FEMA recommends that we should have at least a 2-foot clearance between the elevation 14 and the lowest structural member. Where on the opposite side of the Street it isn't the lowest structural member it's the top of the floor, so we therefore at a 6-foot disadvantage. My position is that both sides of the Street should be treated the same and that our hardship is we're squeezing this house with a roofline that isn't aesthetically pleasing into the 32-feet when he had originally requested that the Board might consider 34-feet when they created the new Ordinance, but they chose to do the 32-feet. By restricting the extra foot the attic space is minimal and therefore the mechanical equipment can be placed in the attic which makes the entire duct work system much easier to run because these attics have limited space between floors. We reduced our floor joists to 9 1/2-inches and 12-inches on the other floor, but it still makes it very difficult to snake duct work from one floor to the other floor. By giving us the extra foot, it gives me a 3.6 attic space where he can horizontally mount the equipment and it permits them to be 2-feet above the flood elevation which FEMA absolutely recommends. The State Law is 1-foot but FEMA is 2-feet. Again, remember that's to our lowest structural member not to the top of the floor. Neil asked what the height of the garage is. Mr. Cresitello said the garage has to be a minimum of 10-feet because of the flood zone. The elevation of the Street at my sidewalk is 6-foot, zero, we have to go up 8-feet, plus 2-feet puts us at the 10-foot, 6-inches. He said he can't bring it down at all. Neil asked Al Yodakis if he did a report, Al said no. Mr. Cresitello said this structure has already been approved, other than yes we are asking for the other foot. Somebody questioned the pitch of the roof and the shingles, by us getting the extra foot makes the roof more aesthetically pleasing because it has a greater slope to it, I can't see that one foot is going to be injurious. Neil said this is why the Council went from 30 to 32,

and we put in regulations and we have built numerous homes down there and people have put in very attractive, very good looking homes, they meet the requirements of the flood and it obviously meets their needs. Mr. Cresitello said to rebut that, if the gentleman across the Street can have 33-feet, that's why I'm here because you have a right to grant a Variance. If he can be at 33-feet with a 9-foot flood elevation it just didn't make sense for us with a 14-foot flood elevation to be limited to 32-feet, because we have to squeeze everything in. He thinks the Council acted in good faith at the time, but didn't have all the facts before them because a lot of this was done in haste. Where people might not have had all the construction experience necessary to understand how that compaction causes a great deal of difficulty in building a house. Yes, I have seen some of the houses on First Avenue, and their roof pitch is like this, this Board questioned that at the last meeting and I said well if we had the other foot we'll bring the roof line up. Quite frankly I think the Council should change the Zone to 33-feet, the same that's on the West side of the Street so that we are all treated fairly. Owen asked if he came for his presentation if it wasn't just for a modification and not an addition foot. Mr. Cresitello said that's right, he was not. Owen asked him what happened from then to now. Mr. Cresitello said when we looked at the design and where the mechanicals could go the 2-foot, 6-inches is extremely low to put the furnace in the attic. Originally when this house was approved two years ago, there wasn't really a lot of thought given to the house in the rear, the main focus was the house in the front and then after reconsidering it and seeing how other people constructed homes along the Street, we thought that architecturally this house would be more in keeping with that type of construction. Geoff Cramer said you are seeking a modification to allow this attic area to be heightened. Neil asked for comments from the Board members. Paul Rabenda said you are in the V-Zone. Kevin said he is ok with it. He made a motion to open the meeting to the public, seconded by Mark Apostolou, all in favor none opposed. There was no audience participation. Mark Apostolou made a motion to close the public portion, seconded by Kevin Thompson, all in favor none opposed. Kevin Thompson made a motion to approve the application as requested here tonight, to add the 1-foot, seconded by Owen McCarthy.

Board Members Voting Yes:

Paul Rabenda, Councilman McCarthy, Kevin Thompson

Board Members Voting No:

Mark Apostolou, Neil Hamilton

APPLICATION APPROVED

APPLICATION #12-2015 – Hingston, Walter – Bravo Builders REM Project – 53 N Potter Avenue – Block: 159 – Lot: 8.03 – Zone: R-1

Gabe Bravo principal owner of Bravo Builders authorized NJ REM builder who has been assigned the project to re-construct Walters's home that was completely damaged by Hurricane Sandy. Mr. Cramer swore in Walter Hingston, applicant/owner, Gabe Bravo, Builder and Al Yodakis, Board Engineer/Planner. Mr. Bravo said REM has some very strict guidelines and regulations that they have to follow. Very specifically, he cited the Bulk Variances the Zoning Officer stated in his denial letter. Mr. Bravo said it's an existing, non-conforming lot, extremely small. Its 50-feet long by 25-feet wide. Neil asked if under the REM program if they give any exclusion that preclude the Board's decisions. Gabe answered no; there are so many protocols that have to be followed with this program

when you are designing a home for an applicant. One very specifically is they require a front porch on every home that you design. That's the major Variance that we've been cited for. There is a front porch which brings our front setback to 19-feet. We were originally cited for the AC condenser being on the side, the reason we put it there is because if you look at the Survey you can see that the rear setback is 1.43-feet. In order to comply with that Variance we have to push the house a little forward, and we really should push it forward because a rear setback of 1.43 is just ridiculous and not aesthetically pleasing. It's a one-story dwelling, one bedroom, great room, and bathroom. If we built it without this front porch it would basically look like a garage on pilings. What we are proposing here is significantly more aesthetically pleasing for the neighborhood and more importantly in order for Mr. Hingston to receive this Grant, that front porch has to be there or he won't receive the Grant, you have to design it that way. The other two that we are cited for, you know that these are existing non-conformities, we really can't change the 7,000 square foot required, we can't change the lot frontage, it's just not big enough and there is no additional land to be acquired. We are not disturbing more than the 500 square feet; the new dwelling is only 380 square-feet. We were also cited for the re-charge system, why I don't know because we are below 500 square feet. The other big issue here is he cited us for two (2) parking spaces, there is no way, he has one parking space, it's an existing non-conforming and we are proposing the same, one parking space. With that said we would really hope you would grant this so we can proceed forward with the design because that's the only way he is going to receive his Grant. We can't build his house without this design being approved. We are putting back the same footprint, moving it forward to accommodate the A/C in the rear, you need the parking Variance which is about what is going on right now, there is not a lot of change, Neil said the house looks nice which adds a lot to it. Gabe Bravo said from what is there now it's more appealing to the neighborhood. Neil asked Mr. Hingston if he knew where that lot came from, did that come off the corner house years ago. Walter said he is not sure where it came from, but he does know that when Mrs. O'Connell was moving to South Carolina she asked me if I wanted to buy it, I rented it from her starting in 1990, this happened between '94 and '95, I said if we can work something out. It was subdivided because she had the Deeds from the County. It was a cottage next to her house, she was on Lake Avenue, it was what I am living in now, and it hasn't been right since the Storm. Gabe Bravo said as per HUD and REM it's been deemed unlivable. He lives there now, we need to get him out of there, the floor was compromised, and there were mold issues in there. It needs to be torn down and get his new home going. Neil said it's a nice design. Kevin Thompson opened the meeting to the public, seconded by Councilman McCarthy.

Audience Members Coming Forward:

Richard Hingston – 201 Broad Street – He is here for moral support and would like to see the Board approve it because he thinks it would add to the neighborhood, it would definitely look better than what it looks now.

Patricia Keenan – 11 Ocean Avenue – She saw the plans that Walter brought over to her house, we thought they were very good, I hope that you will approve it. He deserves a nice house to live in, he's been a great neighbor, he is definitely an asset to the Community and she would like to see him in a nice house, and she would like to see him with a front porch and air conditioning system that would fit someplace on the property.

Gabe Bravo said that is also a stipulation of the REM program, they cannot build a new home without central HVAC.

Ms Keenan had other letters from neighbors, Mr. Hamilton said we don't accept them.

Dorothy Wagner – 56 N Potter – She lives right across the Street from Wally, Buzz and she have known Wally for 23 years and they think it's going to be a nice addition to the neighborhood and any neighbors they have spoken to, everybody is behind him and they are rooting for him.

George Corbeels – He lives in Spring Lake Heights, he is a very good friend of Wally's and he helped him after Sandy to do what they could with the house that's there, he knows from helping him that that house right now is substandard and it's really suitable for him to be living in, even though he is not from Manasquan he is a very good friend and he would like to see him get that new house so any of the mold and other construction issues are taken care of. Thank you.

Buzzy Wagner – 56 Potter Avenue – He said it would be a tremendous improvement to the neighborhood, he deserves it. For a small house and a small lot and everything else, the man needs some place to live. He has been an asset to the neighborhood ever since he has moved here so he has no objections to it whatsoever. God bless you.

Mark Apostolou made a motion to close the public portion of the meeting, seconded by Councilman McCarthy, all in favor none opposed.

Kevin Thompson made a motion to approve the application, seconded by Mark Apostolou.

Board Members Voting Yes:

Paul Rabenda, Councilman McCarthy, Mark Apostolou, Kevin Thompson, Neil Hamilton
APPLICTION APPROVED – THE AUDIENCE APPLAUDED

Mark Apostolou made a motion to open the meeting to the public, seconded by Owen McCarthy, all in favor none opposed.

Audience Member Coming Forward:

Patricia Murnane – 24 Potter Avenue – she is here on the 19 Lockwood Resolution that was memorialized, she was here on the original hearing date and it was stated that someone from the Borough was going to look at the drainage issue between the Pharo property and her property and she wondered if that was included in the Resolution or was going to be taken care of. Geoff said there is a Landscaping Plan that he is required to submit for the Engineer's review and approval requiring certain standards to be met including plantings back along the rear property line and the setback for that rear porch. Ms. Murnane said it's strictly a drainage issue into our property and she is sure she heard someone say at the last meeting it would be looked at. Neil Hamilton said over the past years it has been looked at by Code Enforcement, we will send it back to Code Enforcement to have him take one more look at it again. The property is low back there and it doesn't perk, but as long as the Pharo's are containing all their water, that's all we can ask those folks to do. Ms. Murnane said we were always depressed as they tell us, other people are up, you can just go in the back and look through the fence. Mark Apostolou said we were hoping that the plantings would take some of that water, but if you remember at the last meeting and not trying to be rude in any way, we can't really force them to do anything else. Al

Yodakis said with the snow coverage we really can't see much out there. Owen said we did ask them to maintain the buffer they will install.

Mark Apostolou made a motion to close the public portion, seconded by Kevin Thompson, all in favor none opposed.

The Board voted to cancel the second meeting of February 18, 2015, Owen said just cancel February for now and in case someone appears for the second March meeting we will take care of that next month.

Councilman McCarthy made a motion to adjourn, seconded by Mark Apostolou, all in favor none opposed.

MEETING ADJOURNED AT 9PM

Respectfully Submitted,

**Mary C. Salerno
Planning Board Secretary**