

The Manasquan Planning Board held a Second meeting on Wednesday, February 20, 2013 at 4PM in the Council Chambers of the Borough Hall, 201 East Main Street, Manasquan, New Jersey. Mr. Cramer, the Planning Board Attorney read the Open Public Meeting statement. Chairman John Burke asked everyone present to please stand and Salute the Flag.

ROLL CALL:

Board Members Present:

Patrick Callahan, Councilman Owen McCarthy, Neil Hamilton, John Burke, Leonard Sullivan, Mark Apostolou, and Robert Young

Board Members Absent:

Mayor George Dempsey, John Muly, Joan Harriman, Greg Love, Jay Price and Peter Ragan

Professionals Present:

Geoffrey S. Cramer – Planning Board Attorney

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

APPLICATION #05-2011 – Damen, Steven – 581 Brielle Road – Block: 182.01 – Lot: 21 – Zone: R-5 – Neil Hamilton went over the letter from the TRC. They recommended that 36-feet would be the maximum height that the structure could go to. Leonard Sullivan said he would like them to go over their plans because after the last meeting they want to see the finished product if they could. Brendan McHugh said ok. John Burke said basically they want to see building and lot coverage. Mr. Cramer said both Mr. Damen and Mr. McHugh were previously sworn in as was the Board Engineer. Brendan McHugh went over the Site Plan; he explained everything that was going to be removed to reduce lot coverage. Lot coverage will be reduced from 58% to 55.1%. The wooden deck which is at grade in the rear will remain. Neil Hamilton asked why they were over on building coverage if they are removing so much from the rear. Mr. Damen said there is a discrepancy, eleven years ago and received the Variances, they came in with a plan where the house was always 21 X 57-feet long. He has the original plans in his office, he is not sure how the 45.4% building coverage came about, he doesn't know if it was a miscalculation of the original architect, it's unknown and he doesn't remember but he does know that the structure was always 21 X 57-feet. Everything was built as was approved. Al said he went back to the previous Resolution, as well as the Architect's new calculations and he agrees he doesn't know where that 45.4% came from. There was a slight discrepancy in the location of the house that we touched on last time where it was over by a matter of an inch or two. So, now all we have is the increase for the front steps, which again they need more steps to get up since the house is going up. The last time they talked about the elevation of the house on the left hand side there is an overall height of the house at 35-feet, 11 ½-inches and that's basically taking the existing house and raising it 4-feet 1 ½-inch from the existing first floor to the new first floor. The condensers will be in an area carved out of the half-story. There is a portion on the second floor which is being carved out for a balcony; they are not increasing the square-footage of the house in any way. Al said his report was pretty much the same as

his first one, what the applicant put on the record is consistent with what's in the plans. The height will not exceed 36-feet. Motion to open the meeting to the public made by Councilman McCarthy, seconded by Patrick Callahan, all in favor none opposed.

There was no audience participation.

Councilman McCarthy made a motion to close the public comment; the motion was seconded by Mark Apostolou, all in favor none opposed.

Councilman McCarthy made a motion to approve the revised application based upon the representations that have been made today by the applicant, they did revise the initial application and came here and took the advice that was rendered by the TRC, the motion was seconded by Mark Apostolou.

Board Members Voting Yes:

Patrick Callahan, Councilman McCarthy, Neil Hamilton, John Burke, Leonard Sullivan, Mark Apostolou and Robert Young

APPLICATION APPROVED

Geoff read from a proposed Resolution which will be typed and adopted by the Board at the next meeting.

Councilman McCarthy made a motion to memorialize the Resolution; the motion was seconded by Mark Apostolou.

Board Members Voting Yes:

Patrick Callahan, Councilman McCarthy, Neil Hamilton, John Burke, Leonard Sullivan, Mark Apostolou, and Robert Young

RESOLUTION MEMORIALIZED

APPLICATION #07-2013 – Seem, Gary – 41 Pearce Court – Block: 157 – Lot: 24 – Zone: R-2 – Geoff swore in Gary and Lauren Seem applicants. They live at 15 Newlin Road, Princeton, NJ. Mr. Seem gave testimony regarding his application and explained what they propose to do. Neil gave the findings of the TRC. He said the main issue with this property would be the height. The height requirement for the new Ordinance is 33-feet; the applicant is requesting 34-feet. The Tech Committee feels they can make an adjustment on that. They didn't have an issue with the size of the curb cut as it's a dead end Street. He addressed the covering underneath the house as has been addressed previously. They also need to provide the storage underneath the house. Mr. Seem proceeded to explain why they request to raise the house to 34-feet as opposed to 33-feet. He explained they are taking a property that is non-conforming and making it conforming in every way except height. They are reducing the impervious coverage. The height they are seeking is based upon the 500-year flood level. He stated if his neighbor who is presently at 35-feet comes in and needs to raise his house 6-feet you would let him go to 41-feet which is probably fair, but we are taking a property that is non-conforming and making it conforming in every other way except height. His hope was to gain the extra one-foot they are building a nice neat house. Mrs. Martin gave a statement, stating they didn't choose 14 randomly. They are looking for a height of 34-feet, lot frontage 50 is required they only have 35 that's set in stone, lot area 5000 required, they only have 2870. So basically we are looking at the one-foot in height, the side yard and front setback is conforming. Al Yodakis asked about a wood wall shown along the frontage, Mr. Seem said that will be cut out. Board members asking questions were Mark Apostolou, Neil Hamilton. John Burke took a poll of the

Board and the consensus was they wanted the house to be 33-feet from the crown of the road.

Neil Hamilton made a motion to open the meeting to the public, Patrick Callahan seconded the motion.

Audience Members coming forward:

Tom Bateman – 43 Pearce Court – he is a neighbor who is in support of the application. He explained about the skirting under houses and what happens when you have break-away walls and the fact that they are not only ugly but they fly through the air much more easily than lattice work or wooden slats. He explained how they closed in the area under the house in Florida.

Frances Kerns – 77 ½ Ocean Avenue – she and her husband Kevin are also neighbors of the applicants. She said they purchased their home 19 years ago and they have enjoyed their backyard and their view. She said the construction would block her view but she feels that it's necessary. She doesn't have a problem with giving them the height they are requesting. She built her home two years ago and she built what FEMA dictated then and she was not high enough with the Sandy Storm. She supports the applicants.

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

Councilman Owen McCarthy made a motion to approve the application based upon the comments of the neighbors, his motion is the house be built at 33-feet subject to the underground storage area being closed to some extent, and Mark Apostolou seconded the motion.

Lenny Sullivan said in response to Mr. Bateman's comment, he doesn't see a problem with the way the applicant is showing the enclosure beneath the house. Mr. Callahan also said he believes the applicant's proposal is more attractive than a break-away-wall. Lenny feels he doesn't want to force the applicant to have something that is ugly. Mr. McCarthy suggested finding something that works and is acceptable by FEMA, as long as they have their storage he is fine with it.

Board Members Voting Yes:

Patrick Callahan, Councilman Owen McCarthy, Neil Hamilton, John Burke, Leonard Sullivan, Mark Apostolou, and Robert Young
No negative votes

APPLICATION APPROVED

RESOLUTION #04-2013 – Ogden, George – 34 Ocean Avenue – Block: 162 – Lot: 8.02 – Zone: R-2 – Councilman McCarthy made a motion to memorialize the Resolution, Patrick Callahan seconded the motion, all in favor none opposed.

Board Members Voting Yes:

Patrick Callahan, Councilman McCarthy, Neil Hamilton, John Burke, Leonard Sullivan, and Mark Apostolou

RESOLUTION MEMORIALIZED

Mark Apostolou made a motion to approve the Regular meeting minutes of December 4, 2012; Patrick Callahan seconded the motion, all in favor none opposed.

MINUTES APPROVED

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

There was no audience participation.

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

Leonard Sullivan said at the Tech meeting they discussed the ability of everybody to get a second meeting done with only two weeks based on the hours that our part-timers have to do to get the work done. Owen said if we are going to have meetings every two weeks he feels Mary should not try to get all the details into the minutes. Owen said under the MLU Law the minutes have to include what was discussed and the general comments. More of an executive summary of what happened.

Motion to adjourn the meeting was made by Mark Apostolou, motion seconded by Leonard Sullivan, all in favor none opposed.

MEETING ADJOURNED AT 5:30PM

Respectfully Submitted,

**Mary C. Salerno
Planning Board Secretary**