

The Manasquan Planning Board held a Second meeting on Tuesday, April 16, 2013 at 4PM in the Council Chambers of the Borough Hall, 201 East Main Street, Manasquan, New Jersey. John Burke called for a moment of silence for all the people in Boston yesterday. Chairman John Burke asked everyone present to please stand and salute the Flag. Mr. Cramer, the Planning Board attorney read the Open Public Meeting Statement.

ROLL CALL:

Board Members Present:

Mayor George Dempsey, John Muly, Patrick Callahan, Joan Harriman, Neil Hamilton, John Burke, Leonard Sullivan, Mark Apostolou, and Peter Ragan

Board Members Absent:

Councilman Owen McCarthy, Greg Love, Jay Price

Professionals Present:

Geoffrey S. Cramer – Planning Board Attorney

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

APPLICATION #27-2012 – Sepe, William (Brad) 40 Broad Street – Block: 64 – Lot: 25.02 – Zone: Office – Chairman Burke made an announcement that this application has been withdrawn.

APPLICATION #12-2013 – Carman, Dean – 490 Perrine Blvd. – Block: 143 – Lot: 5.03 – Zone: R-2 – Keith Henderson is the attorney representing the owner and applicant on this application. Mr. Cramer found the file in good order and accepted jurisdiction. The applicant noticed and did not notice for a Use Variance so Mr. Henderson re-noticed correctly. Let the record show that Mayor George Dempsey stepped down as this is a Use Variance. Mr. Henderson gave his testimony regarding the application. He referred to the Engineer's report. Mr. Carman's house is already built at that time he was approved at 35-feet in height. Now with the FEMA requirements he needs to raise his existing home which would bring the height to 37.73-feet as set forth in paragraph 1.21 of Mr. Yodakis' letter. The only other issue addressed in the Engineer's report is we have to have stairs and we haven't shown them to the Board because when you changed the Ordinance you put an exception in there for stairs on houses that were raised. This house will be raised so there is an exception and it doesn't matter whether the setbacks encroach upon a setback or not. Mr. Cramer swore in Dean Carman, owner/applicant and also Board Engineer Al Yodakis. Patrick Callahan made a motion to open the meeting to the public, John Muly seconded the motion, all in favor none opposed. There was no public participation. Mark Apostolou made a motion to close the public portion, the motion was seconded by Patrick Callahan, all in favor none opposed.

Mark Apostolou made a motion to approve the application, Leonard Sullivan seconded the motion.

Board Members Voting Yes:

John Muly, Patrick Callahan, Joan Harriman, Neil Hamilton, John Burke, Leonard Sullivan, Mark Apostolou, and Peter Ragan

APPLICATION APPROVED

APPLICATION #16-2013 – Dana, Ron – 292 First Avenue – Block: 181 – Lot: 4 –

Zone: R-4 – Mayor George Dempsey returned to the dais. Keith Henderson is the attorney representing the owner/applicant. Mr. Cramer accepted jurisdiction on the application. Mr. Henderson explained the application to the Board members. He gave background from 2000 on this property when it went before the Planning Board, addressing Resolution #50-2000 which he said Mr. Dana took run down properties and took a risk developing the property and moved the ground floor apartment to the second floor and created parking for six cars on the first floor. The house and garage were designed somewhat as a fortress and was unaffected by Sandy as was the Beachfront house. Unfortunately, a fire started in the house to the north of his residence and spread to his First Avenue house. Mr. Henderson entered two black and white photo copies which were marked Exhibit A-1 showing the result of the fire. The reinforced concrete walls are still standing but the rest of the house has been removed. The Beachfront house sustained some exterior damage but nothing structural. Mr. Henderson recapped what was approved back in 2000. Mr. Cramer swore in Mr. Ron Dana, owner/applicant and Al Yodakis, Board Engineer. Mr. Henderson cross-examined Mr. Dana who stated that the garage and apartments would be built using the plans that were originally used in 2000. There were a lot of questions and concerns by the Board members. Mr. Henderson fought the case that this is a partial destruction as opposed to a total destruction. John Burke took a poll of the Board members and they agreed to grant approval to reconstruct the two-story garage apartment in the exact same footprint as what was previously occupied by the building constructed consistent with Resolution #50-2000, Mark Apostolou said he could not vote yes, he would defer to get a determination. He would like to see what the case says because he thinks it is definitive on perhaps partial verses total destruction. The maximum height of the building will be 35-feet. The applicant stipulated that he would replace the curb and sidewalk along his property's frontage on First Avenue. Keith addressed the Engineer's letter and the request for exterior shower/washing station and the other was enclosed common area for the temporary storage. Mr. Dana said on the South side there is a closet for most of the garbage pails except when there is a Holiday there is a little more, but they have outside showers but they are enclosed. There are three showers in the back of the Beachfront, inside, private showers. Mr. Henderson said that concludes his comments. Mayor Dempsey made a motion to open the meeting to the public; the motion was seconded by Patrick Callahan, all in favor none opposed. John Muly made a motion to close the public portion of the meeting, the motion was seconded by Patrick Callahan, all in favor none opposed. Neil Hamilton made a motion to approve the application with the stipulations, the motion was seconded by Patrick Callahan.

Board Members Voting Yes:

Mayor George Dempsey, John Muly, Patrick Callahan, Joan Harriman, Neil Hamilton, John Burke, Leonard Sullivan, and Peter Ragan

Board Members Voting No:

Mark Apostolou

APPLICATION APPROVED

APPLICATION #15-2013 – Carlin, Virginia – 327 E Virginia Avenue – Block: 128 – Lot: 22, 28 – Zone: R-2 – Michael Rubino is the attorney representing the owner/applicant. He said the property is owned by both the husband and wife but for estate purposes they took title out of Don's name and put it in Virginia's name. He is a co-owner and he will be testifying. Mr. Rubino represents both of them. Geoff Cramer swore in Donald Carlin, Al Yodakis, and project Architect, Jeff Schneider. This is to put a porch on the front of the premises. There is a question as to whether or not this is a Use Variance and when the Board Secretary called Mr. Rubino he informed her that the applicants would be giving up any rights to a multi-family structure, so there is no Use Variance necessary. That will be so stated in the Resolution. The applicant will submit a Deed Restriction stating so for the Board's file. As a result of Super Storm Sandy the applicant seeks approval to raise the house above the ABFE by 11-feet but stipulated the height of the elevated structure will not exceed the 33-foot maximum building height. The architect entered into evidence five separate sheets, sheet one consists of an architectural site plan, sheet 2 consists of foundation and grade level plans, and sheet 3 consists of a first floor plan and a second floor plan. Sheet 4 contains westerly and northerly elevations of the proposed elevated structure and a vertical cross section of the proposed dwelling. Sheet 5 contains easterly and southerly elevations of the dwelling as elevated. The existing and proposed Variance requests were addressed which included driveway width, rear yard setback, maximum building coverage, maximum lot coverage. The family wishes to construct a front porch on the property which will enhance the property. This house has been affected by three separate storms and Hurricane Sandy damaged the interior of the dwelling. The applicant proposes to maintain the existing kitchen on the second floor as they would like to have that available for their children when they visit. The building coverage will be increased by less than 1%. The front porch will not be enclosed and the porch stoop and rear deck will be removed. The driveway to the two-car garage will have a width of 20-feet and is therefore compliant with the requirements of the Zoning Ordinance. They will provide a grading plan as part of the construction process. The applicant sought approval for the mechanicals to remain in the side yard where they are presently. Al Yodakis said he will need to see a grading plan and a landscaping plan. Al said the plan shows they are bringing in about a 1 and 1/2-foot of fill so would definitely need to see a grading plan. And, you need to comply with our Storm Water Ordinance which would be part of the Resolution. There were four exhibits entered and marked by Geoff Cramer. Next, Jeff Schneider, architect for the applicant was sworn in and testified. He said they plan to raise the house and in the process they will re-build a new front porch to approve the appearance of the house. The new porch will be 61-square feet. The building coverage will be increasing by a small percent but the lot coverage will be decreased. The house will be less than 33-feet in height which is allowed by Ordinance. Al said his only concern would be on the grading, the plan shows they are bringing in about a foot and one-half of fill over

the entire site so we will need to see a grading plan, also make sure there is no cause and effects on the neighbors. They will need to comply with our Storm Water Ordinance and that will be part of the grading plan when submitted. Mayor Dempsey made a motion to open the meeting to the public; Mark Apostolou seconded the motion, all in favor none opposed. There was no public participation. Mark Apostolou made the motion to close the public portion, the motion was seconded by Joan Harriman, all in favor none opposed. Mr. Rubino gave his closing statement. Mark Apostolou made a motion to approve the application with stipulations, the motion was seconded by Mayor Dempsey.

Board Members Voting Yes:

Mayor George Dempsey, John Muly, Patrick Callahan, Neil Hamilton, John Burke, Leonard Sullivan, Mark Apostolou, and Peter Ragan.

APPLICATION APPROVED

Let the record show that John Muly had to leave the meeting at 5:33PM

RESOLUTION #09-2013 – Martin, John and Virginia – 121 Ocean Avenue – Block: 168 – Lot: 28 – Zone: R-5 – Mark Apostolou voted to memorialize the Resolution, motion seconded by Joan Harriman.

Board Members Voting Yes:

Patrick Callahan, Joan Harriman, Neil Hamilton, John Burke, Leonard Sullivan, and Mark Apostolou

RESOLUTION MEMORIALIZED

RESOLUTION #11-2013 – Bindler, Lori – 93-A Ocean Avenue – Block: 156 – Lot: 1 – Zone: R-3 - Patrick Callahan made a motion to memorialize the Resolution, Leonard Sullivan seconded the motion.

Board Members Voting Yes:

Patrick Callahan, Joan Harriman, Neil Hamilton, John Burke, Leonard Sullivan and Mark Apostolou

RESOLUTION MEMORIALIZED

RESOLUTION #13-2013 – Datillo, Dennis – 12 Pearce Court – Block: 155 – Lot: 5 – Zone: R-3 – Block: 155 – Lot: 5 – Zone: R-3 – Mark Apostolou made a motion to memorialize the Resolution, Joan Harriman seconded the motion.

Board Members Voting Yes:

Patrick Callahan, Joan Harriman, Neil Hamilton, John Burke, Leonard Sullivan and Mark Apostolou

RESOLUTION MEMORIALIZED

RESOLUTION #14-2013 – Presinzano, Paul – 23 N Potter Avenue – Block: 149 – Lot: 9.02 – Zone: R-1 – Neil Hamilton made a motion to memorialize the Resolution; the motion was seconded by Mark Apostolou.

Board Members Voting Yes:

Patrick Callahan, Joan Harriman, Neil Hamilton, John Burke, Leonard Sullivan, and Mark Apostolou

RESOLUTION MEMORIALIZED

**Mark Apostolou made a motion to approve the minutes of Tuesday, February 5, 2013 Regular Meeting, the motion was seconded by Neil Hamilton, all in favor none opposed.
*MINUTES OF FEBRUARY 5, 2013 APPROVED***

Next, the Board discussed the VFW application and the fees and how the Board wanted to handle that. John Burke said in the past the fees have been waived for Churches, the Elks and so on. He recommends to the Board that they do that for the VFW and only charge the Escrow account for the professionals. Leonard Sullivan made a motion to approve this fee waiver, the motion was seconded by Mark Apostolou, all in favor none opposed.

Mary Salerno asked the Board at the request of Richard Furey – Zoning Officer for input regarding Mr. Baghari who has to change his plans because now he has to get out of the flood plane, and does he have to notice and publish. The property is on Fourth Avenue and Brielle Road and he has to come back for a height. It was decided by the Board that if there is any change from what the Board originally gave to him he has to re-publish and re-publish.

Mark Apostolou made a suggestion that Geoff Cramer research substantially damaged or partially damaged structures and the case that was cited earlier in the meeting.

Neil asked George about the final paving on the Beachfront and his question to the Council would be, being that base coat and by the way it's a perfect job. Is it absolutely necessary to do that final now rather than finish and let trucks up there? George said it's only two inches and if you put trucks up there it would break up. If there would be any way to get a surface that would substantiate these trucks so there wouldn't be patch jobs. George said trucks aren't the problem it's the track vehicles.

**Peter Ragan made a motion to adjourn the meeting, the motion was seconded by Joan Harriman, all in favor none opposed.
*MEETING ADJOURNED AT 5:51PM***

Respectfully Submitted,

**Mary C. Salerno
Planning Board Secretary**