

**OCEANPORT PLANNING BOARD
MINUTES
March 22, 2016**

Vice Chairman Whitson called the meeting to order at 7:30 p.m. and gave the Statement of Compliance with the Open Public Meetings Act: "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 15, 2016, publication on January 21, 2016 and by the posting of same on the municipal bulletin board and Borough Web Site."

Vice Chairman Whitson led the flag salute.

MEMBERS PRESENT: Mr. Wible, Mr. Foster, Councilwoman Cooper , Mr. Kleiberg, Mr. Kahle, Mr. Savarese, Mr. Whitson

MEMBERS ABSENT: Mr. Widdis, Mr. Sullivan, Mr. Fichter, Mr. Proto

OFFICIALS PRESENT: Jeanne Smith, Board Secretary, Rick DeNoia, Esq., Board Attorney, Board Engineer/Planner William White

BOARD BUSINESS:

1. Minutes of the meeting of February 23, 2016 were approved as corrected on a motion from Mr. Kleiberg and a second from Mr. Kahle and approved by the eligible Board members.
2. Fort Monmouth Plan Amendment #5 – Mr. White briefly described the amendment impacting land within the boundaries of Tinton Falls. Mr. Wible commented that the amendment seems to be more lenient in nature. Mr. Foster supported providing housing for homeless veterans.
3. Mandatory Training Class – Ms. Smith advised the Board of member training requirements, and an available class in Monmouth County. Board Members Wible, Kahle, and Foster will attend.

NEW BUSINESS:

4. PB2016-03 Pisane, Neil and Dana
117 Smith Street
Block 50, Lot 1
Request for 'D' Variance - height

Councilwoman Cooper and Board Member Wible recused themselves. Mr. White and Mr. DeNoia explained the number of affirmative votes needed for approval and options for the hearing because of the type of variance with only 5 members available to hear which the Applicant acknowledged and stated he wished to proceed.

Mr. DeNoia stated for the record that service had been reviewed, was in order and jurisdiction had been accepted for this application. Previously the application had not served properly

The following persons were sworn in: William White, Board Engineer/Planner, Neil Pisani, Applicant, Donald J. Passman, Architect for the Applicant. Mr. Pisani gave a brief background of the property and damage incurred by Superstorm Sandy. He explained the reasons the variances are needed. Mr. DeNoia commented that there is a preliminary jurisdictional issue because of numerous prior requests for variances both by this owner and the previous owner. Discussion followed regarding previous applications, approvals and/or denials. After that discussion, Mr. DeNoia stated the application can proceed. Mr. Foster asked which damage and recommendations were directly related to Sandy. Mr. Passman responded the applicant is requesting a height variance and provided detailed explanation of the reasons for the house lift and other changes incorporated in the application. Borough Engineer White asked several questions regarding the use of the attic, the head clearance in that area, whether the applicant would be willing to add a deed restriction prohibiting that area from being habitable, the increase in impervious coverage, which were answered by the architect and

applicant. Specifically, Mr. White asked about Ordinance 390-14(d) which requires a survey of all properties within 200 feet to determine the average setback to ensure compliance. Mr. White also advised that a CAFRA permit would be needed. There was further discussion regarding the driveways and the 2003 resolution that prohibited. Mr. Pisani explained the previous resolution was regarding a detached garage. Mr. Foster asked if the rip rap bulkhead or the neighbor's bulkhead. Mr. Passman responded that the bulkhead was approximately 10 feet beyond the rip rap. Further discussion followed regarding bulkheads. Mr. Kahle requested clarification for the next meeting regarding the increase in impervious coverage.

Vice Chairman Whitson invited questions from the public. No questions were presented.

There was discussion regarding approval of the CAFRA application and whether the applicant should have that approval before returning to the Planning Board. As additional information was being required by the Board, the Applicant requested to be carried. After which Vice Chairman Whitson stated the application would be carried to the April 12th meeting with no need for re-notice. There was discussion regarding modifications that may be needed if CAFRA does not approve the plans for the deck.

PETITIONS FROM THE PUBLIC: Vice Chairman Whitson opened the meeting to Petitions from the Public. As no one else from the public wished to be heard, Vice Chairman Whitson closed that portion of the meeting.

ADJOURNMENT: As there was no further business, the meeting was adjourned at 8:38 p.m. on a motion by Mr. Kleiberg which was seconded by Mr. Foster and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary