

**OCEANPORT PLANNING BOARD  
MINUTES  
October 25, 2016**

Chairman Widdis 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."

Chairman Widdis led the flag salute.

**MEMBERS PRESENT:** Mr. Wible, Councilwoman Cooper , Mr. Kleiberg, Mr. Kahle, Mr. Sullivan, Mr. Savarese, Mr. Proto, Mr. Fichter, Mr. Whitson, Mr. Widdis

**MEMBERS ABSENT:** Mr. Foster

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

**BOARD BUSINESS:**

1. Minutes of the meeting of September 27, 2016 were approved as presented on a motion from Mr. Whitson and a second from Mr. Kahle and approved by the eligible Board members.
2. Minutes of the meeting of October 11, 2016 were approved with correction of misspelled name on a motion from Mr. Whitson and a second from Mr. Wible and approved by the eligible Board members.
3. November 8, 2016 Meeting – Chairman Widdis advised that due to the General Election and the lack of completed applications to be heard, the meeting was being rescheduled for Thursday, November 10, 2016 at which Clark Caton Hintz would attend to continue with presentations for E. Main Street and Monmouth Park studies.

**NEW BUSINESS:**

1. PB2016-07 Silkworth, William  
8 Shore Road  
Block 72, Lot 13  
Request for Bulk Variances

The following persons were sworn in: William White, Board Engineer/Planner; William Silkworth, Applicant and James T. Daley, Architect.

Mr. DeNoia stated for the record that service had been reviewed, was in order, and the Board accepted jurisdiction.

Mr. Silkworth testified that he and his wife purchased this Sandy damaged property with the intention of building a residence. They proceeded with the design process with Mr. Daley. The plans call for three variances: property width, 137 feet where 150 feet is required with no adjacent property available for purchase; height of 36 feet 10 inches where 35 is permitted as the house is in a flood zone and the first floor has to be at approximately 12 ½ feet; and a retaining wall setback of 7.9 where 10 feet is required designed to retain the driveway. The floor of the garage has been elevated to 8 ½ feet.

Chairman Widdis asked questions regarding the garage. Mr. Silkworth stated the garage is on the north side of the house, with 3 garage bays and explained the driveway access. Chairman Widdis asked about the square footage. Mr. Silkworth testified that the livable space is 2542 square feet for both floors. The garage area is 891 square feet. Chairman Widdis stated the dwelling dimension shows 3288 square feet. Mr. Silkworth stated there are front and rear porches that add to the square footage. Also, the walls are super insulated, which are 10 inches thick and also adds to the total. Chairman Widdis

asked about the square footage for the first floor. Mr. Silkworth replied that it was 2,030. Mr. Wible asked if there was a second floor plan. Mr. Silkworth stated since it was a split level, it was all on one plan.

Mr. White asked for more information regarding average front yard setback. Mr. Silkworth stated it complied with the Borough's ordinance. It was 53.25 feet where 50 feet is required and 57.3 feet is proposed. Mr. White asked for a breakdown of three properties. Mr. Silkworth submitted those surveys with his application. Mr. White asked about the wetland buffer. Mr. Silkworth stated that his engineer advised him to apply for a CAFRA permit, which was submitted. Mr. White said if the Board approved the application, it should be conditioned on receiving a CAFRA permit or appropriate DEP permits. Mr. White asked if there would be a guard around the pool retaining wall. Chairman Widdis asked about plans for fencing. Mr. Silkworth said if he has enough room, he'd like to put some sort of bed to prevent a 30 inch drop. Otherwise, it would be a fence. He also stated the pool may not be built immediately. Mr. White also asked if there would be a guard along the retaining wall by the garage to prevent vehicles from going over the edge. Mr. Silkworth stated that the engineer designed it with a parapet. Mr. White stated there has to be some type of guard for both pedestrians and vehicles.

Mr. Wible stated the plans show existing and proposed, but it was his understanding that the building had been demolished. He asked if the existing numbers were from the previous structure. Mr. Silkworth said they were. There was additional discussion regarding the retaining wall setback. Mr. Wible said the drawing shows windows in the attic and asked if that was part of the second story. Mr. Silkworth stated they were in the attic.

Mr. Kleiberg asked if the Applicant knew the elevation of the pile of soil in the center of the property. Mr. Silkworth said it was probably about 7 ½ feet. Mr. Savarese asked how the attic will be accessed. Mr. Silkworth said there will be access, but it's complicated by the fact that the high energy efficiency requires an air tight envelope. So, access has not been determined. Mr. Savarese asked Mr. White about setback. Councilwoman Cooper requested clarification on the 512 square feet on the second floor. Mr. Silkworth replied that the second floor is two bedrooms above the garage.

Chairman Widdis opened the meeting to the public for questions or comments for either Mr. Silkworth or Mr. Daley.

#### **PUBLIC HEARING:**

Felix Moletteri, 12 Shore Road, asked questions concerning water runoff and drainage. He stated that his neighbor at 20 Shore Road had elevated, and it impacted his property. Mr. White stated the property is graded more toward the rear. He also stated the usual problem is roof runoff, and downspouts should direct the runoff to the rear of the property. The driveway will drain to Shore Rd. Chairman Widdis asked the Applicant if the downspouts could run to the back, to which he responded he would. Mr. White responded that a 6 or 8 inch pipe and yard inlets could be installed along the property line to capture drainage away from the adjacent properties – although won't help with Sandy type events to which Mr. Moletteri seemed satisfied.

Mr. DeNoia stated that if the drainage is going to be made a condition, the Applicant must acknowledge it and the Board has to craft specific language. Mr. White stated it should be a drainage system on the southern side property line with a series of three inlets from the front of the house to the rear. The Applicant and his engineer stated they understood it was from "daylight to the rear of the property". Mr. DeNoia suggested that Mr. Silkworth work out the details with Mr. White. Chairman Widdis stated that the drainage will be subject to Mr. White's review.

As no one else from the public wished to be heard Chairman Widdis closed that portion of the hearing.

Mr. Whitson made a motion to approve the application with the added conditions of roof drains to the rear of the property line, three inlets along the common property line to Lot 14, CAFRA approval and

any other elements of Mr. White's letter complied with, which was seconded by Mr. Kleiberg. The motion received the following roll call:

AYES: Mr. Whitson, Mr. Wible, Councilwoman Cooper, Mr. Savarese, Mr. Kleiberg, Mr. Sullivan, Mr. Kahle, Mr. Proto, Mr. Widdis  
NAYES: None  
ABSTAIN: None  
ABSENT: Mr. Foster  
INELIGIBLE: Mr. Fichter

Ms. Smith stated the motion carried.

**PETITIONS FROM THE PUBLIC:** Chairman Widdis opened the meeting to Petitions from the Public.

As no one from the public wished to be heard, Chairman Widdis closed that portion of the meeting.

Mr. Wible advised that he, Mr. Proto and Mr. Kahle attended the Monmouth County Planning training. He said it was very insightful. They spoke with a member of Monmouth County Planning Board regarding traffic control, with emphasis on Ft. Monmouth. They were informed that the Monmouth County Planning Board has jurisdiction over changes on county roads, and any site plan that is presented to this Board that either interfaces or borders a county road must also be reviewed by the County Planning Board at the same time. He stated the County Planning Board could be a good resource. Secondly, any site plans that create an acre of impervious coverage, as what may happen with Ft. Monmouth, are also required to be presented to the County Planning Board.

**ADJOURNMENT:** As there was no further business, the meeting was adjourned at 8:07 p.m. on a motion by Mr. Wible which was seconded by Mr. Sullivan and approved by the Board.

Respectfully submitted,

JEANNE SMITH  
Secretary