

**OCEANPORT PLANNING BOARD
MINUTES
October 10, 2017**

Chairman Widdis called the meeting to order at 7:32 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 11, 2017 and by the posting of same on the municipal bulletin board and Borough Web Site."

Chairman Widdis led the flag salute.

MEMBERS PRESENT: Mr. Whitson, Councilwoman Cooper, Mr. Kleiberg, Mr. Sullivan, Mr. Kahle, Mr. Savarese, Mr. Widdis

MEMBERS ABSENT: Mr. Foster, Mr. Fichter, Ms. Halpern

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

BOARD BUSINESS:

1. Minutes of the meeting of August 8, 2017 were approved 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 September 12, 2017 were approved on a motion from Mr. Whitson and a second from Mr. Kleiberg and approved by the eligible Board members.

NEW BUSINESS:

3. PB2017-02 Brown, Peter **CARRIED from September 12, 2017**
93 Main Street
Block 110, Lot 6
Request for Bulk Variances and Expansion of Non-conforming Use

Chairman Widdis advised the public that this matter would not be heard this evening and would be carried to the October 24, 2017 meeting as only 4 members of the Board eligible to hear this D-use variance were present and Mr. Witek has requested a full Board. There was discussion concerning the notice and a typographical error presented by a member of the public. As the Board already accepted jurisdiction, the matter was carried with a strong urging that the Applicant provide new notice.

At 7:39 p.m., Mr. Savarese exited the meeting, since he is the architect for the following applications.

4. PB2017-10 Ward, Edward and Tara
19 Oneida Ave
Block 31, Lot 9
Request for variances for construction of pool and deck

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

The following individuals were sworn: Tara Ward, Applicant; Courtney Lowry, Architect for the Applicant, and William White, Board Engineer/Planner.

Ms. Lowry provided her qualifications and credentials, after which the Board accepted her as an expert in Architecture.

Ms. Ward testified that they recently moved to Oceanport and would like to add a pool and deck to their home. The deck would provide additional recreation and entertaining space. The variances are required because the lot is narrow in the rear. Ms. Lowry testified about the location, orientation and design of the deck and pool. She stated the Applicant is seeking variances for: impervious coverage 46% where 37% is permitted; rear yard setback for the deck, 10' where 25' is required; rear and side for the pool is 14' each. Ms. Lowry discussed comments in Mr. White's letter: grading and impervious coverage. Chairman Widdis asked for the deck's elevation. Ms. Lowry replied the deck is approximately 4' above grade or 7' above grade including the railing. Mr. White discussed problems with the grading, as the high point is in the center of the yard which causes runoff to the front and rear. Ms. Lowry stated the Applicant will install a berm to control runoff. Mr. White discussed multiple drainage problems in the area of this property. There was discussion regarding which plan was being reviewed as there was a difference between the plans the Board had and the one Mr. White had regarding the height of a wall. As the last revised plan had not been provided to the Board nor on file for 10 days in advance for the public, the Board consensus was to have the Applicant submit revised plans and provide new notice for a future hearing date in order to proceed.

5. PB2017-12 Lane, Raymond
27 Elizabeth Drive
Block 139, Lot 20
Request for variances for construction of one car garage addition

A-1 Photographs of Property, taken by MSA Architects, dated 10/10/2017, 2 sheets

Ms. Smith advised that this application was deemed incomplete for certain items, and the applicant is seeking design waivers for those items. The Board must decide the waivers before the application can be deemed complete.

Raymond Lane appeared. Mr. White advised the application was incomplete because the applicant did not provide an existing or proposed grading contours. The Board would have to grant a waiver for not providing existing and proposed topographic and grading information. There was discussion regarding the requirement to provide plans. Ms. Smith stated she had not seen notice. Ms. Lowry provided a copy of the notice and the certified mail slips.

The following individuals were sworn: Courtney Lowry, Applicant's Architect; Raymond Lane. There was discussion regarding the specificity of the notice. Mr. DeNoia stated notice was not required for design waiver requests.

Ms. Lowry described the project, which is to add a one car garage. She introduced and described **Exhibit A-1**. Chairman Widdis asked how far beyond the area with stone the garage would be. Ms. Lowry stated it would be about 5'. She described the distance between this property and nearby homes. She pointed out a small area that was fairly flat, which has drainage issues. The Applicant would like a design waiver to provide topographic survey and grading for this area only, rather than the entire property. Chairman Widdis asked Mr. White's opinion. Mr. White stated he was not concerned about grading right now. There is approximately 50 ft. between the applicant's property and neighbor. He stated the topographic and grading could be required later as a condition of approval of the variance. Councilwoman Cooper stated she would align with Mr. White's recommendation. Mr. Whitson stated he disliked the idea of granting design waivers, but could agree to a design waiver for a topographical survey of just that area. Mr. Sullivan agreed with Councilwoman Cooper. Mr. Kahle stated as long as leaders are installed to move the water down the driveway. Mr. Kleiberg had no problem with it. Councilwoman Cooper made a motion to grant design waivers for a topographical study and grading plan and deem the application complete as an exception, which was seconded by Mr. Kleiberg. The Clerk called roll:

AYES: Mr. Sullivan, Councilwoman Cooper, Mr. Kleiberg, Mr. Kahle
NAYS: Mr. Whitson, Mr. Widdis
ABSTAIN: None
ABSENT: Mr. Foster, Mr. Fichter, Ms. Halpern

The Clerk stated motion carried.

Chairman Widdis advised the Applicant would have to return and re-notice after working out a date with the Secretary.

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.

ADJOURNMENT: As there was no further business, the meeting was adjourned at 8:29 p.m. on a motion by Councilwoman Cooper which was seconded by Mr. Sullivan and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary