

PLANNING BOARD  
NOVEMBER 16, 2023 7 PM

The Manasquan Planning Board held a regular meeting in person and remotely on November 16, 2023 at 7:03 pm with Vice Chairman Robert Young presiding.

Vice Chairman Young stated that notification of this meeting was given to the Asbury Park Press and the Coast Star and the agenda for this meeting has been posted on the official website of the borough.

Vice Chairman Young welcomed everyone and asked that everyone join him in a Salute to the Flag.

**ROLL CALL:** Present: Lori Triggiano, Frank DiRoma, Robert Young, Greg Love, John Muly, Mark Apostolou, Leonard Sullivan, Mark Larkin, and John Burke

Absent: Mayor Edward Donovan and Neil Hamilton

Also present was Board Attorney George McGill and Board Engineer/Planner Albert Yodakis.

Mr. McGill read the Sunshine Laws for the meeting and the process to be followed for the zoom meeting.

**OLD/NEW BUSINESS**

**Vouchers**

Mr. Sullivan made a motion to approve the vouchers, seconded by Mr. Larkin. Motion carried by the following vote:

AYES: Ms. Triggiano, Mr. DiRoma, Mr. Young, Mr. Love, Mr. Muly, Mr. Apostolou, Mr. Sullivan, Mr. Larkin, and Mr. Burke.

NAYS: None

ABSTAIN: None

**Approval of Minutes**

Regular Meeting Minutes – September 12, 2023

Mr. Burke made a motion to approve the minutes, seconded by Mr. Larkin. Motion carried by the following vote:

AYES: Ms. Triggiano, Mr. DiRoma, Mr. Young, Mr. Love, Mr. Muly, Mr. Apostolou, Mr. Sullivan, Mr. Larkin, and Mr. Burke.

PLANNING BOARD  
NOVEMBER 16, 2023 7 PM

NAYS: None

ABSTAIN: None

Regular Meeting Minutes – October 13, 2023

Mr. Burke made a motion to approve the minutes, seconded by Mr. Larkin. Motion carried by the following vote:

AYES: Ms. Triggiano, Mr. DiRoma, Mr. Young, Mr. Love, Mr. Muly, Mr. Apostolou, Mr. Sullivan, Mr. Larkin, and Mr. Burke.

NAYS: None

ABSTAIN: None

**66 N. Potter Properties, LLC – Request Extension to File Final Plat Documents**

Mr. Burke made a motion to approve the request until May 1, 2024, seconded by Mr. Love. Motion carried by the following vote:

AYES: Ms. Triggiano, Mr. DiRoma, Mr. Young, Mr. Love, Mr. Muly, Mr. Apostolou, Mr. Sullivan, Mr. Larkin, and Mr. Burke.

NAYS: None

ABSTAIN: None

**APPLICATION**

**#15-2023 Ocean Bay Developers, LLC – 10 Branin Avenue – Block 23 Lot 7.05**

Representing the applicant was attorney Harvey York who went over the applicants request for a side yard variance of 1.8’ and how the new home’s foundation was built 2’ to one side. He stated that the drainage easement will be relocated over so the house is not in the easement.

Mr. McGill swore in engineer/planner Andrew Stockton and planning board engineer Al Yodakis.

The Vice Chair accepted the credentials of Mr. Stockton.

Mr. McGill marked Major Subdivision dated September 9, 2023 as A-1.

PLANNING BOARD  
NOVEMBER 16, 2023 7 PM

Mr. Stockton went over the property of the subdivision and the facts leading up to the variance request. He stated that he made the decision to move the foundation due to 3 large existing walnut trees on the common lot line with the lot next store. He also stated that Ocean Bay Developers thought they had 2' more to shift the foundation over. He stated that distances between the 2 homes is 13.2' which exceeds the minimum had the builder stuck with the minimum and put two 5' side yards. He advised that the drainage easement has been re-located so that the house is not on the drainage easement. He went over the hardship of moving the foundation and stated that by moving the foundation he was trying to save the trees.

Mr. Love stated that if the variance is approved the property will have an existing non-conformity so anything that the owner of the property wants to do, they will need to come before the board to get approved.

Mr. Stockton stated that this is part of the reason that they are before the board for the requested variance and what will happen is the variance plan will take the information and put it on the map that gets recorded with the county clerk.

Mr. York stated that the subdivision map has not been filed yet and it will be filed with the easement in place.

Mr. McGill inquired how they can be built when the subdivision has not been perfected.

Mr. York did not have an answer but stated that they would file the map tomorrow if that is an issue. He stated that they have already recorded a deed of easement and will double check the description.

There was discussion on how the foundation was put in the wrong spot, hardship, drainage pipe placement, and the 3 trees.

Mr. York went over the process to amend the drainage easement with the town.

There was discussion on the easement that was filed which gives certain rights to the town 5' on either side of the line.

Mr. Sullivan made a motion to open the hearing to the public, seconded by Mr. Burke. Motion carried unanimously.

Mr. McGill swore in Sara Jane Millard.

Ms. Millard stated that she is the owner of the 3 walnut trees in question and does not want the foundation moved to affect the trees.

PLANNING BOARD  
NOVEMBER 16, 2023 7 PM

Mr. Love made a motion to close the public portion, seconded by Mr. Burke. Motion carried unanimously.

Mr. DiRoma made a motion to approve this application, seconded by Ms. Triggiano. Motion carried by the following vote:

AYES: Ms. Triggiano, Mr. DiRoma, Mr. Young, Mr. Love, Mr. Muly, Mr. Sullivan, Mr. Larkin, and Mr. Burke.

NAYS: Mr. Apostolou

ABSTAIN: None

**OTHER BUSINESS**

Mr. Burke made a motion to cancel the November 21, 2023 Special Meeting, seconded by Ms. Triggiano. Motion carried unanimously.

Vice Chair Young confirmed that the next meeting will be December 5, 2023 at 7 pm. He stated that the December 19 meeting has been offered to two applicants and the planning board secretary will confirm that with the applicants. He stated that there is a call for nominations for next year and if anyone is interested in any of the positions for next year to send Mr. Love a letter.

Mr. Love stated that the committee will review the submissions and make a recommendation at the December meeting.

Mr. McGill stated that the filing of the OCLAR v Atlantic Cemetery is public knowledge and advised that the cemetery has appealed the ruling of Judge Quinn. He stated that there is nothing to discuss until the appeal goes forward and decided.

There was discussion on 2024 meeting dates.

Mr. Sullivan confirmed that Reilly, Kelly and Keinath applications are the ones that they will need to keep for the revised hearing dates.

Mr. McGill is not in favor of informal hearings but is in favor of special meetings if required.

Mr. Young requested that the applicants' notices be sent to George before the meeting to avoid any issues.

Mr. McGill stated that this will not give the board any benefit as to scheduling because it is too late for another application to be put on the agenda.

PLANNING BOARD  
NOVEMBER 16, 2023 7 PM

Mr. Sullivan made a motion to close the meeting at 8:07 p.m., seconded by Mr. Love. Motion carried unanimously.

Date Approved: December 5, 2023