

PLANNING BOARD
AUGUST 17, 2021 4 PM

The Manasquan Planning Board held a zoom meeting on August 17, 2021 at 4:00 pm with Vice Chairman Robert Young presiding.

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

ROLL CALL: Present: Edward Donovan, John Muly, Robert Young, Greg Love, Mark Apostolou, Kevin Thompson, Leonard Sullivan, Neil Hamilton, and Mark Larkin

Absent: John Burke

Mr. Hamilton arrived at 4:11 pm

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

There were no vouchers to be approved.

Minutes

Meeting Minutes of April 6, 2021 and Meeting Minutes of April 20, 2021

Mr. Apostolou made a motion to approve the minutes, seconded by Mr. Sullivan. Motion carried unanimously.

RESOLUTIONS

Perotti , Thomas – 77 Ocean Avenue – Application #21-2021

Mr. McGill stated that this is resolution number is 46-2021.

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Mr. Apostolou made a motion to approve the resolution, seconded by Mr. Sullivan. Motion carried unanimously.

Ferchak, Bill – 7 Meadow Avenue – Application #39-2021

Mr. McGill updated the members on the required documents. He stated that by carrying this resolution it would be outside the 45 days but the delay is on the part of the applicant's actions.

Mr. Thompson made a motion to carry this resolution, seconded by Mr. Apostolou. Motion carried unanimously.

DYCAVA Properties, LLC – 67/69 Main Street – Application #30-2021

Mr. McGill stated that this resolution is number 47-2021.

Mr. Apostolou made a motion to approve the resolution, seconded by Mr. Thompson. Motion carried by the following vote:

AYES: Mr. Muly, Mr. Young, Mr. Love, Mr. Apostolou, Mr. Thompson, Mr. Sullivan, and Mr. Larkin.

NAYS:

ABSTAIN: Mr. Donovan and Mr. Hamilton

APPLICATIONS

#32-2021 Salt Air Properties - 42 First Avenue/43 Beachfront - Bulk Variance - Continued from August 3

Appearing for the applicant is Jeff Beekman, Jeff Miller, Mary Hearn, and Patrick Ward.

Mr. McGill swore in Jeff Miller and Mr. Yodakis. He advised that the professionals and Mr. James Miller were sworn in at the last meeting and are still under oath.

Mr. Beekman continued the hearing for this application with Mr. Ward answering questions after his testimony.

Mr. Hamilton and Mr. Love stated that they were not present at the last hearing date but listened to the recording of the presentation of the application and are up to speed on the hearing and can participate tonight.

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Mr. Beekman stated that this is not a use variance but a D variance based upon height.

Mr. Ward went over the surrounding lots and the width of the lots as well as the ridge elevations. He also went over the separation between buildings.

Ms. Hearn went over the lot coverage for this application and stated that they are not looking for a lot coverage variance.

Mr. Apostolou made a motion to open the meeting the public, seconded by Mr. Hamilton. Motion carried unanimously.

Jeff Kellner neighbor to the south is in agreement with the proposed plans.

Mary Rogevich neighbor inquired about CAFRA and the dune protection and the process that will be used to build the house with the pilings as it would relate to damage to surrounding home.

Mr. Ward went over what was discussed at the last meeting relating to CAFRA and dune issue and advised that there is a CAFRA permit required as a condition of the approval of the planning board.

Ms. Hearn stated there will be helical pilings used and there is no ramming or vibrating when the pilings are put in.

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

There was discussion on the height elevations.

Ms. Hearn explained the reasoning on the height request.

There was discussion on the height of the house and the proposed finished first floor.

Ms. Hearn stated that they could possibly lower the height by one foot.

Mr. Beekman stated that after speaking with his client and Ms. Hearn that they are willing to drop the height by one foot but they would like to keep the nine foot first floor.

It was recommended that the first floor be dropped to eight feet to meet the 2 foot height adjustment.

Mr. Apostolou made a motion to re-open to the public, seconded by Mr. Hamilton. Motion carried unanimously.

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Pamela W. Lewis voiced her concerns about this application as it relates to the dunes only. She stated that she is in favor of the build as long as it does not go into the dunes.

Mr. McGill stated that the board is relying on the DEP as it relates to the dunes as it is their jurisdiction.

Michael Sniffen voiced his concern on the dunes and the distance between the homes.

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

There was discussion on the north side of the beachfront house dormer.

Ms. Hearn stated that she would be able to accommodate a one foot dormer set back instead of two foot.

Mr. Apostolou made a motion to re-open to the public again, seconded by Mr. Hamilton. Motion carried unanimously

There being no comment Mr. Apostolou made a motion to close the public portion, seconded by Mr. Love. Motion carried unanimously.

Mr. McGill went over the variances agreed upon during this hearing.

Mr. Apostolou made a motion to approve the application as amended, seconded by Mr. Sullivan. Motion carried by the following vote:

AYES: Mr. Muly, Mr. Young, Mr. Apostolou, Mr. Thompson, Mr. Sullivan, and Mr. Hamilton.

NAYS: Mr. Love

ABSTAIN: None

Mr. Hamilton continued with the balance of the meeting.

#33-2021 Baldino, John & Cheryl - 74 Ocean Avenue - Bulk Variance

Appearing for the applicant was Michal Henderson, Esq., Cheryl and John Baldino, Architect David Feldman, and Engineer Frank Bear. Al Yodakis, Engineer was also sworn in.

Mr. McGill swore in Cheryl & John Baldino, David Feldman and Mr. Bear.

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Mr. Baldino went over the history of the property and went over what they are looking to do at the site as well as going over the parking for the property. He stated that there is a driveway easement on the property for 4 homes.

Mr. Apostolou requested a copy of the easement for the property.

There was discussion on the easement for the property and it was advised that there will be no building on the easement.

Mr. Feldman went over the easement and the current parking arrangements with the neighbors.

Mr. Feldman's credentials were accepted by the Board.

Mr. Feldman went over the plans for this project.

Mr. McGill marked the exhibits being used.

Mr. Baer went over the engineering aspect of this project as well as the requested variances that are being requested. He stated that there is only one variance a rear yard setback.

There was discussion on the removal of the current garage in the back yard as well as the building as it relates to the easement. There was discussion on the parking paver area in the front of the house.

Mr. Baer continued with his testimony as it relates to this project and the variances being requested.

Mr. Henderson summarized that he has provided testimony to justify the relief requested under both C1 and C2 criteria.

Mr. Apostolou made a motion to open the meeting the public, seconded by Mr. Young. Motion carried unanimously.

Carl Franzetti stated that he lives in the back house and voiced his concern on the rear yard setback and the driveway area that is proposed.

Linda Habgood stated that she owns the house directly to the west of this property and she has the same concerns as Mr. Franzetti as it relates to the rear yard setback and parking in the front yard. She requested that the ac units be moved off the west side of the proposed house.

Mr. Hamilton stated that the ac units are allowed on the side of the house.

Mr. Henderson went over the changes that were made from the original plans that were submitted.

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Ms. Habgood inquired about stormwater runoff and wanted to know if runoff would be pushed to the street.

Mr. Yodakis stated that the gutters will be directed to an underground recharge system which will then overflow towards the street.

Doug Verduin stated that he is resident of 18.04 in the back. He is in favor of the new build but is not in favor of the rear yard setback. He voiced his concerns on the parking for the 4 lots and the width of the easement to his home.

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

Mr. Henderson made his closing comments and stated that some of the concerns were for the width of the easement and he stated that the home will be situated further from the easement as it is currently built.

Mr. Sullivan inquired if the applicant would be willing to move the house up to accommodate the rear setback better.

The applicant stated that they would not be in favor of moving the house up.

Mr. Baer stated that if the house is moved up one parking space could be lost as there would not be sufficient area to negotiate from the existing drive to get around the tree.

There was discussion on the request to move the house forward and the rear yard setback.

There was a short recess to allow Mr. Henderson to speak to the applicant.

Mr. Henderson stated that the applicant is willing to do two things to hopefully make this application more appealing. One is to shift the entire proposed dwelling over one foot to the right to create at least a foot buffer between the dwelling and the easement. He stated that this would create a variance for air conditioners being one foot into the side yard setback. The second item would be to shift the proposed dwelling forward so that the rear yard setback would go from 11.9' to 15' which would make the house set back at least 24'.

There was discussion on the moving of the proposed dwelling to the right.

The board is not in favor of moving the house to the right.

Mr. Henderson took this off the request.

There was discussion on moving the dwelling forward.

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Mr. Apostolou made a motion to open the meeting to the public, seconded by Mr. Young. Motion carried unanimously.

Linda Habgood voiced her concerns about the trees on the property, variances and reiterated her concern about the air conditioning placement.

Carl Franzetti stated that he believes this is a bad precedent to set for these variances to go through on these small lots.

Doug Verduin also voiced his concerns about the air conditioning placement and the tree in the front yard.

Mr. Henderson pointed out the applicant's willingness to compromise and that they are now looking for a rear yard setback of 5' and it is for an area that is open and still allows for adequate light and air.

Mr. Apostolou made a motion to deny the application, seconded by Mr. Thompson. Motion carried by the following vote:

AYES: Mr. Muly, Mr. Young, Mr. Love, Mr. Apostolou, Mr. Thompson, Mr. Sullivan, Mr. Hamilton and Mr. Larkin.

NAYS: None

ABSTAIN: None

#35-2021 Cinfio, Janet & Scott, NJDMDC, LLC - 337 Beachfront/336 First Avenue - Bulk Variance

Mr. Henderson requested that this application be carried.

Mr. Apostolou made a motion to carry this application to September 21 at 4 pm, seconded by Mr. Young. Motion carried by the following vote:

AYES: Mr. Muly, Mr. Young, Mr. Love, Mr. Apostolou, Mr. Thompson, Mr. Sullivan, Mr. Hamilton.

NAYS: None

ABSTAIN: None

OTHER BUSINESS

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Mr. Thompson made a motion to close the meeting, seconded by Mr. Apostolou. Motion carried unanimously.

Date Approved: March 1, 2022