

PLANNING BOARD
SEPTEMBER 12, 2023 7 PM

The Manasquan Planning Board held a regular meeting in person and remotely on September 12, 2023 at 7:00 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: Frank DiRoma, Robert Young, Greg Love, John Muly, Mark Apostolou, Leonard Sullivan, Mark Larkin, and John Burke

Absent: Mayor Edward Donovan, Lori Triggiano, and Neil Hamilton

John Muly arrived via zoom at 7:08 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

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

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

NAYS: None

ABSTAIN: None

Approval of Minutes

Regular Meeting Minutes – June 6, 2023

Mr. Burke made a motion to approve the minutes, seconded by Mr. Love. Motion carried unanimously.

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

NAYS: None

ABSTAIN: None

Special Meeting Minutes – June 20, 2023

Mr. Burke made a motion to approve the minutes, seconded by Mr. Sullivan. Motion carried unanimously with Mr. Love abstaining.

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

NAYS: None

ABSTAIN: None

Regular Meeting Minutes – July 11, 2023

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

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

NAYS: None

ABSTAIN: None

Regular Meeting Minutes – August 1, 2023

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

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

NAYS: None

ABSTAIN: None

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Vice Chair Young stated that application #13-2023 Kelly, Kathleen, 163 McLean Avenue was not noticed properly and will be scheduled for the October, 3, 2023 meeting.

APPLICATION

#05-2023 Proper, David - 317 First Avenue - Block 184.01 Lot 6 (carried from 5/2/23, 6/6/23, and 8/1/23)

Timothy Middleton, Esq. was present representing the applicant.

Mr. McGill swore in architect Scott Nicholl, applicant David Proper, Kerri Proper and Al Yodakis.

Mr. Nicholl stated that one of the calculations that was submitted which was distributed was wrong.

Mr. Middleton went over the events that have taken place with the presentation of this application by the Proper's at a previous meeting. He advised that there were issues regarding the building coverage as well as front yard setback which is permitted to be 10' although an applicant has the ability to do an average along the same block within 200' to see if it is above or below the 10'. He stated that they did this and it came in at 8.95'. He stated that the coverage is currently 38.2% where 35% was allowed. He went over how the house was able to have a building coverage of 38.2% which occurred after Superstorm Sandy in 2012.

Mr. McGill marked a memo from the Borough attorney Mark Kitrick outlining the position of the town after the storm as Exhibit A-1.

Mr. Middleton went over how he believes the house got to the current height and coverage.

Mr. McGill marked Mr. DiRoma's notes as Exhibit A-2.

Mr. McGill marked the architectural plans as Exhibit A-3.

Mr. Diroma went over how re-building or raising a home after Superstorm Sand in 2012 was allowed.

Mr. Middleton stated that the applicants were at 39.6% pre-Sandy, they are at 38.3% now and they are not looking to increase the 38.2%. He stated that the application is merely to maintain the 38.2% and to expand the deck. He advised that the current deck is 4.6' in width and they are looking to expand the deck to 7.9'. He stated that they would be 8.5' for the front yard setback with the average being 8.95' with the house next store being 4.89', so they are requesting a variance for approximately 4.8'.

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Mr. Apostolou and Mr. Muly advised that they received the documents provided to the planning board members in attendance.

Mr. McGill marked the blow up of page one of the architectural plans as Exhibit A-4.

Mr. Yodakis stated that the agreed upon average front yard setback is 9.11'. He stated what was put back after Superstorm Sandy was slightly smaller than pre-storm coverage. He stated that the variance for the deck would be 6".

Mr. McGill went over the variances being requested which are front yard, coverage issue, side yard.

Mr. Middleton stated that the side yard is existing and the coverage is existing. He stated that the primary variance is the setback of the deck which is proposed.

Mr. Yodakis confirmed with Mr. Middleton that the coverage is not increasing as it was previously submitted. He stated that the only variance is going to be the 6" front yard setback and the side yard setback where 5' is required and 4.8' is proposed.

Mr. Nicholl's went over the application and how they got to the current request for variances.

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

There being no comment Mr. Sullivan made a motion to close the public hearing, seconded by Mr. Burke. Motion carried unanimously.

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

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

NAYS: None

ABSTAIN: None

#12-2023 Bay/Park Properties, LLC, 1 Main Street – Block 28 Lot 1

Michael Henderson, Esq. was present representing the applicant. He went over the application and requested the board confirm that they have jurisdiction. He stated that the application is for a fully conforming two lot subdivision.

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George McGill swore in principal owner Robert Shippee and TCN Engineering James Giordano.

Mr. Henderson asked questions of Mr. Shippee and he went over the current configuration of the property and advised that they are planning on demolishing the structures and build two single family conforming home under new lots. He stated that he is hoping to save the big tree in the middle of the property but cannot guarantee that.

The board accepted Mr. Giordano's credentials as an engineer.

Mr. Giordano was asked questions by Mr. Henderson regarding the property and what the applicant is proposing. He stated that the applicant is looking to eliminate the existing non-conforming use by demolishing the 3 dwellings on the site, sub-divide the property into 2 conforming lots. He went over the planning board engineer's report and will abide by all recommendations set forth in the report.

Mr. Yodakis stated that the existing building on the property will need to be removed prior to the subdivision being filed.

There was discussion on the placement of the driveways and water flow on the property.

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

Mr. McGill swore in Eileen Flaherty and Lori Centrella.

Ms. Flaherty voiced her concern regarding the driveway closest to Main Street. She requested that it be moved as far away from Main Street as possible.

Ms. Centrella voiced her opinion on the water in the area. She stated that there is no water issues at this property. She also stated that she would be interested in buying the property along with a neighbor to keep it open space.

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

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

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

NAYS: None

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ABSTAIN: None

OTHER BUSINESS

Mr. Burke made a motion to cancel the September 19, 2023 Special Meeting, seconded by Mr. Love. Motion carried unanimously.

Mr. Apostolou voiced his concern on the swimming pool ordinance and whether the board should go back and revisit this to require applicants to keep the pools 2' above ground water.

Mr. DiRoma went over his research into this issue.

Mr. Apostolou withdrew his concern after hearing Mr. DiRoma's explanation.

Mr. Burke made a motion to close the meeting at 7:55 p.m., seconded by Mr. Young. Motion carried unanimously.

Date Approved: November 16, 2023