

**PLANNING BOARD REGULAR MEETING AGENDA
CONDUCTED WITH ZOOM
JUNE 01, 2021 7:00 PM – TUESDAY**

Join Zoom Meeting

<https://zoom.us/j/2610095007?pwd=d01aMVlrY0hINVFGd25RcGpyZS83QT09>

OR

Tel – 1-646 876 9923 US (New York)

ID # 261 009 5007

Password 281 797

Please take notice that the Manasquan Planning Board will convene a remote meeting on June 01, 2021 7:00 PM. (The Board had previously advertised the said meeting, but the within notice is being re-advertised so as to publicize the remote nature of the same.) Due to the Coronavirus/COVID-19 Borough and State Directives, the said meeting is being held remotely, through a web-meeting conference communication system. The remote meeting format will allow Board Members and the Public to simultaneously hear, listen to, participate in, digest, observe, comment on, and/or otherwise object to any and all Board decisions/actions. The remote meeting format, as aforesaid, will allow the Borough's Planning Board to conduct business, without violating any Executive Orders, without violating any COVID-19 Health and Safety Protocol, and while still complying with the spirit and intent of Prevailing Provisions of New Jersey Law. (Please note that the public access to the Municipal Building is not currently permitted).

Members of the public are welcome to, and encouraged to, participate by observing/participating in the remote meeting. The meeting will be held via Zoom. You can access the meeting through the Zoom App via a smartphone or tablet, via a special link on your computer, or by telephone. Note the information printed above.

PUBLIC MEETING

Salute to the Flag

Roll Call

Sunshine Law Announcement

OLD/NEW BUSINESS

1. VOUCHERS
2. May 4 2021 Regular Meeting Minutes

RESOLUTION

3. #18-2021 - RALCO - 21 N MAIN STREET
4. #22-2021 - YOUNG, MATTHEW - 18 MURIEL PLACE
5. #24-2021 - PARZIALE, MIKE - 204, 208 FOURTH AVENUE

APPLICATION

6. 15-MINUTE PRESENTATION - OCEAN BAY DEVELOPERS, LLC - NEARY QUINN FUNERAL HOME SITE
7. #19-2021 - DAMEN, STEVE & DOVIE - 581 BRIELLE ROAD

OTHER BUSINESS

Comments from individual board members

ADJOURNMENT

PLANNING BOARD
TECHNICAL REVIEW APPLICATION

Date: 5/25/2021

Owner/Applicant Ocean Bay Developers, LLC


Address 1065 Rte. 22 West, Bridgewater, NJ 08807

Contact Phone 908-526-2230 / acorsini@fieldstoneassoc.com

Site Location Address 39 South Street

Block 23 Lot 7.02

Brief description of proposal for Development or Use Five market rate dwellings to replace the current funeral home and existing apartment.
Redevelopment of the property to replace the parking area adjacent to Branin Ave with three single family homes.
Construction of (2) two three-story town homes located where the current funeral home is placed.

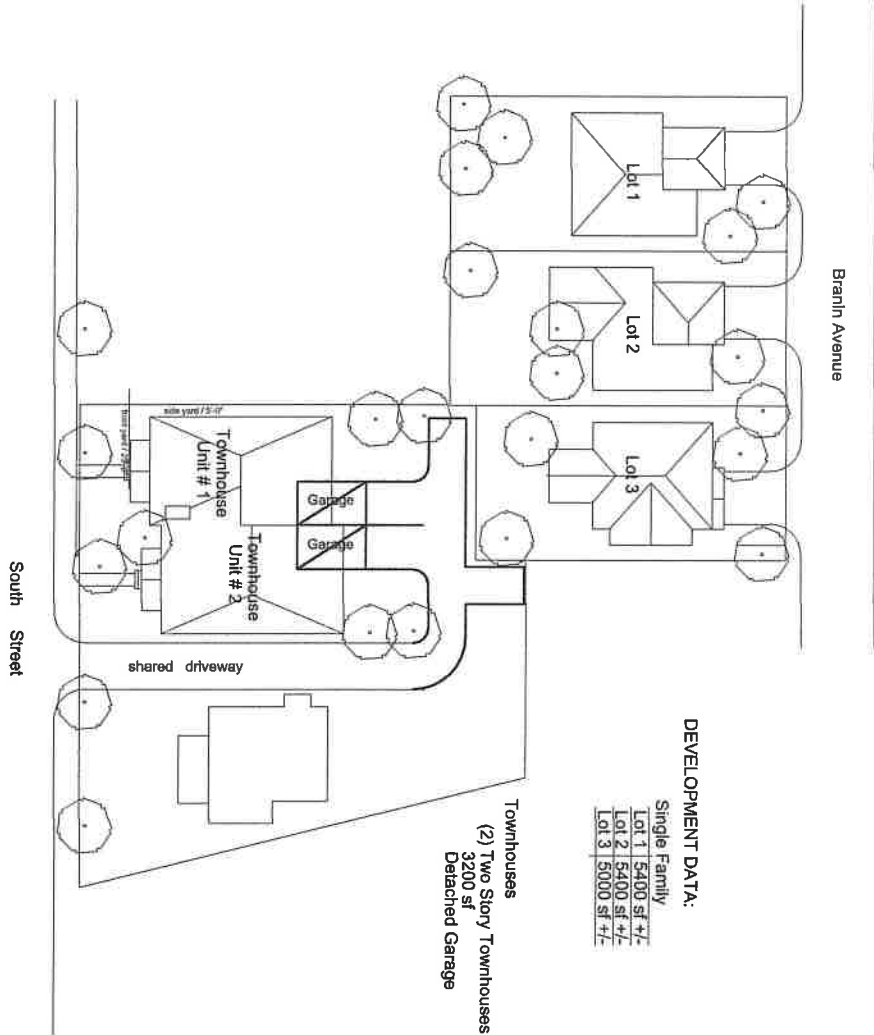
Applicant's Signature  Arthur J. Corsini Jr., member

*****Office use only*****

Fee: \$200.00

Cash/Check _____

Date Received _____



Concept Site Plan

39 South Street Parcel
 Borough of Manasquan
 Monmouth County, New Jersey
 13 May 2021

A.1
 Vignette



Proposed South Street Elevation

39 South Street Parcel
Borough of Manasquan
Monmouth County, New Jersey

13 May 2021

A.2
vlbjr+
architecture + town planning + urban design

PANDOLFE, SHAW & RUBINO, L.L.C

ATTORNEYS AT LAW

JOHN T. PANDOLFE, JR.*
CHARLES F. SHAW, III
Email: cshaw@psr215.com
MICHAEL R. RUBINO, JR.
Email: mrubino@psr215.com

215 Morris Avenue
Spring Lake, New Jersey 07762
(732) 449-7500

TELEFAX: (732) 449-7501
* N.J. & FLA. BAR

May 21, 2021

Mary C. Salerno, Board Secretary
Borough of Manasquan
Borough Hall
201 East Main Street
Manasquan, New Jersey 08736

Re: APPLICANT: STEVEN & DOVIE DAMEN, H/W
BLOCK 182.01 LOTS 21 & 22
579 & 581 BRIELLE ROAD
MANASQUAN, NJ

Dear Ms. Salerno:

With reference to the above matter, since we first applied the application, we were advised that we needed additional variances, that's why we asked for the application to be carried. We are now seeking variances for:

Variance #1 – Front Yard Setback – 10 feet is required, whereas a setback of 5.9 feet is existing and proposed to pillar addition.

Variance #2 – Maximum Building Height - 2 1/2 stories and 33 feet is permitted for non- conforming dwellings. The existing house is 3 stories and approximately 35.78 feet.. With the addition the house will become 36.17 feet and will remain 3 stories..

Variance #3 – Maximum Building Coverage – 35% is permitted, whereas a building coverage of 40.48% is proposed.

Variance #4 – Maximum Lot Coverage – 50% is permitted, whereas a lot coverage of 50.4% is proposed.

Variance #5 – Minimum Front Steps Setback – 0 feet is required, whereas - 1.4 feet is proposed.

Variance #6 - Accessory Rear Side Setback (Fire Place) - 3 feet is required, whereas 1 foot is existing/proposed.

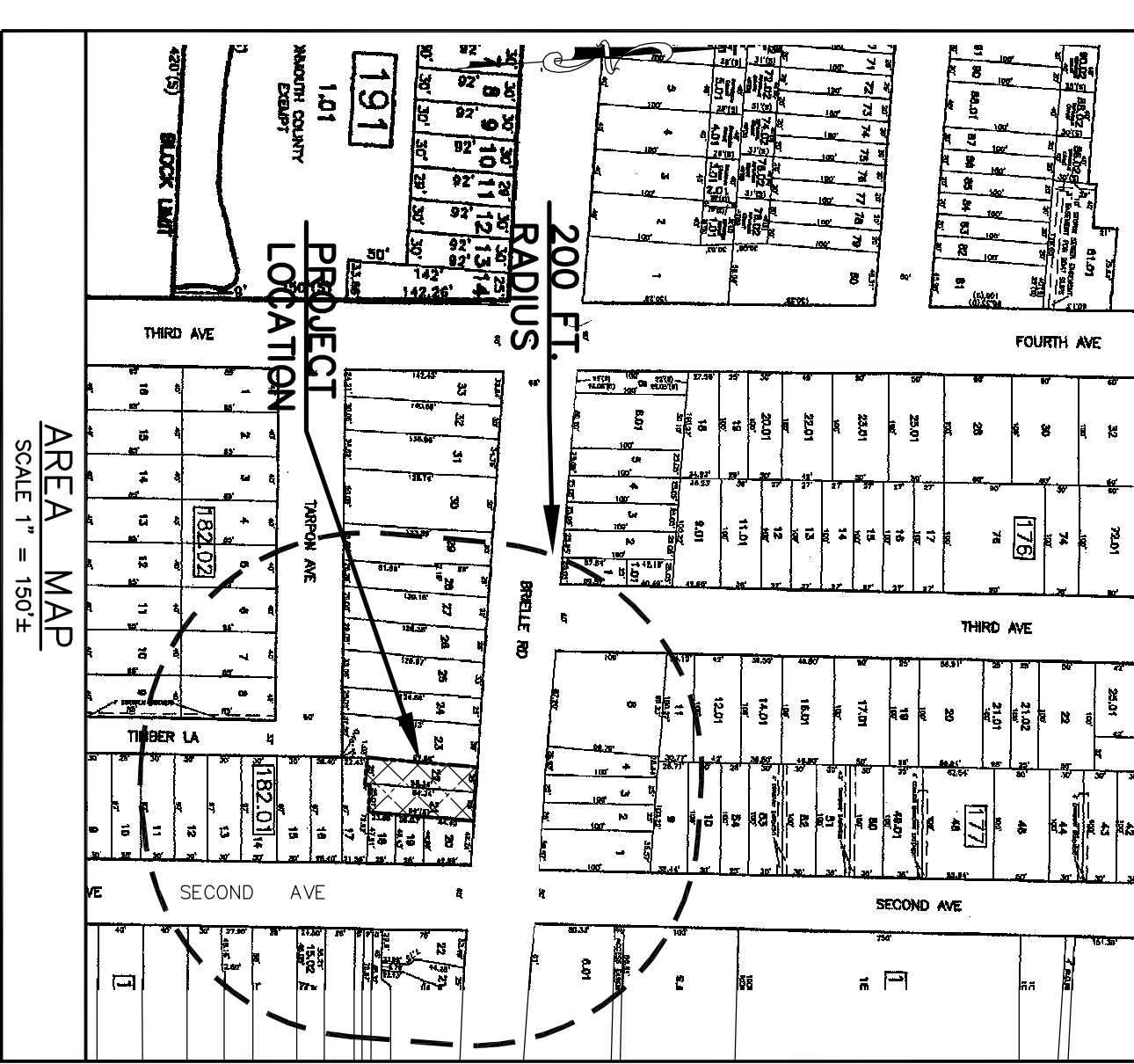
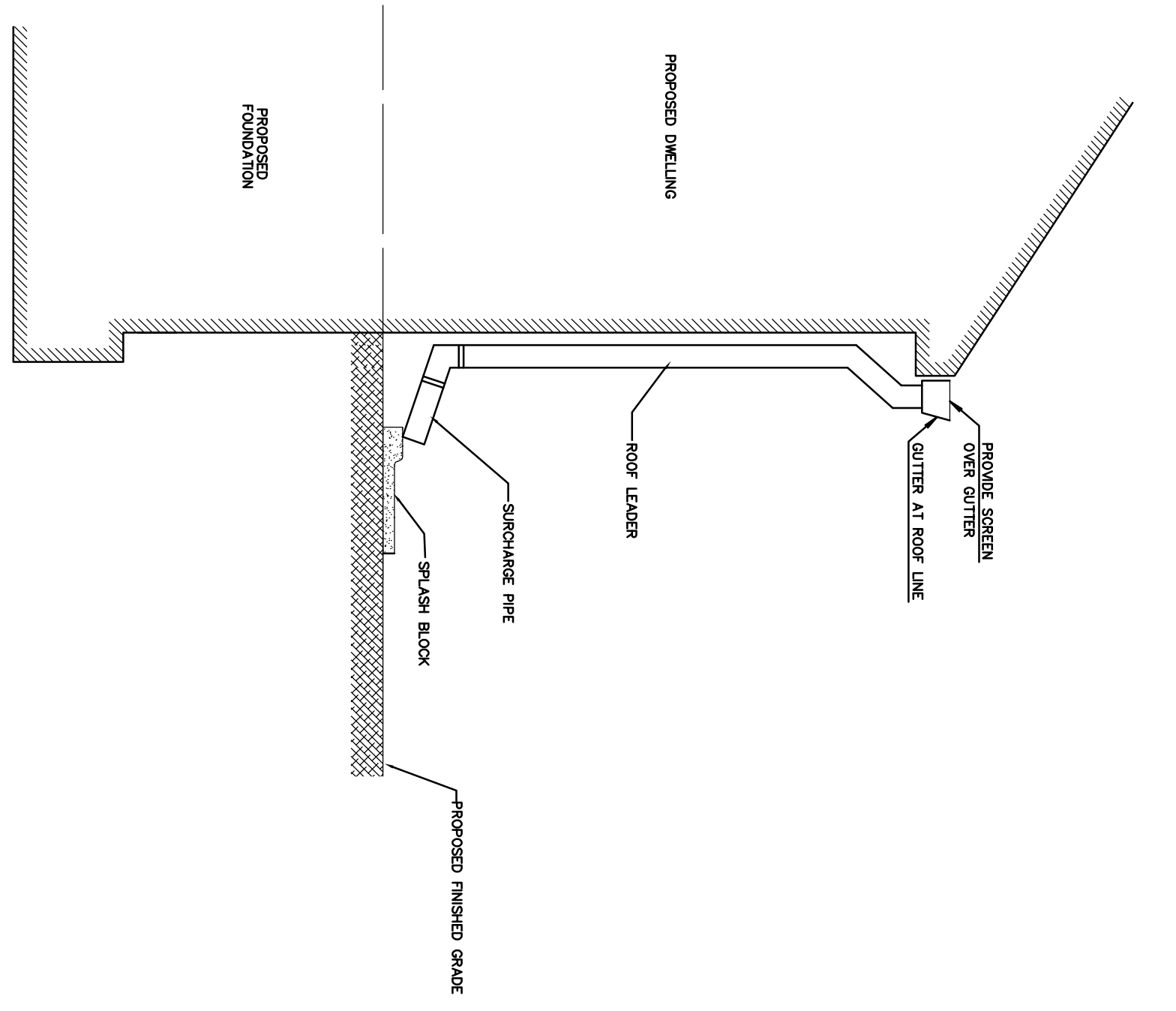
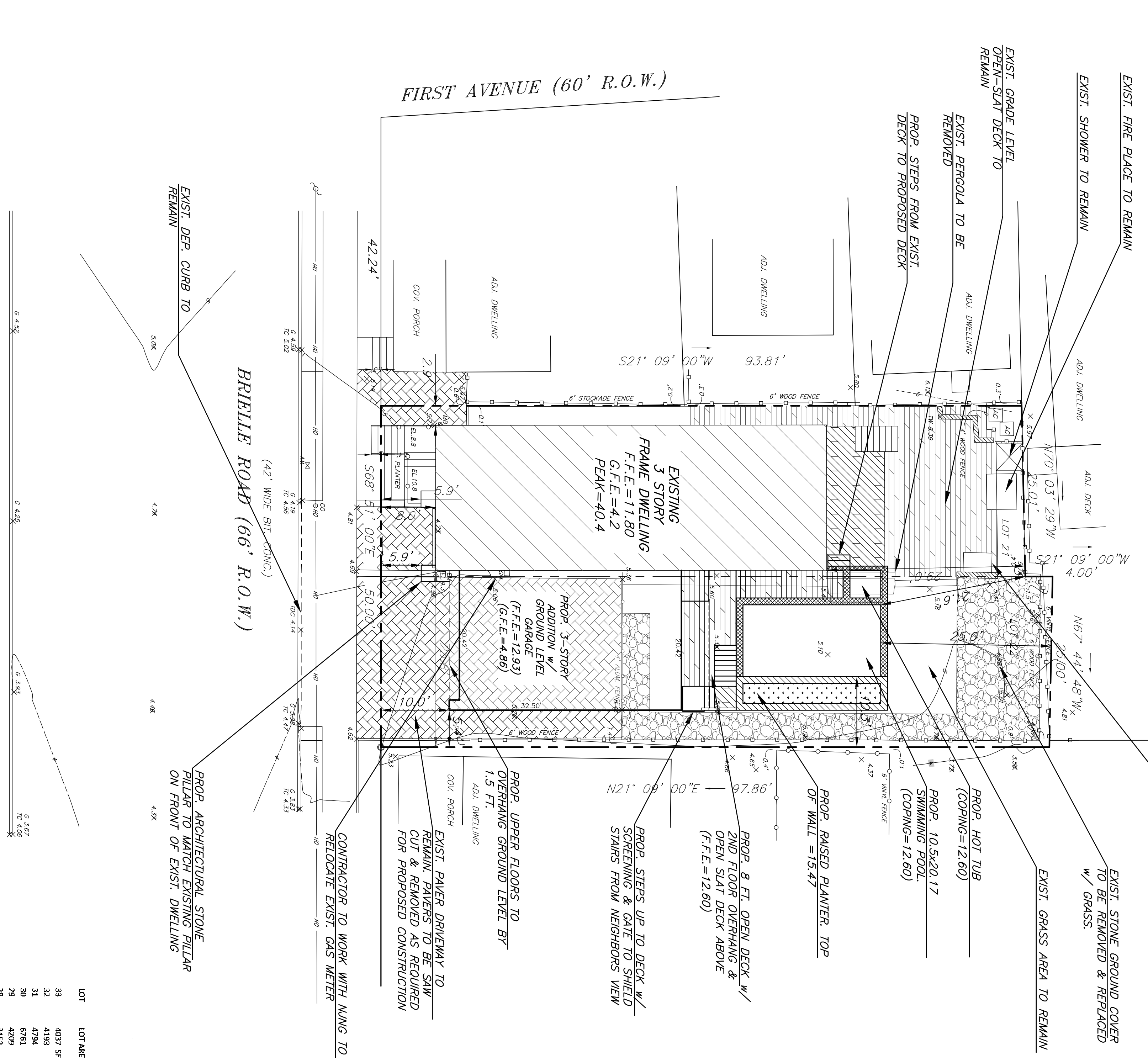
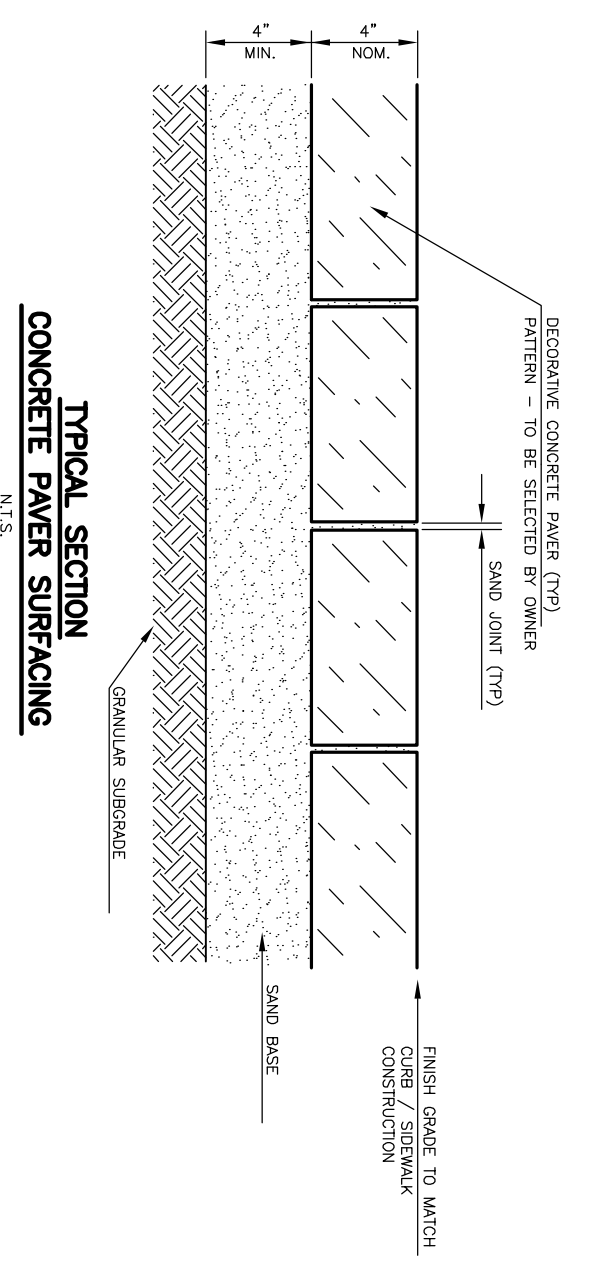
Variance #7 - Curb Cut/Driveway Width - Existing driveway is 1 foot from property line. 12 feet Max Curb Cut permitted, whereas 33.17 feet is existing/proposed and 20 feet Driveway Width permitted, whereas 34 feet is existing/proposed.

We are amending the application accordingly.

Very truly yours,

MICHAEL R. RUBINO, JR., ESQ.

MRR/lmw
Enclosure(s)
cc: Client



GENERAL NOTES:
 PROPERTY IS LOCATED IN THE RESIDENTIAL R-5 ZONE AND CONTAINS A TOTAL OF 0.1102 ACRES.
 APPLICANT PROPOSES TO COMBINE LOTS 21 & 22 AND CONSTRUCT A NEW 3-STORY ADDITION W/ GROUND-LEVEL PARKING/STORAGE AREA, SWIMMING POOL, HOT TUB & ASSOCIATED SITE IMPROVEMENTS
 ZONE R-5
 OWNER/APPLICANT: STEVEN DAMEN
 581 BRIELLE ROAD
 MANASSAQUAN, NEW JERSEY 08736

DESCRIPTION	REQUIRED/PERMITTED	EXISTING	EXISTING	PROPOSED
BUILDING USE	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL
LOT AREA	2,700 S.F.	2,446.50 S.F.	4,804 S.F.	4,804 S.F.
MIN. LOT FRONTAGE	40 FT.	25 FT.	50 FT.	50 FT.
FRONT YARD SETBACK (EX. DWELLING)	9.25 FT. (AVG.)	N/A	8 FT.	8 FT.
(EX. PILLAR)	9.25 FT. (AVG.)	N/A	5.9 FT.	5.9 FT.
(DWELLING ADDITION)	9.25 FT. (AVG.)	N/A	10 FT.	10 FT.
(PILLAR ADDITION)	9.25 FT. (AVG.)	N/A	**5.9 FT.	**5.9 FT.
SIDE YARD SETBACK	5 FT.	**2.9 & 0.84 FT.	**2.9 & 5.4 FT.	**2.9 & 5.4 FT.
REAR YARD SETBACK	20 FT.	29 FT.	29 FT.	29 FT.
MAX. BUILDING COVERAGE	35 % (1,881.40 S.F.)	**55.10 % (1,299 S.F.)	**40.48 % (1,945 S.F.)	**40.48 % (1,945 S.F.)
MAX. LOT COVERAGE	50 % (2,402 S.F.)	**57.82 % (1,303 S.F.)	**50.40 % (2,421 S.F.)	**50.40 % (2,421 S.F.)
MAX. BLDG. HEIGHT (T.O.C. = 4.82)	33 FT.(2.5 STY)	N/A	**35.17 FT.	**35.17 FT.
MAX. # STOREYS	2.5 STOREYS	N/A	**3 STOREYS	**3 STOREYS
MIN. STORAGE	80 S.F.	N/A	80 S.F.	80 S.F.
MIN. DECK/PATIO	80 S.F. or 10% 1st. FLOOR (198.9 S.F.)	N/A	> 200 S.F.	> 200 S.F.
MAX. GARAGE COVERAGE	600 S.F.	N/A	N/A	N/A
MAX. GAR. SETBACK	5/5 FT. (SIDE/REAR)	N/A	N/A	N/A
MAX. GAR. HEIGHT	15 FT.	N/A	N/A	N/A
MIN. ACCESS. SETBACK(FRONT)	3/3 FT. (SIDE/REAR)	N/A	N/A	N/A
MIN. POOL SETBACK	10/0 FT. (SIDE/REAR)	N/A	N/A	N/A
MIN. FRONT STEPS SETBACK	0 FT.	N/A	**10/1 FT.	**10/1 FT.
** - INDICATES EXISTING NON-CONFORMITY			10.3/21.6 FT.	10.3/21.6 FT.
** - INDICATES VARIANCE REQUIRED			** -1.4 FT.	** -1.4 FT.
VARIANCE NOTE: HEIGHT VARIANCE IS NEEDED FOR ROOF RAFTER BEING GREATER THAN 4" ABOVE FLOOR, EXIST./PROP. DWELLING MEETS THE 1/2 STORY REQUIREMENT FOR FLOOR AREA.				

HEIGHT CALCULATIONS

FIRST FLOOR	= 12.93
+ HOUSE	= 27.86
ROOF HEIGHT	= 40.79
- AVG. T.O.C.	= 4.82
BUILDING HEIGHT	= 36.17

BUILDING COVERAGE COMPARISONS

EXISTENTIAL BUILDING COVERAGE (E LOT 22 DEVELOPED INDEPENDENTLY)	1,224 S.F.
EXIST. LOT 21	856 S.F.
PROPOSED LOT 22 (SEE TO MEET ZONING)	2,080 S.F.
TOTAL BUILDING COVERAGE	2,080 S.F.

BUILDING COVERAGE CALCULATION

EXIST. LOT 21	1,224 S.F.
PROPOSED LOT 22 ADDITION	721 S.F.
TOTAL BUILDING COVERAGE	1,945 S.F.

REMARK: THE PROPOSED VARIANCE BEING REQUESTED FOR THE COMBINED LOT, 182.01, 21 & 22, IS BEING REQUESTED TO BE REVIEWED AND APPROVED INDEPENDENTLY WITH LOT 22 BEING MAILED OUT AT THE 35% ALLOWABLE COVERAGE.

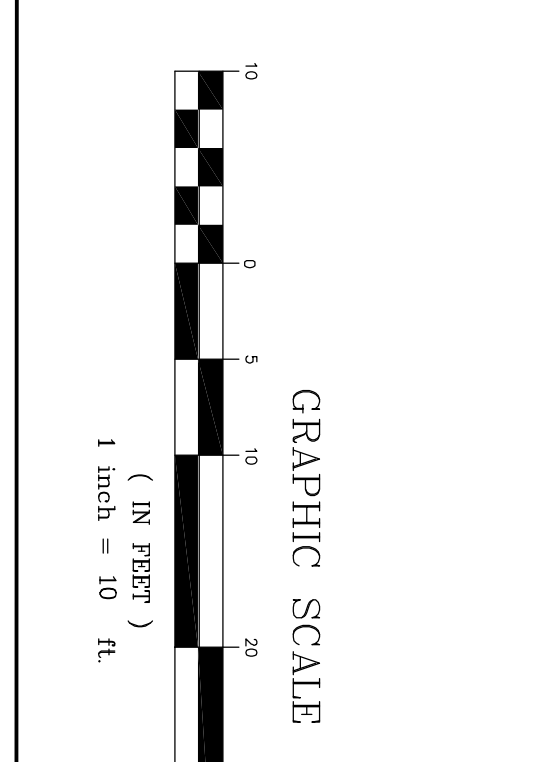
PROPERTY SHALL BE SERVICED BY EXISTING PUBLIC SEWER AND WATER SERVICES
 - EXISTING CURB SHALL BE REPLACED AS DETERMINED BY THE ZONING OFFICER
 - TOPOGRAPHIC INFORMATION IS BASED ON NAVD88 DATUM
 FIRM PRELIMINARY FIRM FLOOD ELEVATION ZONE 'AE' - ELEV. 9.0, JANUARY 30, 2015
 FIRM FLOOD ZONE 'AE' - ELEV. 8.0 - COMMUNITY PANEL NUMBER 340250456F, MONMOUTH COUNTY, N.J. - DATED SEPT. 25, 2009.

BUILDING COVERAGE SUMMARY

LOT	LOT AREA	BUILDING AREA	BUILDING COVERAGE %
33	4037 SF	1714 SF	47.5
31	4794	1269	35.1
30	6761	1142	26.5
29	4209	1204	24.0
28	3452	1706	49.6
27	3741	837	22.3
26	3711	1628	45.5
25	4147	1077	35.6
24	3697	940	40.5
23	3913	979	40.4
22	3913	979	51.4
19	1142	587	51.4
18	1142	950	83.1
17	2198	750	34.1

Total 603,315 = 40.35 %

NOTE: ABOVE CHART WAS PREPARED BY R.C. ASSOCIATES, BASED ON THE MUNICIPAL TAX RECORDS PROPERTY SHEETS AS OF 11/3/20.



DAMEN GRADING PLANS
Block 182.01 - Lots 21 & 22
 BOROUGH OF MANASSAQUAN
 MONMOUTH COUNTY, N.J.

R.C. ASSOCIATES
 Consulting, Inc.
 Valley Park Professional Center
 2517 Route 35 Building J Suite 102
 Monroeville, New Jersey, 08736
 Ph. 732-528-0141 • Fax 732-528-0660

RAY CARPENTER P.E.

PROFESSIONAL ENGINEER, N.J. Lic. No. GZ23223

DATE:	12/16/20
SCALE:	AS SHOWN
DRAWN BY:	WAM
C.A. #24628108800	
JOB #:	2020181
SHEET:	1 OF 1

APPLICATION TO THE PLANNING BOARD

SECTION I

Property Location: 579 & 581 Brielle Road

Applicant: Lot 21 - Steven M. Damen and Dovie L. Damen, h/w (60%) & The Damen Family
Irrevocable Real Estate Trust (40%)
(If a Corporation, attach list of principals)
Lot 22 - Steven M. Damen

Address: 581 Brielle Road, Manasquan, NJ 08736

Telephone 732-245-3818 Cell 732-245-3818 Fax n/a

Email: sdamen@stratustech.com

Section II – Type of Application (Please check)

- Variance Non-Permitted Use Conditional Use
- Subdivision – Minor Subdivision – Major
- Site Plan Approval

Section III – Appeal of Zoning Officer’s Decision

Date of Denial: 01/14/2021

Zoning Permit Application Attached.

Section IV

Plot plan (Survey) – not older than five (5) years, clearly indicating all buildings and setbacks.

ADDENDUM

The owner of Lot 21 is Steven M. Damen and Dovie L. Damen, h/w (60%) & The Damen Family Irrevocable Real Estate Trust (40%).

The owner of Lot 22 is Steven M. Damen.

The applicant, Steven M. Damen and Dovie L. Damen, h/w, would like to combine the two lots (Lot 21 & Lot 22) and construct a new three story addition with ground level parking/storage area. They would also like to install an in-ground swimming pool and hot tub along with associated site improvements.

There is an existing 3 story framed dwelling on Lot 21. The owners of lot 21 received a variances to build that house. (Copy of resolution attached).

The applicant wants to design the addition so as to “marry” the look of the addition to the structure. The proposed design meets the definition of the story “half” concerning the maximum floor area at ceiling height of 5 feet or more, not exceeding 60% of the square footage of the floor directly below, but it does not have roof rafters that intersect with a wall height of 4 inches above the floor/ ceiling system. In designing this addition, the architect wanted to maintain the same characteristics and look of the original structure and architecture. Aesthetically the applicant believes that the proposed design

• is better than a conforming one. It should also be noted that a review of the zoning chart for the complying properties lessens a number of existing non-conformities including lot area, lot frontage, side yard setback, building coverage, and lot coverage.

The applicant believes that by reason on an extraordinary and exceptional situation that uniquely affected the subject property and the structure which exists lawfully thereon the strict application of the aforementioned regulations would result in peculiar and exceptional practical difficulties to, or exception and undue hardship upon the applicant.

The applicant will demonstrate that the purposes of the Municipal Land Use Law and the Land Use Ordinances of the Borough would be advanced by a deviation from the zoning ordinance requirements at issue, and further that the benefits of any such deviation would substantially outweigh any detriment resulting from a grant of the application.

The applicant believes that the relief can be granted without substantial detriment to the public good and that the relief will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinances of the Borough. The negative criteria will be satisfied as the applicant finds no detriment as a result of the granting of the application. The applicant also believes that there will be no adverse impact as a result of the granting of the application.



Section 35-11.8c - Prohibits locating any mechanical equipment (a/c, shower) in the required 5ft. side setback area.

Section 35-11.8k – Requires that ground level decks and patios must be setback a minimum of 5ft. from the side and rear property lines.

Additional required documentation:

- Plot plan revised to show compliance with Section 28-1.3.
- Plot plan revised to show compliance with Section 35-7.7 regarding curb cut and driveway width.
- Prior approval from the shade tree committee regarding the removal of any trees on the property.

Note: The lowest 2 steps leading to the front entrance are encroaching onto borough property.

If you have any questions, please call me at 732-223-0544, ext. 256

Sincerely,

Richard Furey
Zoning/Code Enforcement Officer





















Original -
CORRECTED

**BOROUGH OF MANASQUAN
PLANNING BOARD
RESOLUTION NO. 9-2002**

RE: APPLICATION OF THEODORE DAMEN SEEKING APPROVAL TO DEMOLISH EXISTING DWELLING AND TO CONSTRUCT A NEW TWO AND ONE HALF STORY SINGLE FAMILY HOME AT 581 BRIELLE ROAD ON LOT 21 IN BLOCK 182.01 OWNED BY APPLICANT AND FOR APPROVAL OF BULK VARIANCES FROM THE ZONING REQUIREMENTS OF THE BOROUGH OF MANASQUAN ZONING ORDINANCE.

WHEREAS, Theodore Damen has applied to the Borough of Manasquan Planning Board (Application No. 9-2002) for approval to demolish an existing dwelling and to construct a new two and one half story single family dwelling at a location known as 581 Brielle Road; and

WHEREAS, the Planning Board conducted public hearings with reference to the subject Application on January 8, 2002 and on February 5, 2002, at which hearings all interested neighbors and objectors were provided an opportunity to be heard; and

WHEREAS, the members of the Planning Board have reviewed the testimony received from the applicant and applicant's son, Steven Damen, and the applicant's expert witness, Richard Grasso, Architect, and the written denial of the Development Application issued by the Zoning Officer dated December 19, 2001, as well as the written reports of Alan P. Hilla, Jr., P.E., P.P., Planning Board's Professional Planner and Engineer, dated January 2, 2002 and January 30, 2002 and the written report of the Borough Water and Sewer and Tax Department; and

WHEREAS, the Planning Board makes the following findings of fact:

1. The property is located in the R-5 Residential Zone and consists of a lot having 2,350 square feet. The minimum lot size for lots in the R-5 Zone is 2,700 square feet. The property is located on the south side of Brielle Road approximately 50 feet west of First Avenue. The lot is rectangular in shape and measures 25 feet along Brielle Road and has a depth of 94 feet approximately.
2. At the present time the property has an existing two story dwelling. The applicant proposes to demolish that dwelling and to construct a new two and one half story single family dwelling in its place. The original application provided to the Board confirms that applicant wishes to maintain the existing deck and improvements at the

rear of the property. The existing and proposed residential use for applicant's lot is conforming. However, both the existing lot and the existing and proposed structures are nonconforming for the R-5 Zone.

3. The following variances are required with respect to the subject development application:

- a. A variance from the minimum lot area (2,700 feet required, 2,350 feet existing).
 - b. A variance from the minimum frontage (40 feet required, 25 feet existing).
 - c. A variance from the front yard setback (25 feet required, 6.5 feet proposed).
 - d. A variance from the side yard setback (5 feet required both sides, 3.23 feet and 0.1 foot proposed on the east and west side respectively).
 - e. A variance from the rear yard setback (20 feet required, approximately 1.5 feet existing to the deck).
 - f. A variance from the building coverage requirement (35% maximum allowable, 45.4% proposed).
 - g. A variance from the allowable lot coverage (50% maximum allowable, 52.3% proposed).
 - h. A variance from Section 35-13.4 which requires an on-site parking availability of two spaces. Applicant proposes a single car garage within the proposed new structure that would accommodate one vehicle. A variance is required from the two on-site parking spaces required by the provisions of the Zoning Ordinance.
4. Three Exhibits were marked for identification as follows:
Exhibit A - 1 consisting of the elevation and 3rd Floor plan
Exhibit A- 2 consisting of the photograph of the property
Exhibit A-3 consisting of a colorized rendering of the front elevation of the proposed house as revised consistent with recommendations received from applicant from Planning Board during the course of the January public hearing.
5. At the January hearing before the Board, applicant, Theodore Damen, appeared with his son, Steven. Both gentlemen together with Richard Grasso, Professional Architect, testified in support of the applicant. Mr. Grasso acknowledged

that applicant's is a nonconforming lot and that the Board can require a building height of less than 35 feet. The original proposal was for a 34 foot high building measured from the grade. Mr. Grasso informed the Board that there was leeway with respect to the height due to the foundation. The first floor is at 9.7 feet but can be made to 10 feet and still result in a building less than 35 feet high. Ceiling heights would be 8 feet on the first floor, 8 feet on the second floor and 8 feet on the half story. During the course of the January meeting two Exhibits were provided consisting of Exhibit A-1 being a revised elevation and third floor plan and Exhibit A-2 consisting of a photograph of the property. Mr. Grasso testified that applicant would like to use the existing buildings footprint for the new dwelling to be constructed. He noted that the existing house is extremely narrow due to the configuration of the lot. He also noted that applicant has the largest back yard of any property in that area of Brielle Road. Applicant prefers to keep the existing front yard setback at 6-1/2 feet. Properties located on either side of the property forming the subject of the application have differing front yard setbacks. During the course of the January public hearing Board members questioned why applicant sought to obtain a 35 foot building height for a structure that is on such a small piece of property. Applicant testified that he needs additional room for his growing family and that the existing two story dwelling does not provide same. The new structure will provide a visual enhancement along Brielle Road. Applicant testified that there is 39 feet from the back of the existing structure to the rear property line. The third floor half story will be for storage and also for the heating and air conditioning units. Board Members commented that the plans provided at the January hearing showed an effort to shoehorn a 25 foot wide house into an extremely small package. Board members at the conclusion of the January hearing voiced their concern that because of the need for fire and public safety access to this property and others that the size of the house should be reduced in order to enhance the setbacks. Board members commented that the problem with the initial design presented was the size of the building proposed and its overall width in relation to the setback requirements. It was suggested that the building be pushed further into the back yard providing for a greater front yard setback. At least one Board member suggested the abandonment of the garage to allow a greater side yard setback. However, other Board members opined that this is a high density area and that every effort should be

made to encourage onsite parking opportunities.

6. Applicant testified that the reason for the design as proposed was to continue to afford an opportunity for an ocean view. The Mayor observed that these are extremely small lots and that every effort should be made to accommodate property owners who desire to improve the existing houses located on those lots. After considerable discussion the Board determined to give applicant additional opportunity to locate the proposed structure in such a way as to enhance front yard setback opportunity as well as to reduce the overall height of the structure proposed. It was noted that the applicant will want to install windows on one of the sides of the proposed structure and that accordingly a 3 foot wide setback would be required. During the public portion of the hearing resident, Marilyn Jacobson, observed that she was happy to see that the applicant is seeking to improve his property but is concerned that the Board not set a precedent with respect to this property that would hamper its ability to review other applications from other property owners and she felt that the suggestions made by Board members to the subject applicant were constructive. The Board approved a motion to carry the application for continued hearing at the February 5, 2002 meeting of the Board.

7. During the course of the January 5, 2002 public hearing Mr. Grasso reappeared and testified in support of the application as did applicant, Theodore Damen, and Mr. Damen's son, Steven Damen. Mr. Grasso testified that the applicant has reduced the width of the house as well as the height. He testified further that on the first floor there will be a foyer, closet, bathroom and at the rear a kitchen and a great room. There will be a staircase up to the second floor where there is a master bedroom, a shared bath, a rear bedroom and on the loft level there are two loft spaces. With respect to Exhibit A-3 Mr. Grasso testified that an effort had been made to give the proposed new dwelling a colonial/gambrel roof look. Applicant also provided additional documentation with respect to the easement that benefits the subject property.

8. The Board takes administrative notice of the fact that the July 18, 1991 Deed with respect to the property references an easement that burdens the adjacent property (Lot 22) in favor of the Damen property. That easement provides to the Damens and their successors a perpetual nonexclusive easement for pedestrian

ingress and egress over the concrete walk on neighboring Lot 22 all for purposes of assuring access by the Damens to the rear of their property known as Lot 21.

9. Applicant testified that he has been unable to purchase any additional property on either side of their Lot 21 which would enable them to provide any additional side yard setback. The lot is a nonconforming lot as is the proposed structure. He noted that the revised plans submitted to the Board provided for a 6-1/2 foot front yard setback. The rear yard setback is 10 feet. Applicant's architect testified that the overall length of the proposed home is 57 feet. The Board notes that the lot is 97 feet deep which would provide a 30.5 foot setback to the rear of the proposed house inasmuch as the decking is on grade and would not be a structure within the intentment of the Zoning Ordinance. Applicant noted that he has owned the property since 1985 and that the overall height of the proposed new structure would be 32 feet. Applicant's son, Steven Damen, said they have come down from 35 feet and they have also come in an additional 1 foot on the side to provide for a side yard setback of 5 feet and that the other side yard setback will be 3.2 feet. The Board members expressed general approval for the new side yard setbacks of 5 feet and 3.3 feet. Applicant noted that the average setback for homes along this section of Brielle Road is approximately 3 feet. Applicant noted that he has placed a railing along the front of the house and extended it consistent with Board members recommendation. Applicants expressed their opinion that the 6-1/2 foot front yard setback was consistent with setbacks along the rest of Brielle Road. Board members expressed their observations with respect to the front yard setback. One Board member stated that an additional movement of the house to the rear by 3 or 4 feet would be appropriate since there is so much open space at the rear of the lot and this would permit other property owners along this section of Brielle Road to also have an opportunity for an ocean view. Absent the movement of the house to the rear of the lot other Board members felt that the house would stick out like a sore thumb. Mr. Twaddell noted that there are 16 houses between Third Avenue and First Avenue and that there are only 5 houses that are two stories in height, the applicant having one of them. All houses are approximately the same height. The elevations upwards proposed by applicant is simply inconsistent with the general streetscape along this portion of Brielle Road. Steven Damen testified that the views are extremely important. There is a great view

from the second floor of the existing dwelling. He offered his opinion that even if the corner house builds out with a front yard setback of 3-1/2 feet he will still have a view of the ocean. The applicant testified that his family were pioneers with respect to this portion of Brielle Road and they are making a substantial investment to improve aesthetically this section of Brielle Road. He noted that to the west there had been a great many improvements being accomplished and he wants to be the first one to include his neighborhood in that trend.

10. Mr. Grasso testified that from the curb to the house there would be 11-1/2 feet. From the property line to the house there would be 6-1/2 feet. He noted that the applicant has stepped back the second story to a 7-1/2 foot distance.

11. Other Board members felt that to require the applicant to push the house back any further than proposed on the revised plans might create a visual eyesore and that applicant had attempted to comply with the Board's suggestions at the last meeting. The Board members felt that the new design provided for a physically attractive dwelling. At the suggestion and urging of the Board Chairman, the project architect proposed a front yard setback of 8 feet. Applicant concurred with architect's proposal which would result in a 13 foot distance to the curbline and an 8 foot distance to the property line.

12. The Board concludes that the continued provision of onsite parking opportunity and the enhancement of both the side and front yard setbacks thereby assuring greater accessibility to the premises by fire and public safety personnel are all factors that support the grant of variance relief requested.

13. There were no objectors to the subject application for development who appeared at the February hearing.

14. The Board finds that the scope of the improvements that the applicant seeks to make to his Brielle Road dwelling will greatly contribute to the aesthetic improvement of views along Brielle Road.

15. The Board further notes that the purposes of zoning will be advanced and served by the creation of a more desirable visual environment, particularly by reason of the substantial construction changes and upgrades proposed with respect to 581 Brielle Road. The Board finds that the retention of existing onsite parking is a positive benefit.

16. The Board determines that the subject application for variance approval can be granted without substantial detriment to the public good and without impairment of the Master Plan and Zoning Ordinance of the Borough of Manasquan and that the variance relief sought by the applicant serves a salutary zoning purpose and outweighs any detriments that might be caused by the grant of the relief requested.

NOW, THEREFORE, BE IT RESOLVED by the Manasquan Planning Board that the application of Theodore Damen for variance relief with respect to property known as Lot 21 in Block 182.01 be and the same is hereby granted subject to the applicant's compliance with all of the following conditions:

1. The plans which have been revised and which consist of two separate pages prepared by Richard P. Grasso, Architect, entitled "Proposed Single Family Residents for Mr. & Mrs. Steven Damen, Block 182.01, Lot 21, Manasquan, New Jersey" are to be further revised to include specific reference to the fact that the approved front yard setback with respect to the proposed new dwelling shall not be less than 8 feet. Additionally, applicant is to identify and show on said plans all underground line and utilities (specifically the water and sewer lines) to the satisfaction of the Borough's Construction and Sub-Code Officials. The plans should also be revised to identify and confirm the side yard setbacks to be observed on both sides of the proposed new structure (5 feet and 3-1/2 feet) as set forth in testimony received by the Board.
2. A revised survey shall be provided by the applicant to the Zoning and Construction Officer and to the Planning Board Secretary that shows all easements that benefit the subject property which survey is consistent with the title work provided by applicant to this Planning Board.
3. No other principal or accessory structure shall be constructed on the subject property. There shall be no expansion of the proposed structure beyond those dimensions noted on the plans hereinbefore referenced.
4. The new two and one-half story single family structure and garage to be constructed shall be consistent with the architectural renderings furnished by the applicant and testified to by the applicant and revised consistent with paragraph 1 of this Resolution.

5. The obtaining by applicant at applicant's sole cost and expense of all pertinent approvals and permits (if any) required by law to be obtained from the State of New Jersey, County of Monmouth, Monmouth County Planning Board and Soil Conservation Service. The building to be constructed by applicant shall not exceed 32 feet in height as measured from the crown of Brielle Road to the peak of the structure to be built.

6. Payments of all fees due to the Borough of Manasquan and its engaged professionals, including but not limited to, payment of all professional engineering and planning services (inclusive of inspections provided by the Borough) by the Board's professional planner and engineer in conjunction with his review of the subject application and assurance of compliance with the conditions of this Resolution.

7. No building permits or Certificates of Occupancy shall be issued with respect to the subject property by the Construction Official until all terms and conditions of this Resolution have been complied with to the satisfaction of the Planning Board's engineer and professional planner.

8. Payment of all real property taxes by the property owner.

9. At the conclusion of all construction with respect to 581 Brielle Road and prior to the issuance of a final certificate of occupancy with respect to that structure, applicant shall provide a final as-built survey with respect to the subject lot showing all structures and all completed improvements and all front and side yard and rear yard setbacks as well as building and lot coverage calculations with respect to the subject property.

10. Applicant shall not install any water or other meters in any crawl space of the subject residence to be constructed, but only at such location or locations as shall be approved by the Borough Water and Sewer Department.

BE IT FURTHER RESOLVED, that the variance(s) approved shall expire within nine months calculated from the 45th day following the date that written notice of the Planning Board's action is published in the Coast Star or Asbury Park Press. In the event that construction, alteration or use has not been commenced within the aforementioned time period, applicant may request and obtain at no additional cost a single one time only nine month extension within which to commence construction, alteration or use provided, however, that the request therefore shall be made in writing

to the Planning Board secretary before the initial expiration date hereinbefore referenced.

BE IT FURTHER RESOLVED that a copy of this Resolution be immediately provided by the Planning Board Secretary to the Zoning Officer, to the Construction Official and to the Borough Engineer as well as to the Water and Sewer Department in order that said officials and departments may appropriately note their records with respect to the variances approved.



DAVID PLACE, Chairman
Manasquan Planning Board

I certify that the foregoing Resolution is a true copy of a Resolution adopted at the meeting of the Manasquan Planning Board on March 5, 2002.



MARIE APPEGATE, Secretary
Manasquan Planning Board

BOROUGH OF MANASQUAN
PLANNING BOARD

RESTATE RESOLUTION NO. 9-2002

RE: APPLICATION OF THEODORE DAMEN SEEKING APPROVAL TO DEMOLISH EXISTING DWELLING AND TO CONSTRUCT A NEW TWO AND ONE HALF STORY SINGLE FAMILY HOME AT 581 BRIELLE ROAD, ON LOT 21 IN BLOCK 182.01 OWNED BY APPLICANT AND FOR APPROVAL OF BULK VARIANCES FROM THE ZONING REQUIREMENTS OF THE BOROUGH OF MANASQUAN ZONING ORDINANCE.

WHEREAS, Theodore Damen has applied to the Borough of Manasquan Planning Board (Application No. 9-2002) for approval to demolish an existing dwelling and to construct a new two and one half story single family dwelling at a location known as 581 Brielle Road; and

WHEREAS, the Planning Board conducted public hearings with reference to the subject Application on January 8, 2002 and on February 5, 2002, at which hearings all interested neighbors and objectors were provided an opportunity to be heard; and

WHEREAS, the members of the Planning Board have reviewed the testimony received from the applicant and applicant's son, Steven Damen, and the applicant's expert witness, Richard Grasso, Architect, and the written denial of the Development Application issued by the Zoning Officer dated December 19, 2001, as well as the written reports of Alan P. Hilla, Jr., P.E., P.P., Planning Board's Professional Planner and Engineer, dated January 2, 2002 and January 30, 2002 and the written report of the Borough Water and Sewer and Tax Department; and

WHEREAS, the Planning Board makes the following findings of fact:

1. The property is located in the R-5 Residential Zone and consists of a lot having 2,350 square feet. The minimum lot size for lots in the R-5 Zone is 2,700 square feet. The property is located on the south side of Brielle Road approximately 50 feet west of First Avenue. The lot is rectangular in shape and measures 25 feet along Brielle Road and has a depth of 94 feet approximately.
2. At the present time the property has an existing two story dwelling. The applicant proposes to demolish that dwelling and to construct a new two and one half story single family dwelling in its place. The original application provided to the Board confirms that applicant wishes to maintain the existing deck and improvements at the

rear of the property. The existing and proposed residential use for applicant's lot is conforming. However, both the existing lot and the existing and proposed structures are nonconforming for the R-5 Zone.

3. The following variances are required with respect to the subject development application:

- a. A variance from the minimum lot area (2,700 feet required, 2,350 feet existing).
- b. A variance from the minimum frontage (40 feet required, 25 feet existing).
- c. A variance from the front yard setback (10 feet required, 6.5 feet proposed).
- d. A variance from the side yard setback (5 feet required both sides, 3.2 feet and 0.1 foot proposed on the east and west side respectively).
- e. A variance from the rear yard setback (20 feet required, approximately 1.5 feet existing to the deck).
- f. A variance from the building coverage requirement (35% maximum allowable, 45.4% proposed).
- g. A variance from the allowable lot coverage (50% maximum allowable, 52.3% proposed).
- h. A variance from Section 35-13.4 which requires an on-site parking availability of two spaces. Applicant proposes a single car garage within the proposed new structure that would accommodate one vehicle. A variance is required from the two on-site parking spaces required by the provisions of the Zoning Ordinance.

4. Three Exhibits were marked for identification as follows:

Exhibit A -1 consisting of the elevation and 3rd Floor plan

Exhibit A- 2 consisting of the photograph of the property

Exhibit A-3 consisting of a colorized rendering of the front elevation of the proposed house as revised consistent with recommendations received from applicant from Planning Board during the course of the January public hearing.

5. At the January hearing before the Board, applicant, Theodore Damen, appeared with his son, Steven. Both gentlemen together with Richard Grasso, Professional Architect, testified in support of the applicant. Mr. Grasso acknowledged

that applicant's is a nonconforming lot and that the Board can require a building height of less than 35 feet. The original proposal was for a 34 foot high building measured from the grade. Mr. Grasso informed the Board that there was leeway with respect to the height due to the foundation. The first floor is at 9.7 feet but can be made to 10 feet and still result in a building less than 35 feet high. Ceiling heights would be 8 feet on the first floor, 8 feet on the second floor and 8 feet on the half story. During the course of the January meeting two Exhibits were provided consisting of Exhibit A-1 being a revised elevation and third floor plan and Exhibit A-2 consisting of a photograph of the property. Mr. Grasso testified that applicant would like to use the existing buildings footprint for the new dwelling to be constructed. He noted that the existing house is extremely narrow due to the configuration of the lot. He also noted that applicant has the largest back yard of any property in that area of Brielle Road. Applicant prefers to keep the existing front yard setback at 6-1/2 feet. Properties located on either side of the property forming the subject of the application have differing front yard setbacks. During the course of the January public hearing Board members questioned why applicant sought to obtain a 35 foot building height for a structure that is on such a small piece of property. Applicant testified that he needs additional room for his growing family and that the existing two story dwelling does not provide same. The new structure will provide a visual enhancement along Brielle Road. Applicant testified that there is 39 feet from the back of the existing structure to the rear property line. The third floor half story will be for storage and also for the heating and air conditioning units. Board Members commented that the plans provided at the January hearing showed an effort to shoehorn a 25 foot wide house into an extremely small package. Board members at the conclusion of the January hearing voiced their concern that because of the need for fire and public safety access to this property and others that the size of the house should be reduced in order to enhance the setbacks. Board members commented that the problem with the initial design presented was the size of the building proposed and its overall width in relation to the setback requirements. It was suggested that the building be pushed further into the back yard providing for a greater front yard setback. At least one Board member suggested the abandonment of the garage to allow a greater side yard setback. However, other Board members opined that this is a high density area and that every effort should be

made to encourage onsite parking opportunities.

6. Applicant testified that the reason for the design as proposed was to continue to afford an opportunity for an ocean view. The Mayor observed that these are extremely small lots and that every effort should be made to accommodate property owners who desire to improve the existing houses located on those lots. After considerable discussion the Board determined to give applicant additional opportunity to locate the proposed structure in such a way as to enhance front yard setback opportunity as well as to reduce the overall height of the structure proposed. It was noted that the applicant will want to install windows on one of the sides of the proposed structure and that accordingly a 3 foot wide setback would be required. During the public portion of the hearing resident, Marilyn Jacobson, observed that she was happy to see that the applicant is seeking to improve his property but is concerned that the Board not set a precedent with respect to this property that would hamper its ability to review other applications from other property owners and she felt that the suggestions made by Board members to the subject applicant were constructive. The Board approved a motion to carry the application for continued hearing at the February 5, 2002 meeting of the Board.

7. During the course of the January 5, 2002 public hearing Mr. Grasso reappeared and testified in support of the application as did applicant, Theodore Damen, and Mr. Damen's son, Steven Damen. Mr. Grasso testified that the applicant has reduced the width of the house as well as the height. He testified further that on the first floor there will be a foyer, closet, bathroom and at the rear a kitchen and a great room. There will be a staircase up to the second floor where there is a master bedroom, a shared bath, a rear bedroom and on the loft level there are two loft spaces. With respect to Exhibit A-3 Mr. Grasso testified that an effort had been made to give the proposed new dwelling a colonial/gambrel roof look. Applicant also provided additional documentation with respect to the easement that benefits the subject property.

8. The Board takes administrative notice of the fact that the July 18, 1991 Deed with respect to the property references an easement that burdens the adjacent property (Lot 22) in favor of the Damen property. That easement provides to the Damens and their successors a perpetual nonexclusive easement for pedestrian

ingress and egress over the concrete walk on neighboring Lot 22 all for purposes of assuring access by the Damens to the rear of their property known as Lot 21.

9. Applicant testified that he has been unable to purchase any additional property on either side of their Lot 21 which would enable them to provide any additional side yard setback. The lot is a nonconforming lot as is the proposed structure. He noted that the revised plans submitted to the Board provided for a 6-1/2 foot front yard setback. The rear yard setback is 10 feet. Applicant's architect testified that the overall length of the proposed home is 57 feet. The Board notes that the lot is 94.34 feet deep which would provide a 30.5 foot setback to the rear of the proposed house inasmuch as the decking is on grade and would not be a structure within the intendment of the Zoning Ordinance. Applicant noted that he has owned the property since 1985 and that the overall height of the proposed new structure would be 32 feet. Applicant's son, Steven Damen, said they have come down from a height of 35 feet and they have also come in 1 foot on the one side and that the other side yard (easterly) setback will be 3.2 feet. The Board members expressed general approval for the side yard setbacks proposed. Applicant noted that the average setback for homes along this section of Brielle Road is approximately 3 feet. Applicant noted that he has placed a railing along the front of the house and extended it consistent with Board members recommendation. Applicants expressed their opinion that the 6-1/2 foot front yard setback was consistent with setbacks along the rest of Brielle Road. Board members expressed their observations with respect to the front yard setback. One Board member stated that an additional movement of the house to the rear by 3 or 4 feet would be appropriate since there is so much open space at the rear of the lot and this would permit other property owners along this section of Brielle Road to also have an opportunity for an ocean view. Absent the movement of the house to the rear of the lot other Board members felt that the house would stick out like a sore thumb. Mr. Twaddell noted that there are 16 houses between Third Avenue and First Avenue and that there are only 5 houses that are two stories in height, the applicant having one of them. All houses are approximately the same height. The elevations upwards proposed by applicant is simply inconsistent with the general streetscape along this portion of Brielle Road. Steven Damen testified that the views are extremely important. There is a great view from the second floor of the existing dwelling. He offered his

opinion that even if the corner house builds out with a front yard setback of 3-1/2 feet he will still have a view of the ocean. The applicant testified that his family were pioneers with respect to this portion of Brielle Road and they are making a substantial investment to improve aesthetically this section of Brielle Road. He noted that to the west there had been a great many improvements being accomplished and he wants to be the first one to include his neighborhood in that trend.

10. Mr. Grasso testified that from the curb to the house there would be 11-1/2 feet. From the property line to the house there would be 6-1/2 feet. He noted that the applicant has stepped back the **third floor half story** to a 7-1/2 foot distance.

11. Other Board members felt that to require the applicant to push the house back any further than proposed on the revised plans might create a visual eyesore and that applicant had attempted to comply with the Board's suggestions at the last meeting. The Board members felt that the new design provided for a physically attractive dwelling. At the suggestion and urging of the Board Chairman the project architect proposed a front yard setback of 8 feet. Applicant concurred with architect's proposal which would result in a 13 foot distance to the curblin and an 8 foot distance to the property line. *(FRONT SETBACK)*

12. The Board concludes that the continued provision of onsite parking opportunity and the enhancement of both the side and front yard setbacks thereby assuring greater accessibility to the premises by fire and public safety personnel are all factors that support the grant of variance relief requested.

13. There were no objectors to the subject application for development who appeared at the February hearing.

14. The Board finds that the scope of the improvements that the applicant seeks to make to his Brielle Road dwelling will greatly contribute to the aesthetic improvement of views along Brielle Road.

15. The Board further notes that the purposes of zoning will be advanced and served by the creation of a more desirable visual environment, particularly by reason of the substantial construction changes and upgrades proposed with respect to 581 Brielle Road. The Board finds that the retention of existing onsite parking is a positive benefit.

16. The Board determines that the subject application for variance approval

can be granted without substantial detriment to the public good and without impairment of the Master Plan and Zoning Ordinance of the Borough of Manasquan and that the variance relief sought by the applicant serves a salutary zoning purpose and outweighs any detriments that might be caused by the grant of the relief requested.

NOW, THEREFORE, BE IT RESOLVED by the Manasquan Planning Board that the application of Theodore Damen for variance relief with respect to property known as Lot 21 in Block 182.01 be and the same is hereby granted subject to the applicant's compliance with all of the following conditions:

1. The plans which have been revised and which consist of two separate pages prepared by Richard P. Grasso, Architect, entitled "Proposed Single Family Residents for Mr. & Mrs. Steven Damen, Block 182.01, Lot 21, Manasquan, New Jersey" are to be further revised to include specific reference to the fact that the approved front yard setback with respect to the proposed new dwelling shall not be less than 8 feet and that the building height shall be 31 feet. (construction not to exceed 32 feet). Additionally, applicant is to identify and show on said plans all underground line and utilities (specifically the water and sewer lines) to the satisfaction of the Borough's Construction and Sub-Code Officials. The plans should also be revised to identify and confirm the side yard setbacks to be observed on both sides of the proposed new structure (1 foot and 3-1/2 feet respectively) as set forth in testimony received by the Board. 3, 2 (EAST)
2. A revised survey shall be provided by the applicant to the Zoning and Construction Officer and to the Planning Board Secretary that shows all easements that benefit the subject property which survey is consistent with the title work provided by applicant to this Planning Board.

3. No other principal or accessory structure shall be constructed on the subject property. There shall be no expansion of the proposed structure beyond those dimensions noted on the plans hereinbefore referenced.

4. The new two and one-half story single family structure and garage to be constructed shall be consistent with the architectural renderings furnished by the applicant and testified to by the applicant and revised consistent with paragraph 1 of this Resolution.

5. The obtaining by applicant at applicant's sole cost and expense of all pertinent approvals and permits (if any) required by law to be obtained from the State of New Jersey, County of Monmouth, Monmouth County Planning Board and Soil Conservation Service. ~~The building to be constructed by applicant shall not exceed 32 feet in height as measured from the crown of Brielle Road to the peak of the structure to be built.~~

6. Payments of all fees due to the Borough of Manasquan and its engaged professionals, including but not limited to, payment of all professional engineering and planning services (inclusive of inspections provided by the Borough) by the Board's professional planner and engineer in conjunction with his review of the subject application and assurance of compliance with the conditions of this Resolution.

7. No building permits or Certificates of Occupancy shall be issued with respect to the subject property by the Construction Official until all terms and conditions of this Resolution have been complied with to the satisfaction of the Planning Board's engineer and professional planner.

8. Payment of all real property taxes by the property owner.

9. At the conclusion of all construction with respect to 581 Brielle Road and prior to the issuance of a final certificate of occupancy with respect to that structure, applicant shall provide a final as-built survey with respect to the subject lot showing all structures and all completed improvements and all front and side yard and rear yard setbacks as well as building and lot coverage calculations with respect to the subject property.

10. ~~Applicant shall not install any water or other meters in any crawl space of the subject residence to be constructed, but only at such location or locations as shall be approved by the Borough Water and Sewer Department.~~


BE IT FURTHER RESOLVED, that the variance(s) approved shall expire within nine months calculated from the 45th day following the date that written notice of the Planning Board's action is published in the Coast Star or Asbury Park Press. In the event that construction, alteration or use has not been commenced within the aforementioned time period, applicant may request and obtain at no additional cost a single one time only nine month extension within which to commence construction, alteration or use provided, however, that the request therefore shall be made in writing

to the Planning Board secretary before the initial expiration date hereinbefore referenced.

BE IT FURTHER RESOLVED that a copy of this Resolution be immediately provided by the Planning Board Secretary to the Zoning Officer, to the Construction Official and to the Borough Engineer as well as to the Water and Sewer Department in order that said officials and departments may appropriately note their records with respect to the variances approved.


JOHN BURKE, Vice Chairman
Manasquan Planning Board

I certify that the foregoing Resolution is a true copy of a Restated Resolution adopted at the meeting of the Manasquan Planning Board on May 7, 2002.


MARIE APPLÉGATE, Secretary
Manasquan Planning Board

**BOROUGH OF MANASQUAN
PLANNING BOARD**

RESOLUTION NO. 5-2013.

RE: APPLICATION OF STEVE DAMEN SEEKING APPROVAL TO RAISE EXISTING SINGLE FAMILY DWELLING LOCATED UPON LOT 21 IN BLOCK 182.01 TO A PROPOSED NEW BUILDING HEIGHT INCLUDING GRANT OF BULK VARIANCES FROM THE ZONING REQUIREMENTS OF THE BOROUGH OF MANASQUAN ZONING ORDINANCE AND MODIFICATION OF PRIOR GRANT OF VARIANCE APPROVAL BY THIS BOARD UNDER RESOLUTION NO. 9-2002

WHEREAS, Steve Damen has applied to the Borough of Manasquan Planning Board seeking approval to elevate the existing single family dwelling above the Advisory Base Flood Elevation, said dwelling being located upon Lot 21 in Block 182.01 as shown on the Borough of Manasquan Tax Map (said premises being also known as 581 Brielle Road) and also permission to construct new front steps in the front yard setback, and all interested neighbors and property owners having been provided an opportunity to be heard; and

WHEREAS, the members of the Planning Board have reviewed the testimony received from the Applicant and from the Project Architect, Brendan T. McHugh, together with the written denial of the development application issued by the Zoning Officer dated January 8, 2013, and also having reviewed the written report of the Board's Engineer dated February 4, 2013; and

WHEREAS, the Planning Board makes the following findings of fact and determination based upon the testimony received, the reports reviewed and the exhibits provided and stipulations made by the Applicant and Applicant's professional architect during the course of the public hearings on February 5, 2013 and February 20, 2013, as well as the Technical Review Committee's recent written report:

1. The property is located in the R-5 Single Family Residential Zone. On the date of the initial hearing the property is improved with a two and one-half story frame dwelling with first floor elevation at 7.88 feet and a ridge elevation of 31 feet 8 inches. The property also has an extensively improved rear yard area in which there is a wood deck, a canopy over a portion of that wood deck, an exterior planter, fireplace, pond, countertop and shower. The lot has frontage on Brielle Road of 25 feet and a depth of approximately 94 feet. Applicant's property was previously the subject of a development application as a result of which the Board approved

front yard setback, building height and side yard setback variance relief under Resolution No. 2-2002, adopted by the Manasquan Planning Board on May 7, 2002.

2. The Applicant provided to the Board a survey of the property prepared by Edwards Surveying (Steven M. Edwards, P.E., P.L.S.), which survey is dated January 11, 2013 and contains certain annotations in red ink identifying various improvements associated with the requested variance relief to elevate the existing structure. The Applicant has also provided to the Board a set of architectural plans entitled "Renovation to the Damen Residence", dated January 28, 2013 and prepared by Brendan T. McHugh, Architect. Said plans consist of three (3) separate sheets. Sheet T consists of general notes and specifications, a fastening schedule and identification of zoning criteria. Sheet A-1 contains a foundation, first floor, second floor and attic floor plans. Sheet A-2 contains a north elevation, a south elevation, an east elevation and a westerly elevation of the dwelling as elevated.

3. The variances required in connection with the subject development application are as follows:

A. A variance from the previous approved maximum building height of 32 feet. Applicant initially proposed to raise the first floor and achieve an overall building height of 37 feet 3 inches. Subsequent to the February 5, 2013 hearing, Applicant revised its plan to ask for a building height of 35.95 feet.

B. A variance from the minimum required side yard setback of 5 feet (the Board by prior resolution last mentioned approved side yard setbacks of 3.2 feet and 1.0 feet). Applicant has constructed a two and one-half story structure containing setbacks of 3 feet and .9 feet, which setbacks are in excess of that permitted by Resolution No. 2-2002.

C. A variance from the maximum building coverage (35% permitted, a variance relief for a maximum building coverage of 45.4% was granted by the resolution last mentioned and a building coverage of 52% is existing).

D. A variance from the maximum building lot coverage (maximum permitted is 50%. The resolution last mentioned approved a variance for maximum lot coverage totaling 52.3%, whereas the existing lot coverage is 58% and 60% is proposed). Subsequent to the February 5, 2013 hearing, Applicant prepared a revised plan and lot coverage calculations to request a 55.1% maximum lot coverage.

E. A variance from the requirement that a platform or landing floor not more than 5 feet wide leading to a first floor may project not more than 3 feet into the required front yard setback area provided, however, that that the floor or platform is within 3 feet of the ground level. Applicant proposes a landing that projects approximately 4 feet into the front yard setback area and is elevated 5 feet above the ground level.

F. Numerous non-conformities exist with respect to the subject property and include minimum lot area (2,700 square feet is minimum required, 2,350 square feet exist), minimum lot frontage (40 feet is minimum required, 25 feet existing), minimum front yard setback (10 feet is minimum required, 8.2 feet is existing) and the requirement for two onsite parking spaces (only one onsite parking space exists).

4. During the course of the public hearing, Applicant and his project architect, Brendan T. McHugh, appeared and provided testimony. Also providing testimony was the Board's Engineer, Albert D. Yodakis. During the course of the February 5, 2013 public hearing before the Board, the Applicant testified that he has been a resident of the Borough for 16 years and he is putting forth a plan for himself, his wife and two children in order that they can return to their house which sustained flooding during Hurricane Sandy.

5. The project architect testified that Applicant needs to raise the house. The finished floor is at 7.88 feet. Mr. McHugh testified that they need to raise that finished floor to 13.2 feet. **Applicant's proposal presented at the February 5, 2013 public hearing was to raise the dwelling and to achieve an overall building height of 37 feet 3 inches.** The owner is attempting to get the least expensive flood insurance rate practicable which can only be accomplished by elevating the first finished floor. Applicant would use the existing foundation and the stem wall. All of the systems will have to be reinforced.

6. The two and one-half story frame dwelling that was built in reliance upon the Board's earlier 2002 approval measures 21 feet wide and 57 feet long. Applicant's architect testified this is the size building that was approved by the original resolution of the Board. **Applicant stipulates that the building footprint will not change.**

7. The Applicant's architect testified that exterior improvements have been performed during the last several years. Applicant is not unwilling to remove certain improvements in order to reduce the lot coverage. **At the February 5, 2013 public hearing, Applicant stipulated that he will remove everything in the back yard, including but not limited**

to the countertop, the fireplace, the canopy, the fish pond, the outdoor shower and the concrete wall in order to reduce the lot and building coverages that were approved by the earlier Board resolution. The bar is built right on top of the deck. The long concrete walk will not be removed. Applicant stipulates to a maximum lot coverage of 55.1%, which figure includes a building coverage of 52% plus the front stoop coverage of 3.1%. At the front of the building he is prepared to provide a three foot wide landing accessed by three risers and the other landing would be at a three foot width as well but with eight risers to the property line. The architect testified that a narrow front yard could be expected as a consequence of the elevated access. Applicant stipulates he will provide (as set forth in the revised plans) a three car garage. The plans were further revised between the two meeting dates show a height measured from the top of the curb to the roof ridge of 36 feet. Architect testified that there is a dropped beam on the first floor which should be outside the Advisory Based Flood Elevation in order to get the least expensive flood insurance cost. The Applicant's house is in a Coastal "A" Zone and the lowest horizontal structure is required to be outside that zone. The height from the garage floor to the top of the first floor joist is 6 foot 10 inches. The Board takes administrative notice of the fact that for a non-conforming structure on a non-conforming lot, the maximum height under the zoning ordinance proposed is 33 feet. The existing first floor and dwelling will be raised to 12 feet which is one foot above the new ABFE of 11 feet. The Applicant's architect stipulates a maximum building height of 36 feet. Several Board Members had at the February 5, 2013 meeting expressed an interest in seeing revised plans in order that they can get a visual conception of what the elevated structure will look like. Applicant proposed to and did return to the March 5, 2013 meeting of the Board with revised plans and calculations.

8. Applicant's non-conforming lot has an extremely narrow width of 25 feet and the house has a width dimension of only 21 feet. The current zoning ordinance amendment allows a maximum height of 33 feet for a non-conforming lot. There is no opportunity for any parking onsite unless vehicles required to be parked on site are placed in the garage. The subject structure is modest and is very tall given its narrow proportion and location on an almost but not quite as narrow lot. No witnesses appeared for the purpose of making objection to the subject development application.

9. The Board has reviewed the revised architectural plans as well as the testimony provided by Applicant's architect and by Applicant with respect to the removal of numerous

proposed rear yard improvements as well as Applicant's reduction in building height of the single family residence proposed (to a maximum height of **36 feet** measured from the top of the curb) and greater compliance with the maximum building and lot coverage requirements of the Zoning Ordinance and the benefits that will be obtained by providing for increased onsite parking (in effect, more than satisfying the Zoning Ordinance requirement) and the additional protection of Applicant's dwelling from the ravages of 50 and 100 year storm events (such as was most recently experienced by the Borough of Manasquan) by the elevation of the dwelling **which benefits coupled** with the removal of all improvements from the rear yard area will provide a more desirable visual environment as well as achieve compliance with the flood zone requirements and outweigh any detriments that might result from the grant of the variance relief requested.

10. The Board determines that the variance relief requested can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance of the Borough of Manasquan.

NOW, THEREFORE, BE IT RESOLVED by the Manasquan Planning Board, that the application of Steven Damen for variance relief from the maximum building height, to allow the elevation of Applicant's existing residential structure to a height that is not to exceed **36 feet measured from the top of the curb**, and the front stoop elevation consistent with the architect's revised calculations and conceptual plans and the **modification of the prior resolution of the Board to approve sideyard setback of 3.2 feet and .9 feet for the principal structures and a maximum building coverage of 55.1%.**, can be and is hereby granted, subject, however, to Applicant's compliance with each of the stipulations hereinbefore contained, particularly with respect to the removal of the improvements from the rear yard area of Applicant's lot (**but not including the rear yard deck or the concrete walkway**) all in order to achieve a less cluttered and eliminate a potentially (in a time of high water) dangerous situation involving floating objects, subject to Applicant's compliance with each of the following conditions:

1. All construction shall be in accordance with the architect's revised conceptual plans that have been prepared and are referenced hereinbefore, subject only to the variance relief specifically accorded by this resolution from the maximum height and continued compliance and maintenance of a maximum lot coverage **not to exceed 55.1% and building coverage not to exceed 52%**. Applicant shall provide as part of the revised plans a representation that Applicant

will comply with the Borough's Stormwater Management Ordinance and further confirming that curbing and sidewalk along the road frontage will be replaced as deemed necessary by the construction and zoning officials.

2. This resolution is not intended to nor shall be it construed to provide any authorization for the inclusion of any other accessory structures upon the subject property or improvements at the rear of Applicant's property except as specifically shown on the plans as revised and the landscaping plan. There shall be no expansion of the principal structure beyond the dimensions noted on the plans hereinbefore referenced nor shall any accessory shed be placed upon Applicant's property.

3. Payment of all fees due to the Borough of Manasquan and its engaged professionals, including but not limited to payment for all professional engineering services (inclusive of inspections).

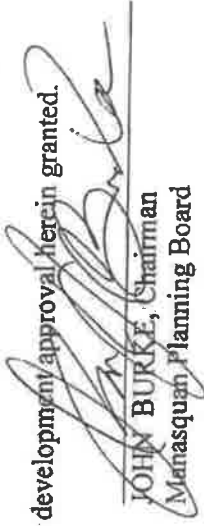
4. No building permits or certificates of occupancy shall be issued with respect to the subject property by the Construction Official until all terms and conditions of this resolution have been satisfied based upon inspection of same by the Zoning Officer and the Board Engineer, and shall require the providing of a revised plan which shall contain sufficient detail, for the Zoning Officers to determine that Applicant has complied with the Stormwater Management Ordinance of the Borough, the removal of the fixtures and items from the rear yard of Applicant's property and the assurance that all mechanicals have been placed in the **principal structure's attic area.**

5. Payment of all real property taxes by the property owner.

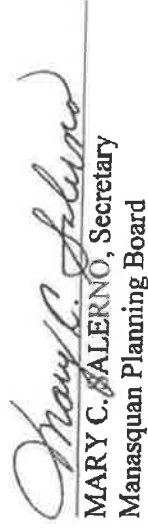
6. In the event that the Applicant (or his successors in interest) shall seek to modify the plot plan or architectural concept plan on the basis on which development approval has been granted by this Resolution, then, and in any such event, the Applicant (or the Applicant's successors in interest) shall appear before the Technical Review Subcommittee for the purpose of obtaining a favorable recommendation to the Planning Board with respect to the modification of said development approval with the understanding and agreement that the Applicant (or his successors) shall pay an application modification fee, together with all professional fees that may be incurred by the Planning Board or its Technical Review Sub-Committee, with respect to the design modification for which favorable recommendation and approval is sought.

BE IT FURTHER RESOLVED that the variance(s) approved shall expire within nine months calculated from the 45th day following the date that written notice of the Planning Board's action is published in the Coast Star or the Asbury Park Press. In the event that construction, alteration or use has not been commenced within the aforementioned time period, Applicants may request and obtain at no additional cost a single one time only nine month extension within which to commence construction of the single family dwelling hereinbefore approved, provided, however, that the request therefore shall be made in writing to the Planning Board Secretary before the initial expiration date hereinbefore stated; and

BE IT FURTHER RESOLVED that a copy of this resolution be immediately provided by the Planning Board Secretary to the Zoning Officer, to the Construction Official, and to the Tax Office and Water & Sewer Departments, in order that said officials and departments may appropriately note their records with respect to the development approval herein granted.


JOHN BURKE, Chairman
Manasquan Planning Board

I certify that the foregoing resolution is a true copy adopted at the meeting of the Manasquan Planning Board held on February 20, 2013.


MARY C. SALERNO, Secretary
Manasquan Planning Board

BRENDAN T. MCHUGH
NJ LICENSE NO: 16404

BRENDAN T. MCHUGH
ARCHITECTURE
106 UNION AVENUE
MANASQUAN, NJ 08736
TEL: 732.722.7737
BTM@MCHUGHARCHITECTURE.COM
WWW.MCHUGHARCHITECTURE.COM

DAMEN RESIDENCE ADDITION & RENOVATION

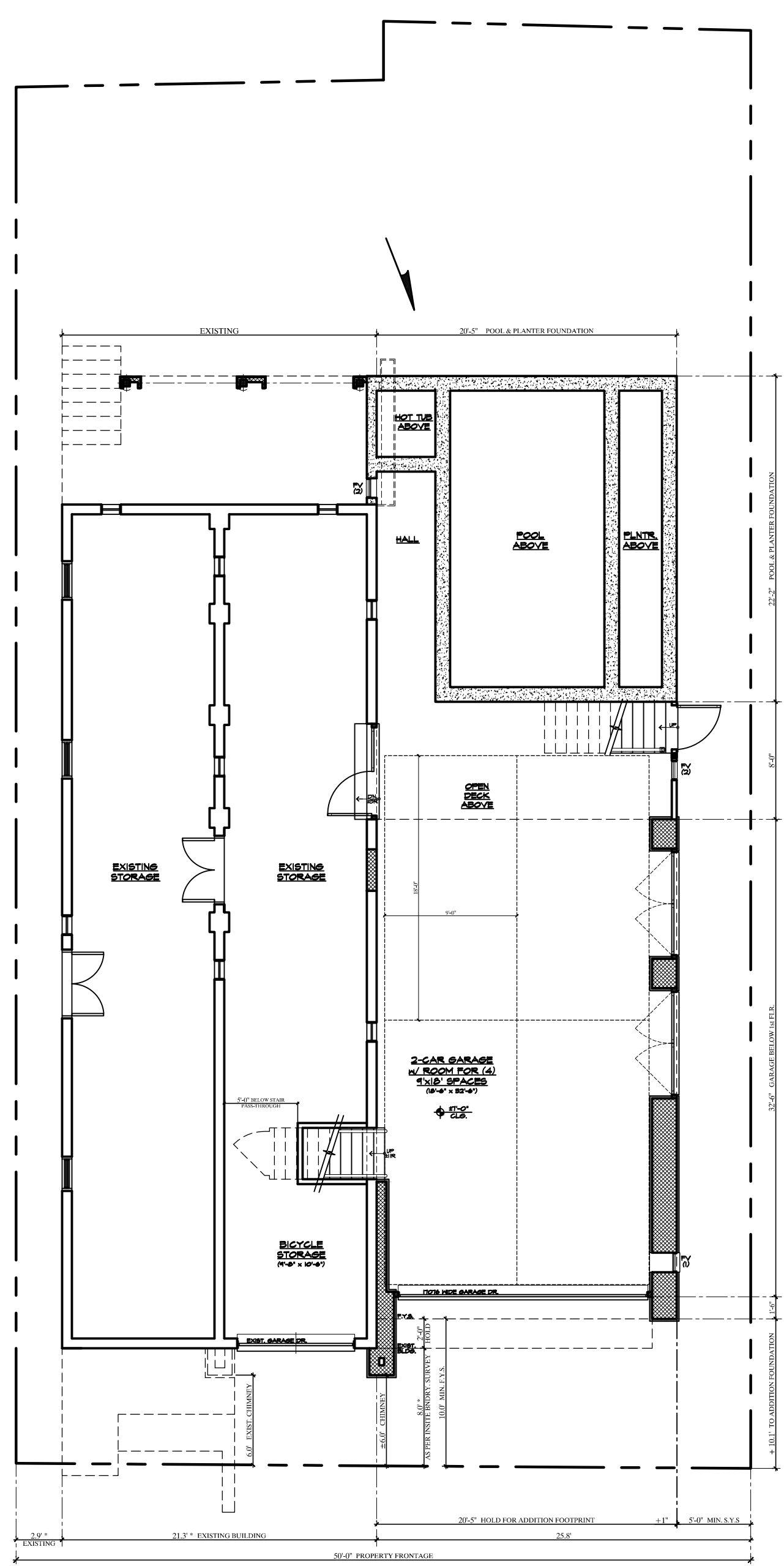
581 BRIELLE ROAD
MANASQUAN, NEW JERSEY 08736

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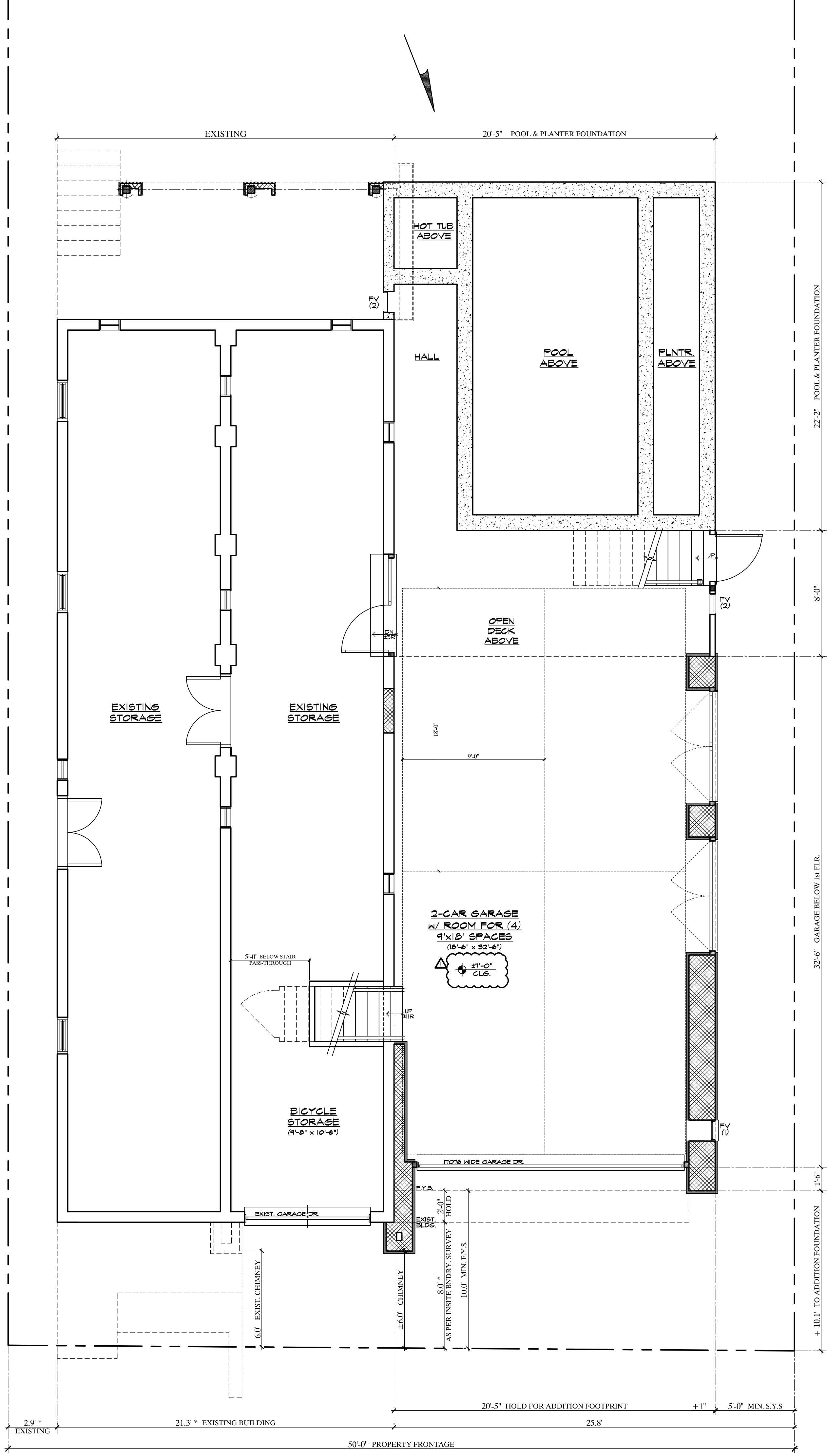
DRAWN BY: LMC
REVIEWED BY: BTM

REVISIONS:
▲ BUILDING HEIGHT - 5/9/21

SHEET TITLE ARCHITECTURAL SITE & GROUND FLOOR PLAN & FLOOD VENT CALC.	
SCALE AS NOTED	SHEET NUMBER A-01
DATE 11/16/20	PROJECT NUMBER 2027
SHEET 1 OF 4	



ARCHITECTURAL SITE PLAN
SCALE: 1/8" = 1'-0"



ENCLOSED SPACE FLOOD VENTILATION CALCULATIONS
TOTAL 926 SQ. FT. / 6482 CU. FT.

CODE INFORMATION:
INTERNATIONAL RESIDENTIAL CODE 2018 NJ EDITION
CONSTRUCTION USE GROUP: R-5
NOTE: ALL DECK MATERIAL TO BE TREATED WOOD

NOTE: CRAWL SPACE FLOOD VENTILATION

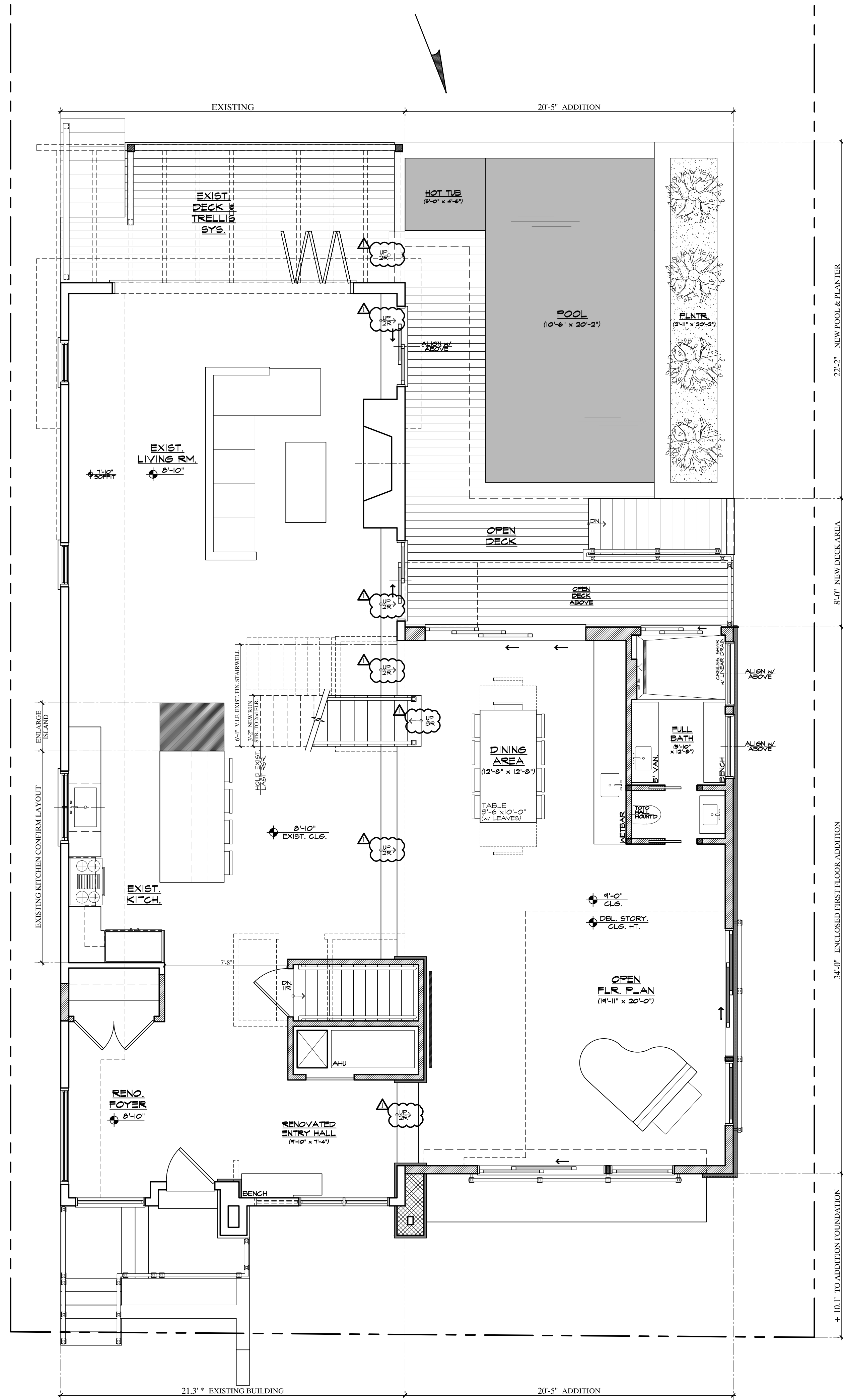
IRC 2018 NEW JERSEY EDITION SECTION R-408.1
CRAWL SPACE VENT OPENING SHALL HAVE A NET AREA
OF NOT LESS THAN 1 SQUARE FOOT FOR EACH 1500
SQUARE FEET OF FOUNDATION SPACE WITH APPROVED
CLASS I VAPOR RETARDER INSTALLED OVER GROUND
SURFACE AND THE REQUIRED OPENINGS ARE PLACED
TO PROVIDE CROSS VENTILATION OF THE SPACE AND
SHALL BE WITHIN 3" OF EACH CORNER OF THE
BUILDING.

FLOOD VENT REQUIREMENTS:
FLOOD CALC. AREA: 926 SQ. FT. / 200 = 463 (5 FLOOD
VENTS REQUIRED)

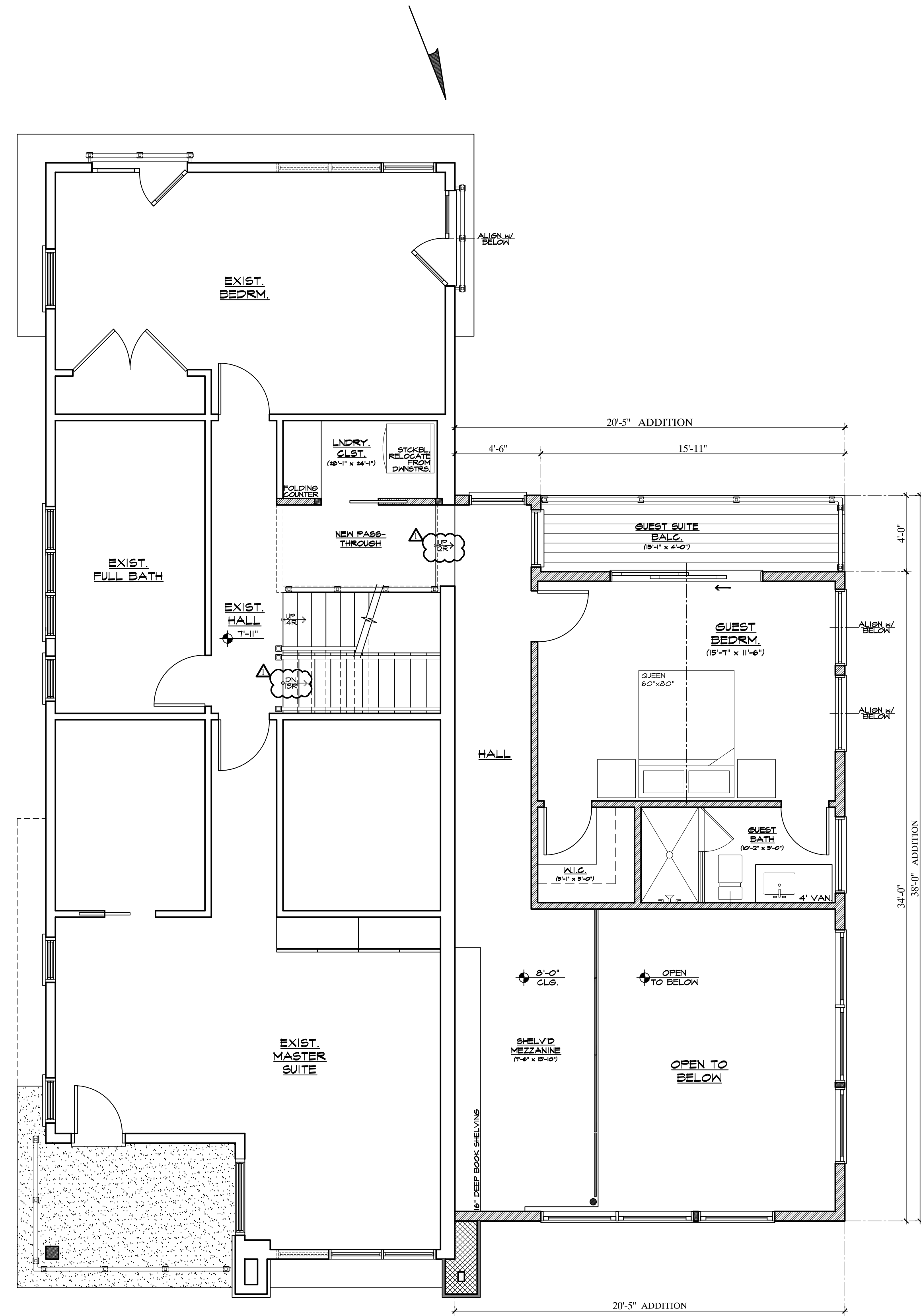
TOTAL FLOOD VENTS PROVIDED IN THE FIELD: 5

CALCULATIONS ARE BASED ON THE SMART VENT
MANUFACTURER VENT MODEL: FLOOD VENT 1540-520
RATED TO COVER 200 SQ. FT.

GARAGE & GROUND
LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

Item 7:
BRENDAN T. MCHUGH
NJ LICENSE NO. 16404
BRENDAN T. MCHUGH
ARCHITECTURE
106 UNION AVENUE
MANASQUAN, NJ 08736
TEL: 732.722.7737
BTM@MCHUGHARCHITECTURE.COM
WWW.MCHUGHARCHITECTURE.COM

DAMEN RESIDENCE
ADDITION & RENOVATION
581 BRIELLE ROAD
MANASQUAN, NEW JERSEY 08736

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REVIEWED BY: BTM

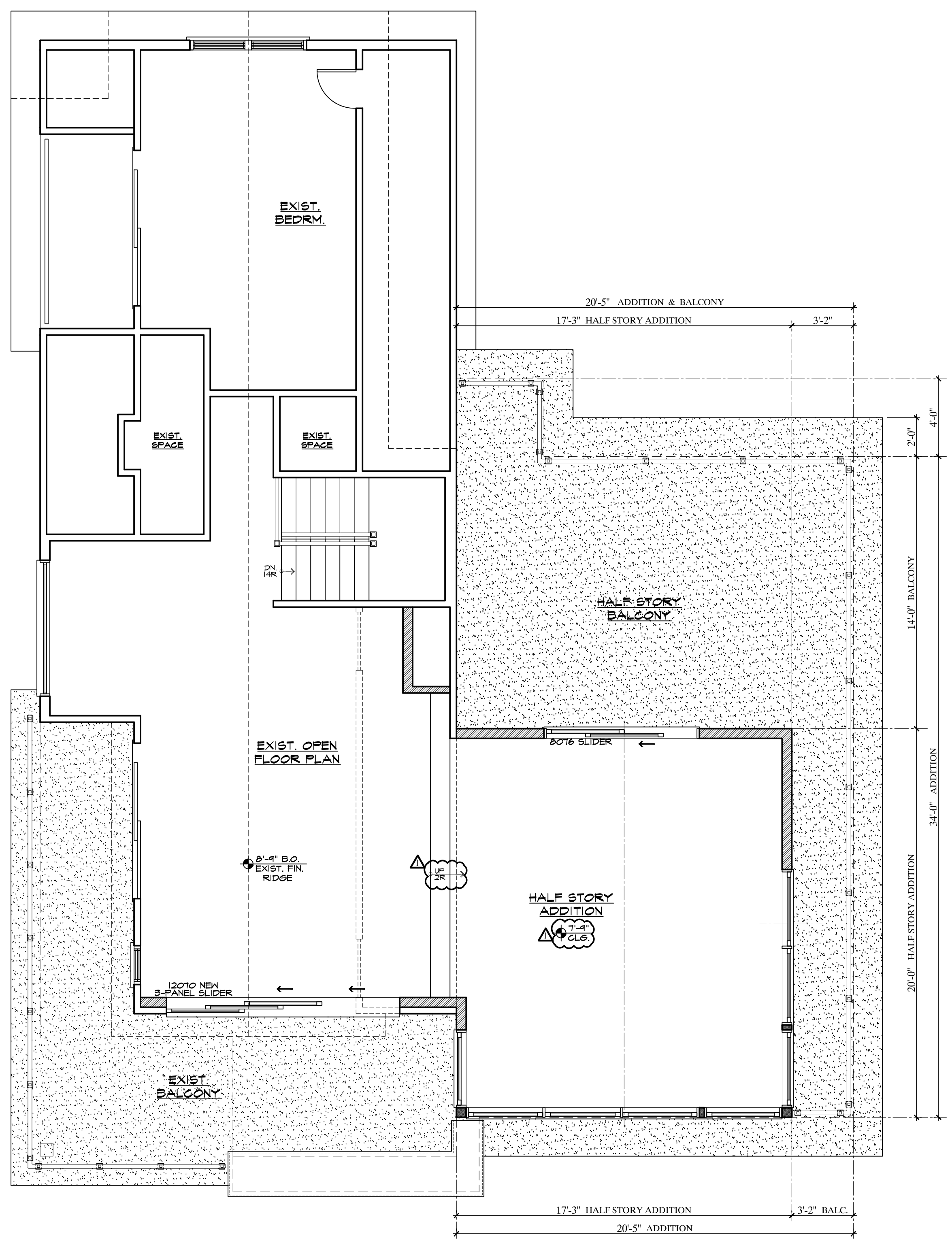
REVISIONS:
▲ BUILDING HEIGHT - 5/9/21

SHEET TITLE FIRST & SECOND FLOOR PLANS	
SCALE AS NOTED	SHEET NUMBER A-02
DATE 01/16/20	PROJECT NUMBER 2027
SHEET 2 OF 4	

BRENDAN T. MCHUGH
NJ LICENSE NO: 16404

BRENDAN T. MCHUGH
ARCHITECTURE
106 UNION AVENUE
MANASQUAN, NJ 08736
TEL: 732.722.7737
BTM@MCHUGHARCHITECTURE.COM
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HALF STORY PLAN
SCALE: 1/8" = 1'-0"

HALF STORY CALCULATIONS:

REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANASQUAN: CHAPTER 35-3.1 DEFINITIONS

STORY, HALF - THE FINISHED AREA OF AN ATTIC WHERE THE INTERSECTION OF THE ROOF RAFTERS AND THE EXTERIOR WALL OCCURS WITHIN FOUR (4) INCHES OF THE FLOOR/CEILING SYSTEM, AND IN WHICH SPACE THE MAXIMUM FLOOR AREA AT A CEILING HEIGHT OF FIVE (5) FEET OR MORE, INCLUSIVE OF STAIRWELLS AND ROOFED OVER PORCHES, DOES NOT EXCEED SIXTY (60) PERCENT OF THE SQUARE FOOTAGE OF THE FLOOR DIRECTLY BELOW, INCLUSIVE OF ROOFED OVER PORCHES.

ALL DORMERS, EXCEPT STAIRWELLS, MUST BE STEPPED BACK A MINIMUM OF TWENTY-FOUR (24) INCHES FROM THE EXTERIOR WALL FACE BENEATH IT, EXCEPT FOR STAIRWELL DORMERS LOCATED ON RESIDENTIAL PRINCIPAL BUILDINGS LOCATED IN FLOOD HAZARD ZONE V AS REFLECTED ON THE MOST CURRENT FEMA FLOOD INSURANCE RATE MAP (FIRM) AS RELEASED ON DECEMBER 15, 2012.

2nd FLR. BELOW = 1,422 SF (60% = 1,54 SF)
1/2 STORY @ 5' OR MORE HD. HT. W/ STAIR = 1,135 SF (54.1%)

2018 INTERNATIONAL RESIDENTIAL CODE NEW JERSEY EDITION: CHAPTER 2: DEFINITIONS // SECTION R202: DEFINITIONS

ATTIC, HABITABLE, - AN ATTIC THAT HAS A STAIRWAY AS A MEANS OF ACCESS AND EGRESS AND IN WHICH THE CEILING AREA AT A HEIGHT OF 7 FEET (2134 MM) ABOVE THE ATTIC FLOOR IS NOT MORE THAN ONE-THIRD THE AREA OF THE NEXT FLOOR BELOW.

AREA OF THE FLOOR BELOW = 1,422 SF (33% = 655 SF)
HABITABLE ATTIC = 1,135 SF (54.1%) - VA CONSTRUCTION REQUIRED

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DRAWN BY: LMC
REVIEWED BY: BTM

REVISIONS:
▲ BUILDING HEIGHT - 5/9/21

SHEET TITLE HALF STORY PLAN WITH ZONING & IRC CALCULATIONS		SHEET NUMBER
SCALE AS NOTED	A-03	
DATE 10/16/20	PROJECT NUMBER 2027	
SHEET 3 OF 4		SUBMISSION SET

BRENDAN T. MCHUGH
NJ LICENSE NO: 16404

BRENDAN T. MCHUGH
ARCHITECTURE
106 UNION AVENUE
MANASQUAN, NJ 08736
TEL: 732.722.7737
BTM@MCHUGHARCHITECTURE.COM
WWW.MCHUGHARCHITECTURE.COM

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DRAWN BY: LMC REVIEWED BY: BTM

REVISIONS
▲ BUILDING HEIGHT - 5/9/21

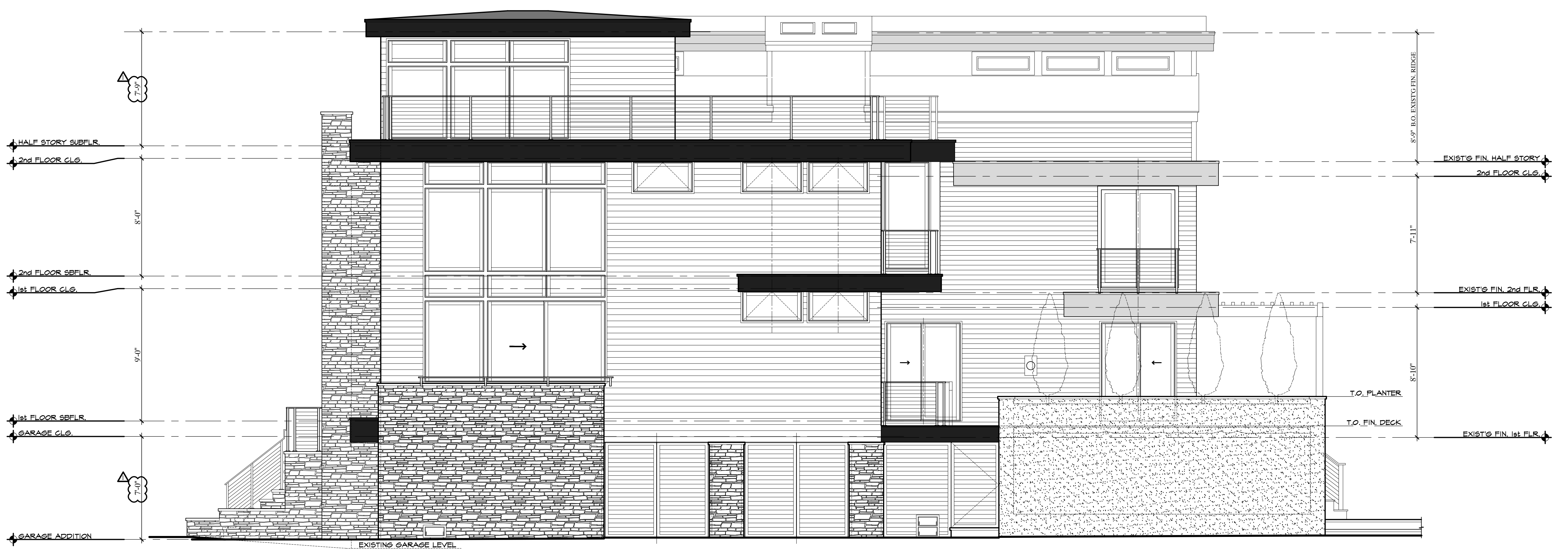
SHEET TITLE ELEVATIONS	
SCALE AS NOTED	SHEET NUMBER A-04
DATE 11/16/20	
PROJECT NUMBER 2027	
SHEET 4 OF 4	



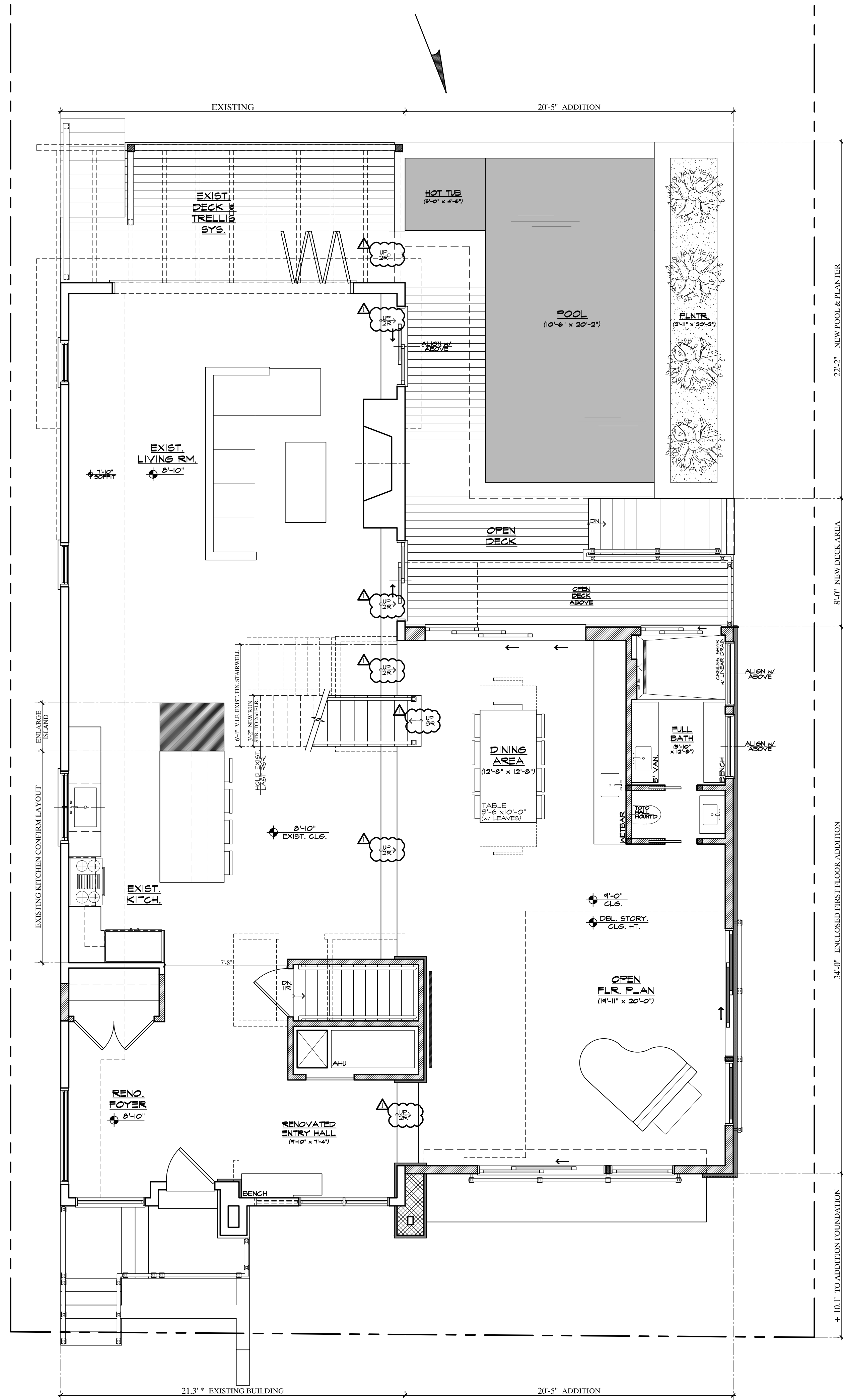
NORTH ELEVATION
SCALE: 1/2" = 1'-0"



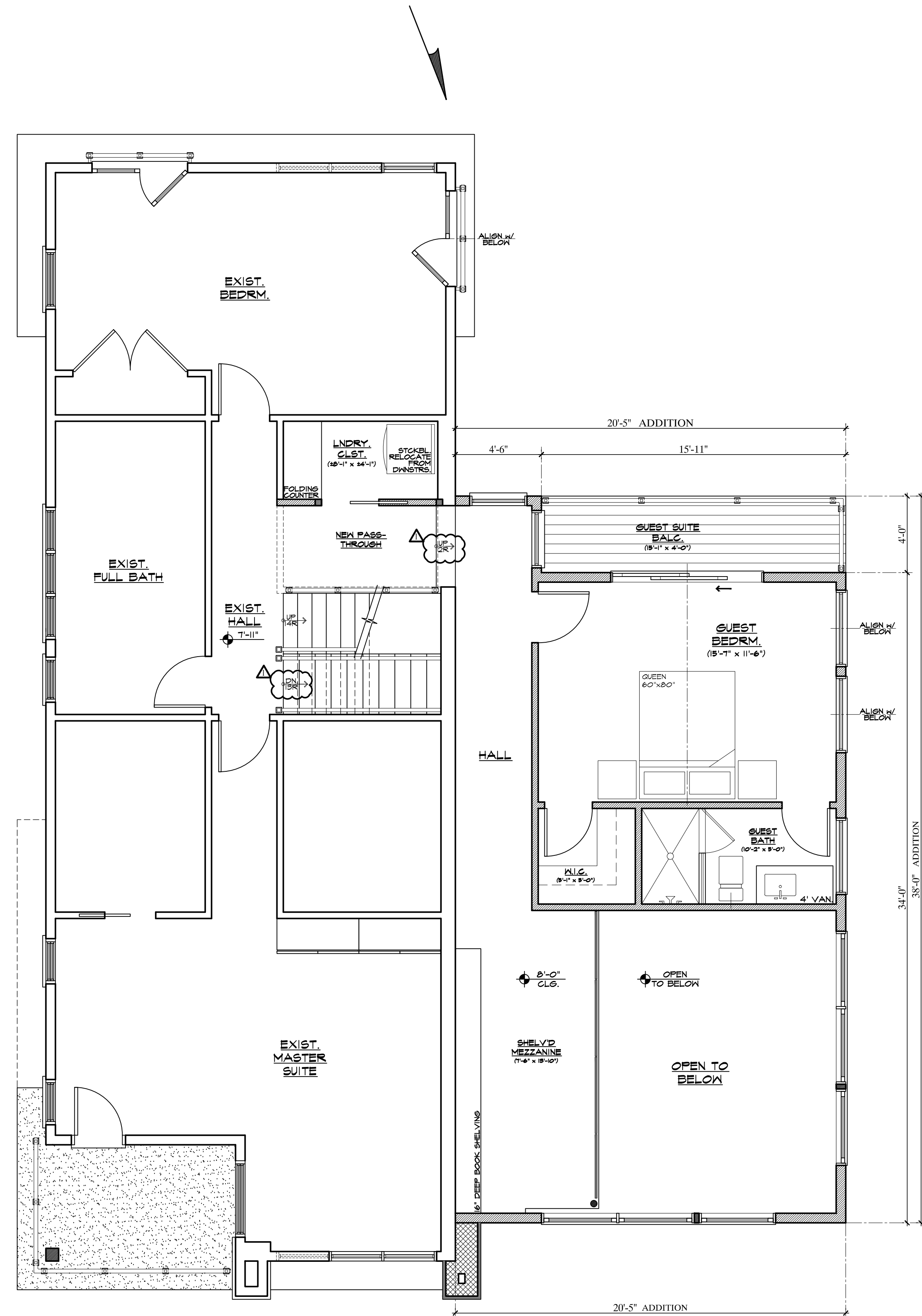
SOUTH ELEVATION
SCALE: 1/2" = 1'-0"



WEST ELEVATION
SCALE: 1/2" = 1'-0"



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

Item 7:
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106 UNION AVENUE
MANASQUAN, NJ 08736
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REVIEWED BY: BTM

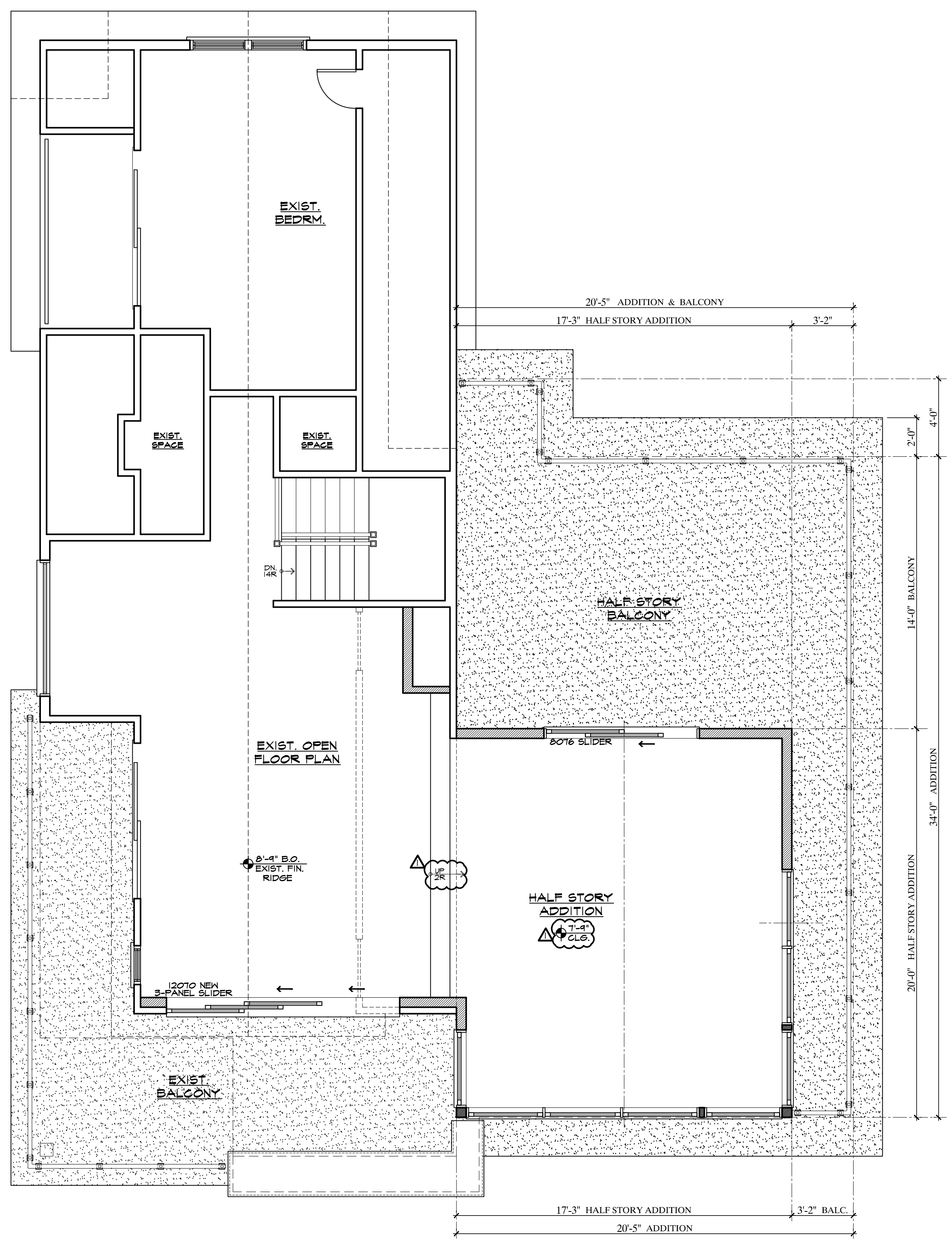
REVISIONS:
▲ BUILDING HEIGHT - 5/9/21

SHEET TITLE FIRST & SECOND FLOOR PLANS	
SCALE AS NOTED	SHEET NUMBER A-02
DATE 01/16/20	PROJECT NUMBER 2027
SHEET 2 OF 4	

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106 UNION AVENUE
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HALF STORY PLAN
SCALE: 1/8" = 1'-0"

HALF STORY CALCULATIONS:

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DRAWN BY: LMC
REVIEWED BY: BTM

REVISIONS:
▲ BUILDING HEIGHT - 5/9/21

SHEET TITLE HALF STORY PLAN WITH ZONING & IRC CALCULATIONS	
SCALE AS NOTED	SHEET NUMBER A-03
DATE 11/16/20	
PROJECT NUMBER 2027	
SHEET 3 OF 4	

SUBMISSION SET

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REVISIONS
▲ BUILDING HEIGHT - 5/9/21

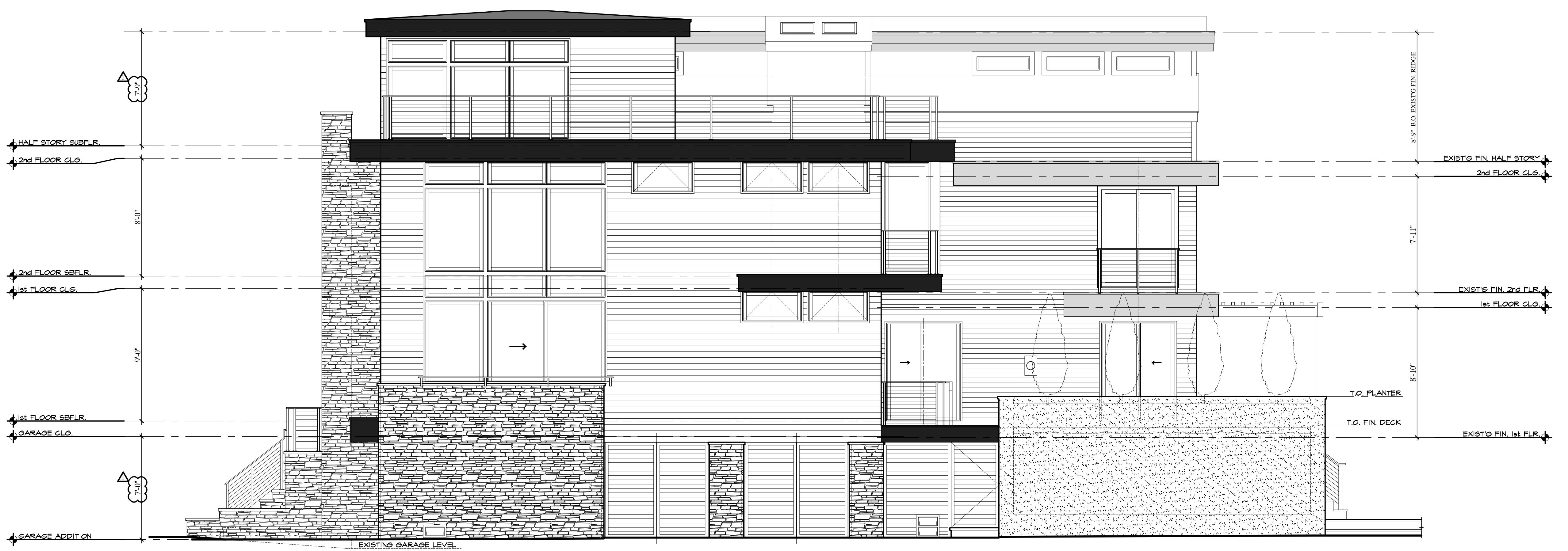
SHEET TITLE ELEVATIONS	
SCALE AS NOTED	SHEET NUMBER A-04
DATE 11/16/20	
PROJECT NUMBER 2027	
SHEET 4 OF 4	



NORTH ELEVATION
SCALE: 1/2" = 1'-0"



SOUTH ELEVATION
SCALE: 1/2" = 1'-0"



WEST ELEVATION
SCALE: 1/2" = 1'-0"



March 12, 2021

Mary Salerno, Secretary
 Manasquan Borough Planning Board
 201 East Main Street
 Manasquan, NJ 08736

Re: Boro File No. MSPB-R1490
 Variance – Damen
 Block 182.01, Lots 21,22
 579-581 Brielle Road
 R-5 Single-Family Residential Zone
 Borough of Manasquan, Monmouth County, NJ

Dear Ms. Salerno:

As per your request, I have reviewed the above-referenced application in accordance with the provisions of the Borough Land Development Ordinance. The documents reviewed in conjunction with this application include:

1. Grading Plan prepared by Ray Carpenter, PE, PP, of R.C. Associates Consulting, Inc., dated December 16, 2020, last revised February 2, 2021.
2. Architectural Floorplan and Elevations prepared by Brendan McHugh, RA, dated November 16, 2020.
3. Topographic Survey prepared by Justin Hedges, PLS of InSite Surveying, dated November 3, 2020.

The property is located in the R-5 Single-Family Residential Zone with frontage on Brielle Road. With this application, the applicant proposes to construct a new three story raised addition, pool, hot tub, deck, and other site improvements. The application is deemed complete as of March 12, 2021.

The following are our comments and recommendations regarding this application:

1. The property is located in the R-5 Single Family Residential Zone. The existing and proposed residential use is permitted in the zone.
2. The following bulk ('c') variances are required as part of this application:
 - a. A minimum front yard setback of 10 feet is required, whereas a setback of 5.9 feet is proposed (8 feet exists).
 - b. A maximum building height of 2½ stories and 38 feet is permitted for conforming dwellings, whereas a height of 3 stories and 37.84 feet is proposed for the non-conforming dwelling.



Re: Boro File No. MSPB-R1490
Variance – Damen
Block 182.01, Lots 21, 22

March 12, 2021
Sheet 2

- c. A maximum building coverage 35% is permitted, whereas a building coverage of 40.48% is proposed.
 - d. A maximum lot coverage 50% is permitted, whereas a lot coverage of 50.4% is proposed.
3. The following non-conformities exist and will not be modified as part of this application:
 - a. A minimum side yard setback of 5 feet is required, whereas a setback of 2.9 feet exists (east).
 - b. A minimum side yard deck setback of 5 feet is required, whereas a setback of approximately 2.9 feet exists (east).
 - c. Mechanical equipment is prohibited in the side yard, whereas both the air conditioning units and outdoor shower are located within the side yard (east).
 - d. A maximum driveway and curb of 20 feet is permitted, whereas a driveway and curb cut of approximately 33 feet wide exists.
 - e. The front steps for the existing dwelling extend onto Borough property.
4. The applicant proposes the first floor elevation of the dwelling at elevation 13.8 where the current base flood elevation is 9 feet. The finish floor of the existing structure is 11.8.
5. A stormwater management system as required by the borough's stormwater ordinance is not proposed. It is assumed one is not proposed due to high groundwater in the area, however the applicant's engineer must be prepared to justify the elimination of such a system to the Board and must provide seasonal high water elevation data.
6. The location of any proposed mechanical equipment must be shown on the site plan.
7. The applicant's engineer must conform there are no proposed grading changes or fill to be imported to the site.
8. Two additional parking spaces are proposed on the ground floor of the addition. The required storage area also appears to exist on the ground floor of the existing dwelling.
9. The applicant should be aware that the existing fences appear to meander over the adjacent property lines.
10. A landscaping plan for the front yard area must be provided. No trees will be removed as part of this application.
11. Any curb and sidewalk must be replaced along Third Avenue and as necessary.



Re: Boro File No. MSPB-R1490
Variance – Damen
Block 182.01, Lots 21, 22

March 12, 2021
Sheet 3

Should you have any questions or desire any additional information, please do not hesitate to contact me.

Very truly yours,


ALBERT D. YODAKIS, P.E., P.P.
MANASQUAN PLANNING BOARD
ENGINEER

ADY:jj

cc: George McGill, esq., Planning Board Attorney
R.C. Associates, Inc.
2517 Route 35, Bldg 'P', Suite 101, Manasquan, NJ 08736
Brendan McHugh, RA
106 Union Avenue, Manasquan, NJ 08736
Steven Damen
581 Brielle Road, Manasquan, NJ 08736

Boro Engineering
23 W. Larchmont Drive
Colts Neck, NJ 07722

INVOICE

Manasquan Planning Board
201 East Main Street
Manasquan, NJ 08736

Page : 1
Invoice No: MSPB1490-1
Invoice Date: 3/17/2021

Attention: Mary Salerno

For Professional Services Processed through: 3/17/2021

RE: VAR Damen - B 182.01 L21,22

Services rendered are detailed on the attached sheets

LABOR	HOURS	RATE	AMOUNT
Principal	4.00 \$	125.00 \$	<u>500.00</u>
		TOTAL \$	500.00

AMOUNT DUE THIS INVOICE \$ 500.00

DO NOT PAY FROM THIS INVOICE
THIS IS ONLY A NOTICE OF ESCROW CHARGES AGAINST YOUR ACCOUNT

Invoice Detail

Invoice Number: MSPB1490-1

Invoice Date: 3/17/2021

VAR Damen - B 182.01 L21,22

Staff Charges: Labor

<u>Title</u>	<u>Person</u>	<u>Date of Service</u>	<u>Time Charged</u>	<u>Description</u>
Principal	Yodakis, Albert D.	3/5/2021	1.25	Field/Completeness Review
Principal	Yodakis, Albert D.	3/11/2021	1.75	Zoning/Technical review Draft Report
Principal	Yodakis, Albert D.	3/12/2021	1.00	Finalize Report to Board

Total Principal: 4.00