MANASQUAN PLANNING BOARD MEETING AGENDA CONDUCTED WITH ZOOM NOVEMBER 02, 2021 7:00 PM – TUESDAY

Join Zoom Meeting

Password 281 797

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

OR Tel – 1-646 876 9923 US (New York) ID # 261 009 5007

Please take notice that the Manasquan Planning Board will convene a remote meeting on November 02, 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. Voucher Approval

RESOLUTION

- 2. #54-2021 Cosentino, Jaycee & Eleanor 21 McGreevey Application #40-2021
- 3. #55-2021 O'Neill, Lauren -214 Broad Street Application #42-2021

APPLICATION

- 4. #41-2021 Damen, Steve & Dovie 579-581 Brielle Road Block 182.01 Lot 21 & 22
- 5. #44-2021 Bushong, Charlotte Etta 222 Main Street Block 96 Lot 4.01

OTHER BUSINESS

Comments from individual board members

ADJOURNMENT



August 31, 2021

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

Re:

Boro File No. MSPB-R1491

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 July 19, 2021.
- 2. Architectural Floorplan and Elevations prepared by Brendan McHugh, RA, dated July 21, 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 <u>complete</u> as of August 31, 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 $2\frac{1}{2}$ stories and 33 feet is permitted for non-conforming dwellings, whereas a height of 3 stories and 35.78 feet is proposed (35.78 feet exists).

August 31, 2021 Sheet 2



Re: Boro File No. MSPB-R1491 Variance – Damen Block 182.01, Lots 21, 22

- c. A maximum building coverage 35% is permitted, whereas a building coverage of 37.3% is proposed.
- d. Two conforming parking spaces are required, whereas one conforming parking space (9'x19') is provided in the proposed garage. The garage is 17' by 29' but cannot accommodate two conforming spaces.
- e. A minimum pool side yard setback of 10 feet is required, whereas a setback of 5.4 feet 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. Outdoor showers are prohibited in the side yard, whereas the outdoor shower is located within the side yard (east). It should be noted the shower is to be relocated 3 feet from the side and rear property lines.
 - 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 12.93 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.
- The existing air conditioning units are to be relocated to an upper balcony with the
 proposed unit. It is indicated that they will be screened, however the method of
 screening should be described.
- 7. The applicant's engineer must conform there are no proposed grading changes or fill to be imported to the site.
- 8. The applicant should be aware that the existing fences appear to meander over the adjacent property lines.
- 9. A landscaping plan for the front yard area must be provided. No trees will be removed as part of this application.

BOR O ENGINEERING

Re:

Boro File No. MSPB-R1491

Variance – Damen

Block 182.01, Lots 21, 22

August 31, 2021 Sheet 3

10. Any curb and sidewalk must be replaced along Brielle Road and as necessary.

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:jy

cc: George McGill, esq., Planning Board Attorney

Michael Rubino, esq.

215 Morris Ave Suite 2, Spring Lake, NJ 07762

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

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 Intervocable Real Estate Trust (40%) (If a Corporation, attach list of principals) Lot 22 - Steven M. Damen
Address: 581 Brielle Road, Manasquan, NJ 08736
Telephone <u>732-245-3818</u> Cell <u>732-245-3818</u> Fax n/a
Email: sdamen@stratustech.com
Section II – Type of Application (Please check)
☐ 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.

Section V – Miscellaneous
1. Is the Applicant the Landowner? Yes (Attached authorization)
2. Does the Applicant own any adjoining land? Yes
3. Are the property taxes paid to date? Yes
4. Have there been any previous applications to the Planning Board or the Board of Adjustment concerning this property? Yes (Attach copies)
5. Is there any deed restrictions, easements or covenants affecting the property? No (Attach copies)
The applicant agrees to be responsible for and pay the costs entailed in the review of this application by any experts retained by the Planning Board for advice in this matter, if necessary Date: 8-6-2021 (Signature of Applicant or Agent) MICHAEL STANNING DOADD USE ONLY
PLANNING BOARD USE ONLY
Submitted:
Fees Paid:
Hearing Date:
Preliminary Approval:
Final Approval:
Denied:
Conditions of Approval:

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 applicants were before the Board for relief on the project on June 1, 2021. At that time the application was turned down by the Board which was confirmed by Resolution #40-2021. The applicants have now re-applied and have reduced the scope of the application to address some of the Board's concerns in the previous application. It is the applicants' position that the changes made are substantial changes to justify the Board hearing this application, as a new application. It should be noted that the prior variances were requested for Maximum Building Coverage of 40.58%, whereas the present

application asks for 37.3%. The prior application also asks for Building Height relief of 37.84 feet, whereas the present application has been reduced to 35.78 feet. The prior application has a total Building Coverage of 50.4%, whereas the new application has a Building Coverage of 49%. It should also be noted as part of this application, the shower and fireplace were moved off the property line and that there will now be no retaining wall as the pool will have be an infinity edge pool.

The applicant is asking for variances for 8 foot off the front yard setback whereas 9.2 feet is required, 5.9 feet to the pilar, whereas 9.2 feet is required. The following addition however will be 10.1 feet whereas 9.2 feet is required. The applicant will ask for building coverage of 37.3%, whereas 35% is allowed. The applicant will also ask for building height of 35.78 feet, whereas 33 feet is allowed. The applicant will ask for a 3 story addition, whereas 2.5 story is allowed. It should be noted that the requests for variance relief are based upon adding an addition of the house that is presently on Lot 21 into Lot 22. Lot 22 is vacant. The applicant intends to combine Lots 21 & 22 and add an addition to the house that presently exists on Lot 21. The new variances are driven by the existing conditions on Lot 21.

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.

RESOLUTION NO. 40 - 2021 (Application No. 19-2021)

RESOLUTION OF THE PLANNING BOARD OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

WHEREAS, Steven M. Damen and Dovie L. Damen (hereinafter referred to as the "applicants") have applied to the Planning Board of the Borough of Manasquan (the "Board") for variance relief pursuant to N.J.S.A. 40:55D-70(c) from the provisions of the Manasquan Zoning Ordinances to consolidate two lots and to construct an addition onto an existing residential dwelling at property located at 579-581 Brielle Road, Manasquan, New Jersey, and known as Block 182.01, Lots 21 & 22 on the Manasquan Tax Map, and,

WHEREAS, a public hearing was held via a remote electronic meeting format via the Zoom remote conferencing platform at the regularly scheduled meeting of the Planning Board on June 1, 2021, and no live in-person attendance being held in the Municipal Building, and testimony having been presented on behalf of the applicant, and objectors to the application having been given an opportunity to be heard; and,

WHEREAS, such proof of service as may be required by New Jersey Statutes, Municipal Ordinances, and as directed by the New Jersey Department of Community Affairs for meetings held virtually during a time of a declared state of emergency has been furnished; and,

WHEREAS, the Board, having considered the application, testimony, and exhibits submitted, makes the following findings:

- 1. The property is located in an R-5 Zone.
- The application was filed in reference to two properties known as Lots 21 2. and 22. Lot 21 is known as 581 Brielle Road and is owned by Steven M. Damen and the The Damen Family Irrevocable Real Estate Trust. Lot 22 is known as 579 Brielle Road and owned by Steven Damen solely. Lot 21 lies directly to the east of Lot 22. Both lots have 25 feet of frontage on Brielle Road. Together the lots form a slightly irregular parcel because Lot 21 has a depth of approximately 93.81 feet and Lot 22 has a depth of approximately 97.85 feet. The combined area of the lots is 4,804 square feet. Lot 21 is developed with a residential dwelling that was the subject of variance relief in 2002 and 2013. As a result of those approvals the dwelling structure was set at approximately 9 inches off the westerly property line. The dwelling has attained a height of 35.78 feet and is a three-story structure by design. Lot 22 is a vacant lot that is put to the use of a parking pad presumably to service the structure on Lot 21. There were questions regarding the applicants' compliance with past approvals and the resolutions memorializing same at the hearing of this matter and nothing memorialized here should be construed to in any way approve or validate the recited conditions of the properties as they presently exist. The applicants are proposing to consolidate the two lots and construct an addition onto the dwelling existing on Lot 21 along with other amenities. The applicants provided a grading plan prepared by Ray Carpenter, P.E.,

- P.P., dated December 16, 2020, last revised February 1, 2021; and architectural plans prepared by Brendan T. McHugh, A.I.A. dated November 16, 2020. These plans more fully describe the applicants' proposal and were submitted to and relied upon by the Board in its deliberations regarding this application. The applicants were represented by Michael R. Rubino, Jr., Esq. and the testimony was provided by Steven Damen, Ray Carpenter, P.E., P.P. Brendan T, McHugh, A.I.A. and Joseph Kociuba, P.E., P.P.
- 3. Upon review of the application by the Board Engineer, and upon hearing his comments and receiving his report, the Board determined that the applicants' proposal required the following variance relief:
- A. Maximum Building Coverage where 35% is permitted, and 40.48% is proposed.
- B. Maximum Building Height where 33 feet and 2 ½ stories are permitted for this nonconforming structure, and 37.84 feet and three stories are proposed.
- C. Minimum Front yard setback where 10 feet is required, and 5.9 feet is proposed to a new pillar.
- 4. The applicants stipulated that they would comply with the Maximum Lot Coverage requirements in the zone therefore the request for relief from that standard was withdrawn. The applicants requested a variance to permit the front steps of the property to encroach on the public right-of-way, however, because the Board is without authority to grant such relief as beyond its jurisdiction, and because the condition was pre-existing, the Board did not consider such relief.
- 5. The Board finds that the variance relief must be denied. The Board finds that the property is not of such dimensions, nor afflicted by such unique topography, nor suffers from such extraordinary or exceptional circumstances that would warrant a finding that the strict application of the Borough's zoning ordinances would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the applicants in developing this property. To the contrary, the Board finds that the parcel when taken as a whole is fully suitable for the development of a conforming single family residential structure. While the Board acknowledges that the existing structure is situated on the parcel in such a manner that may present further consideration when developing the property, the structure and the property itself do not present the applicants with a "hardship" as that term is defined under the Municipal Land Use Law and in the context of the application presented. The Board finds therefore that the relief may not be granted under N.J.S.A. 40:55D-70(c.1).
- 6. The Board reviewed the plans and exhibits supplied by the applicants and considered the testimony provided by the applicants' experts and finds that the proofs presented are insufficient to grant the application as a better zoning alternative under N.J.S.A. 40:55D-70(c.2). Pursuant to N.J.S.A. 40:55D-70(c.2), known as "c2" or "flexible c" standard, the Board may grant variance relief where,

"in an application or appeal relating to a specific piece of property the purposes of this act... would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment".

The Board has heard and considered that the applicants are seeking 40.48% of building coverage where 35% is permitted. The Board heard that the permitted building coverage of the two lots would be significantly higher than what was proposed if the properties were to be developed separately. The Board heard that the consolidation of the lots would make the new consolidated lot one of the only conforming lots in the area. The applicants proffered that the Board has granted building coverage relief on the smaller, undersized lots in the zone and the Board acknowledges that to be true, however, the Board finds at the same time that the relief granted in such instances is usually due to the unavailability of developable space to construct an adequate modern dwelling on the smaller lots. The Board finds that such reasons do not exist here. The new consolidated would not and does not suffer under the same lack of developable space. The Board finds that while there may be, arguably, some benefit to avoiding the increase in building coverage overall that the development of the two properties independently may bring, the Board finds that the increase building coverage proposed here is far from deminimus or modest in character and that permitting that level of increase in reference to a conforming lot would represent a substantial impairment of the zone plan. The Board finds also that increase in building coverage, if granted, would represent a substantial detriment to the zone plan that would, on balance, outweigh the benefits that avoiding the development of independent lots would achieve. As such, the Board finds that it cannot grant the relief requested for the building coverage variance. The Board finds that the building coverage relief is an integral and necessary aspect of the entire project without which the project cannot exist. The Board viewed all of the variances as part and parcel of an integrated project and therefore finds that it cannot independently grant the relief requested for the height and front yard variances where the project as whole cannot be built. The Board finds, essentially, that it cannot consider such relief in the vacuum created by the denial of the building coverage variance because there simply is not sufficient information upon which to base the granting of such relief. The Board therefore denies all of the variance relief requested, and such other relief as may have been necessary or presented in this application, for the reasons stated above.

WHEREAS, The Board has determined that the relief requested by the applicants is not justified under the proofs and circumstances presented, and cannot be granted without substantially impairing the intent and purpose of the zone plan and zoning ordinances of the Borough of Manasquan, and that the benefits of this application do not substantially outweigh the detriments, and that no hardships exist,

NOW THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Manasquan on this 15th day of June, 2021, that the application for variance relief shall be and is hereby denied for the reasons stated herein.

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, to the Planning Board's Professional Engineer, to the Tax Office, to the Water and Sewer Departments and to the Department of Public Works, in order that said officials and departments may appropriately note their records with the respect the denial as necessary.

Neil Hamilton

Chairman of the Planning Board of the Borough of Manasquan

CERTIFICATION

I, <u>Rarbara Tlaria</u>, acting Secretary of the Planning Board of the Borough of Manasquan, in the County of Monmouth, State of New Jersey, do hereby CERTIFY that the foregoing is a true copy of a resolution adopted by the Planning Board at its regular meeting held on June 15, 2021.

B. llava

Resolution Prepared by: George D. McGill, Esq. Attorney to the Planning Board Of the Borough of Manasquan

RESOLUTION NO. 40-2021 (Application No. 19-2021) Dovie L. and Steven M. Damen

The Vote on the Motion made by

on June 1, 2021 to approve this application was as follows:

MEMBER	YES	NO	ABSTAIN	ABSENT
Mayor Edward Donovan	/			
Neil B. Hamilton				
Kevin Thompson		/		
Robert Young		/		
Greg Love		/		
John Muly				
Barbara Ilaria				/
Mark Apostolou		V		
Leonard Sullivan				
Mark Larkin	/			
John Burke				

The Vote on the Memorializing Resolution offered by Mark Apas to low on June 15, 2021, was as follows:

MEMBER	YES	NO	ABSTAIN	ABSENT
Mayor Edward Donovan				
Neil B. Hamilton				
Kevin Thompson				
Robert Young	/			
Greg Love				
John Muly				
Barbara Ilaria				
Mark Apostolou				
Leonard Sullivan				
Mark Larkin				
John Burke				

RESOLUTION NO. 340-2021 (Application No. 19-2021) Dovie L. and Steven M. Damen

The Vote on the Motion made by

on June 1, 2021 to deny this application was as follows:

MEMBER	YES	NO	ABSTAIN	ABSENT
Mayor Edward Donovan	./			
Neil B. Hamilton	/			
Kevin Thompson		1		
Robert Young		/		
Greg Love		/		
John Muly	1			
Barbara Ilaria				
Mark Apostolou				
Leonard Sullivan		1		
Mark Larkin	/			
John Burke				

The Vote on the Memorializing Resolution offered by Mark Apostolou on June 15, 2021, was as follows:

MEMBER	YES	NO	ABSTAIN	ABSENT
Mayor Edward Donovan				
Neil B. Hamilton				
Kevin Thompson				X
Robert Young	X			//
Greg Love	X			
John Muly				
Barbara Ilaria				
Mark Apostolou	X			
Leonard Sullivan	V			X
Mark Larkin				- /3
John Burke				

CORRESTO

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.
 - 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.

 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. Celling 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 Briefle 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.

- 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.

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 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 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.
- 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.
 - 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

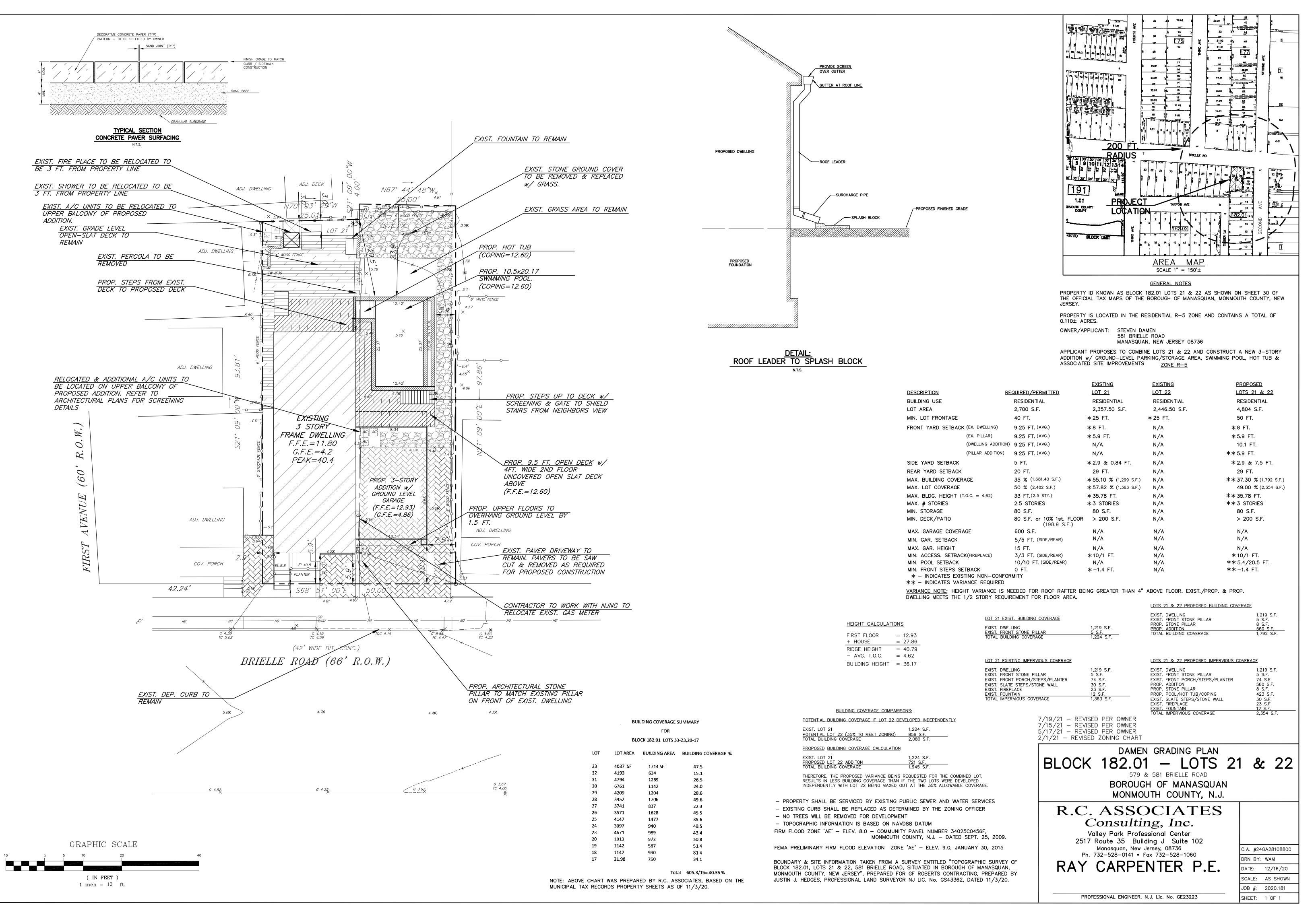
to the Planning Board secretary before the initial expiration date hereinbefore referenced.

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.

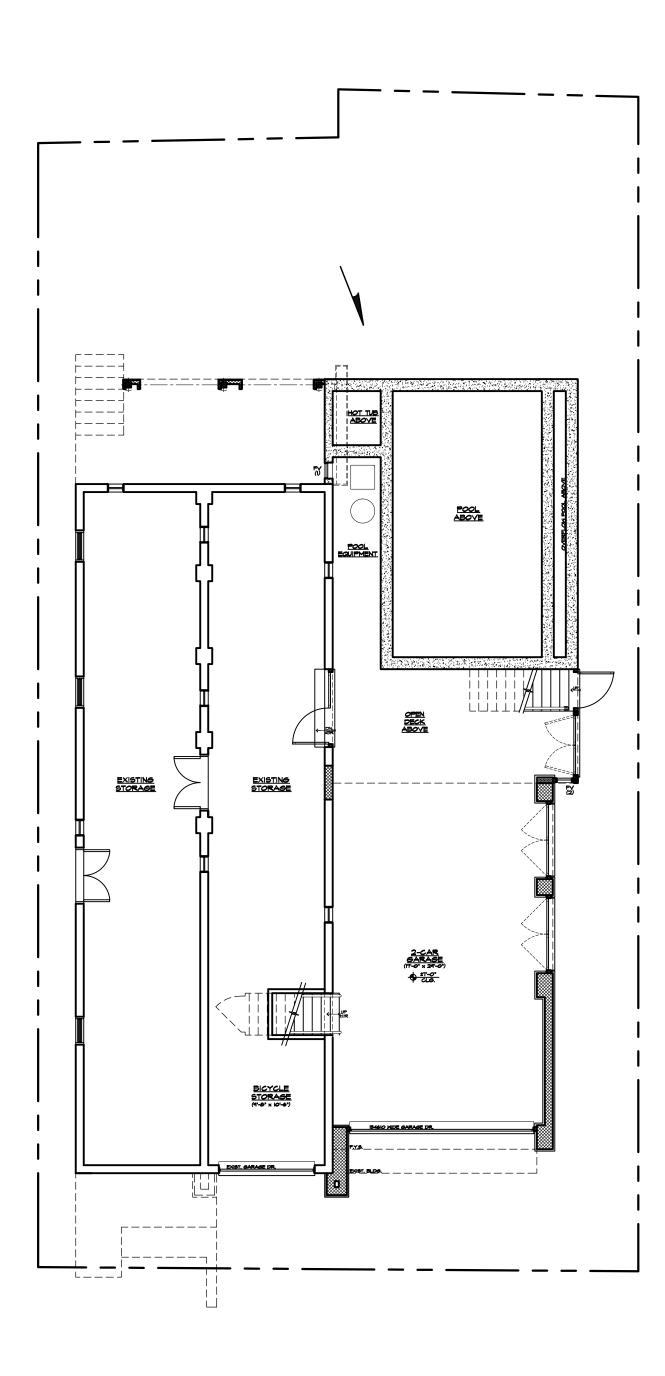
DAVID PLACE, Chairman Manasquan Planning Board

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.

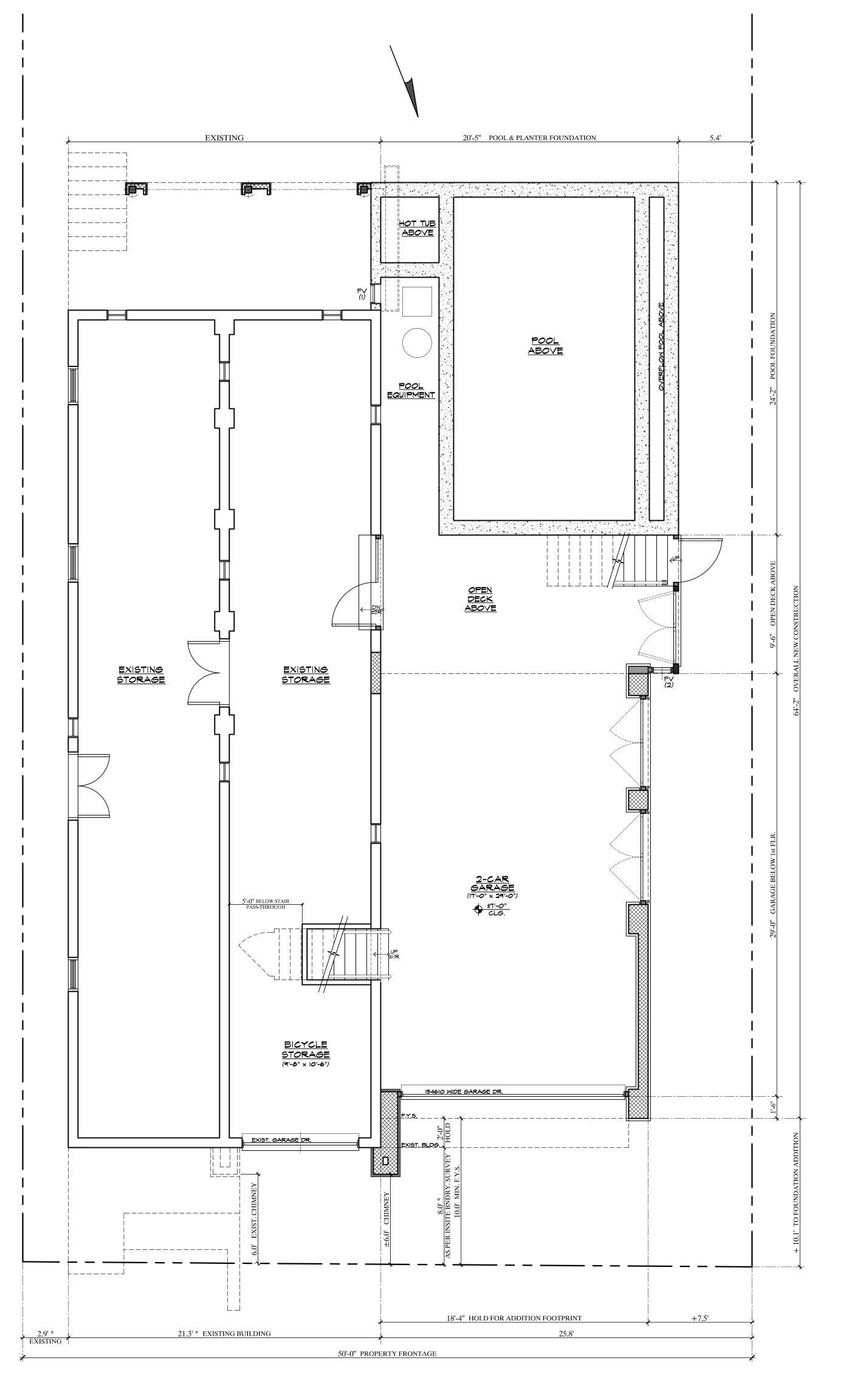
MARIE APPLEGATE, Secretary Manasquan Planning Board



25



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



BRENDAN T. MCHUGH NJ LICENSE NO.: 16404

SRENDAN T. MCHUG

R C H I T E C T U R

106 UNION AVENUE

MANASQUAN, NJ 08736

TEL: 732.722.7737

IM@MCHUGHAR.CHITECTURE.CO

DAMEN RESIDENCE DOITION & RENOVATIO

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

ENCLOSED SPACE FLOOD VENTILATION CALCULATIONS: TOTAL 797 SQ. FT. / 5,579 CU. FT.

CODE INFORMATION INTERNATIONAL RESIDENTIAL CODE 2018 NJ EDITION

CONSTRUCTION USE GROUP: R-5 NOTE: ALL DECK MATERIAL TO BE TREATED WOOD

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

FLOOD CALC. AREA: 797 SQ. FT. / 200 = 3.99 (4 FLOOD VENTS <u>REQUIRED</u>)

CALCULATIONS ARE BASED ON THE SMART VENT MANUFACTURER VENT MODEL: <u>FLOOD VENT 1540-520</u> FOR CMU APPLICATIONS & 1540-570 FOR WOOD WALLS

TOTAL FLOOD VENTS <u>PROVIDED IN THE FIELD:</u> 4

NOTE: CRAWL SPACE FLOOD VENTILATION

BUILDING.

FLOOD VENT REQUIREMENTS:

RATED TO COVER 200 SQ.FT.

DRAWN BY: REVIEWED BY
LMC BTM

REVISIONS:

SHEET TITLE
ARCHITECTURAL SITE &
GROUND FLOOR PLAN &
FLOOD VENT CALCS.

SCALE
AS NOTED
ISSUE DATE
7/21/21
PROJECT NUMBER
2027

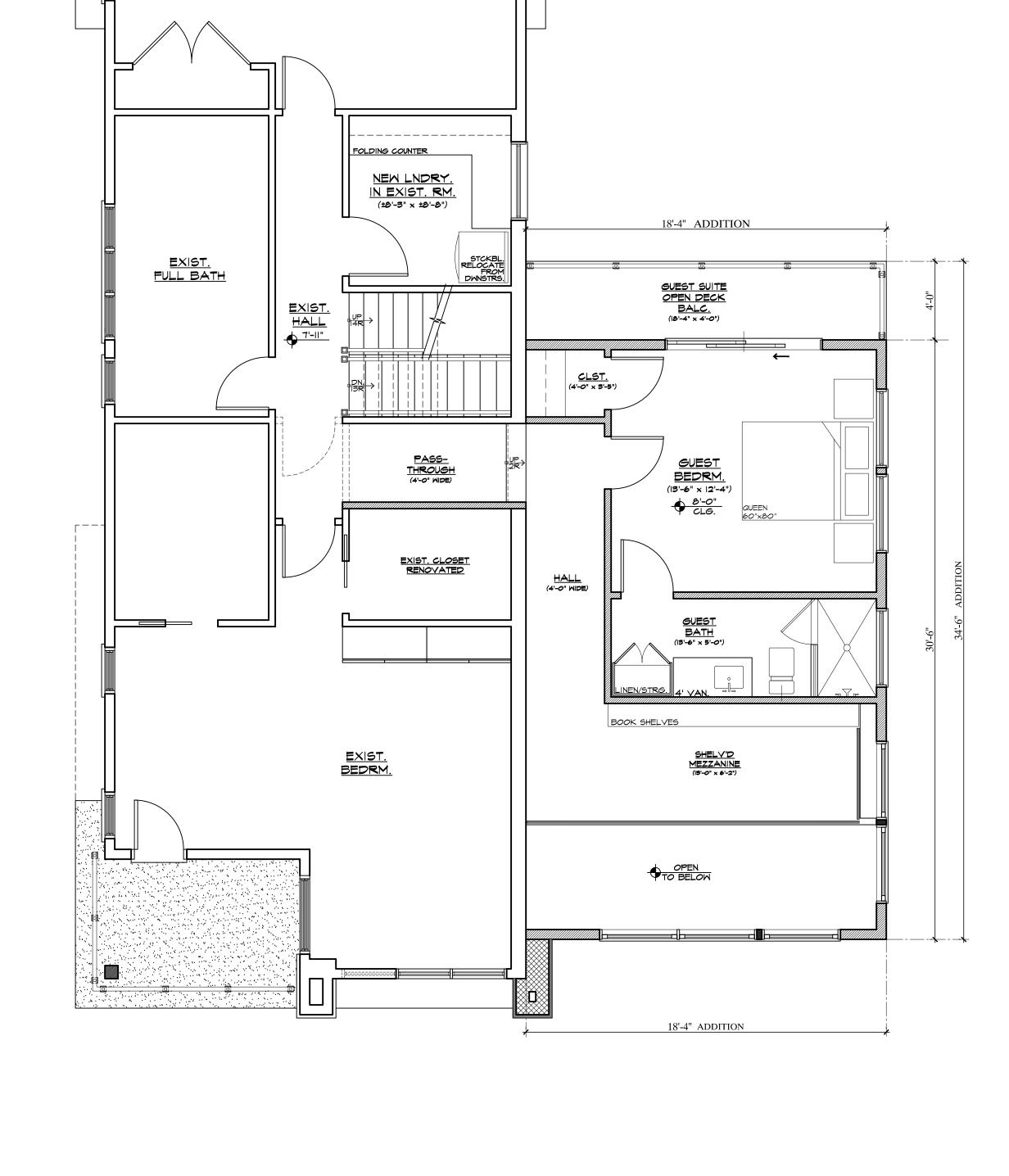
SHEET 1 OF 4

26

EXIST.
DECK &
TRELLIS
SYS. <u>HOT TUB</u> (5'-0" × 4'-6") <u>POOL</u> (12'-5" × 22'-2") EXIST. LIVING RM. <u>open</u> Deck LINE OF OPEN DECK ABOVE PASS-THRU AREA w/ BAR (12'-6" x 15'-0") HALF BATH (5'-6" × 6'-0") 8'-10" EXIST. CLG. EXIST. KITCH. 9'-0" CLG. <u>OPEN</u> <u>FLR. PLAN</u> (16'-8" × 16'-6") ------RENO. FOYER DBL. STORY. RENOVATED ENTRY HALL (9'-10" x 7'-4") 21.3' * EXISTING BUILDING 18'-4" ADDITION FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

20'-5" ADDITION

EXISTING



ALIGN W/ BELOW

<u>EXIST.</u> BEDRM.

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



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REVIEWED BY

A-0.2

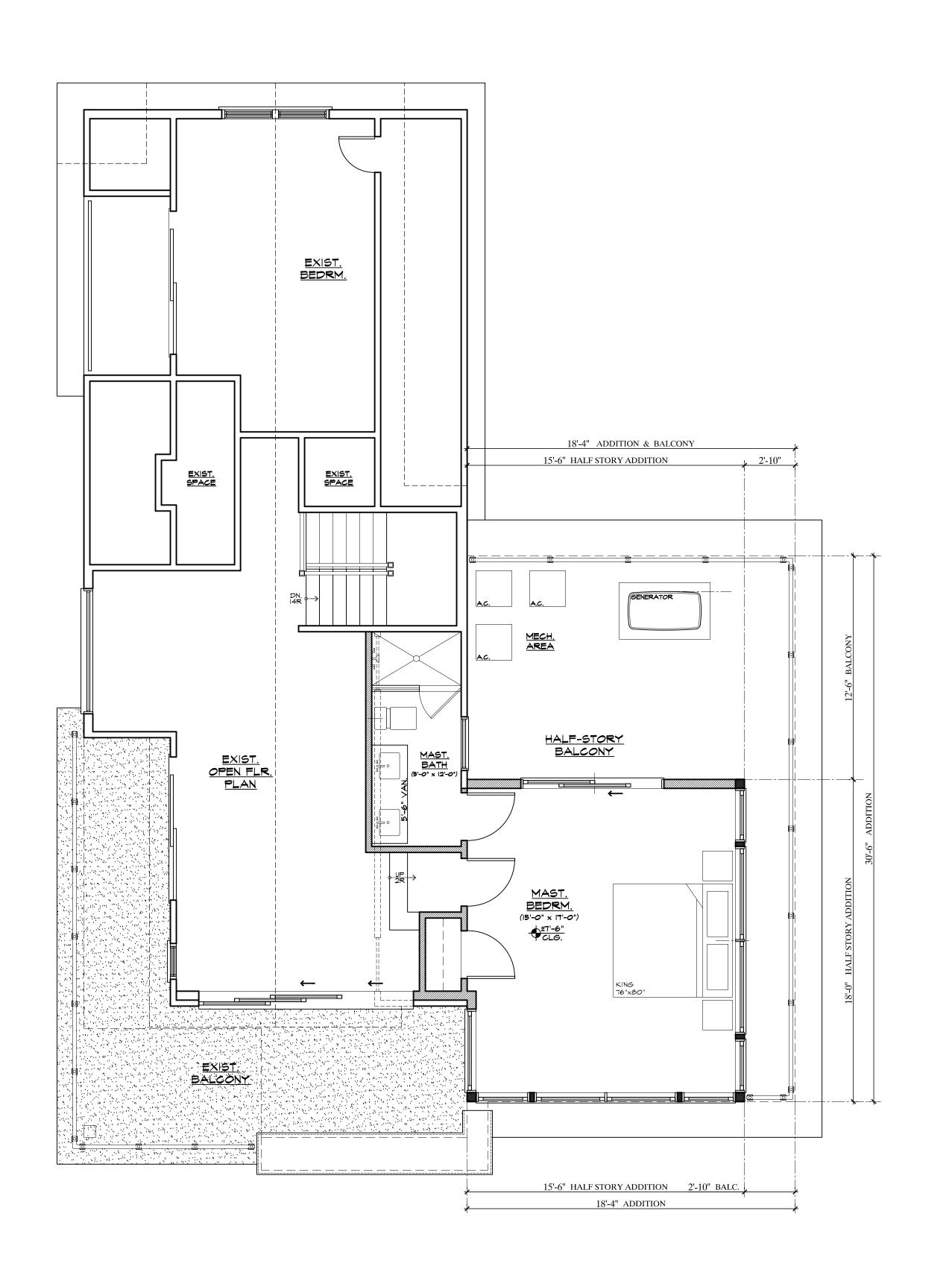
SHEET 2 OF 4

DRAWN BY:

REVISIONS:

SHEET TITLE FIRST & SECOND FLOOR PLANS

BRENDAN T. MCHUGH NJ LICENSE NO.: 16404



HALF STORY PLAN SCALE: 1/4" = 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 =

1,788 SF (60% = 1,072 SF) ½ STORY @ 5' OR MORE HD. HT. W/ STAIR = 1,071.1 SF (59.9%)

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 = HABITABLE ATTIC =

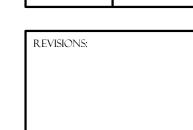
1,788 SF (33% = 590 SF) 1,071.1 SF (59.9%)**

**VA CONSTRUCTION OR SPRINKLER SYSTEM TO BE PROVIDED

BRENDAN T. MCHUGH NJ LICENSE NO.: 16404

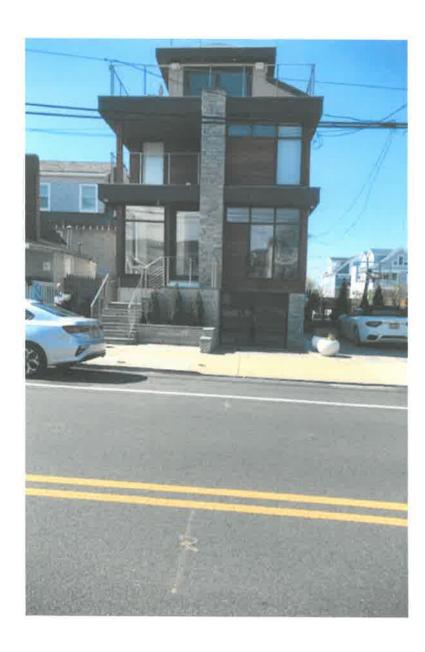
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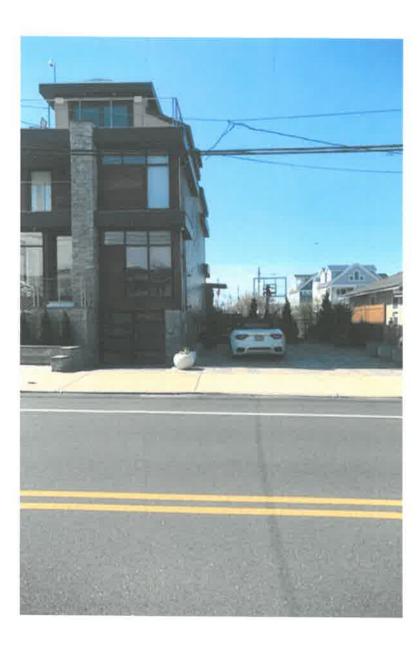
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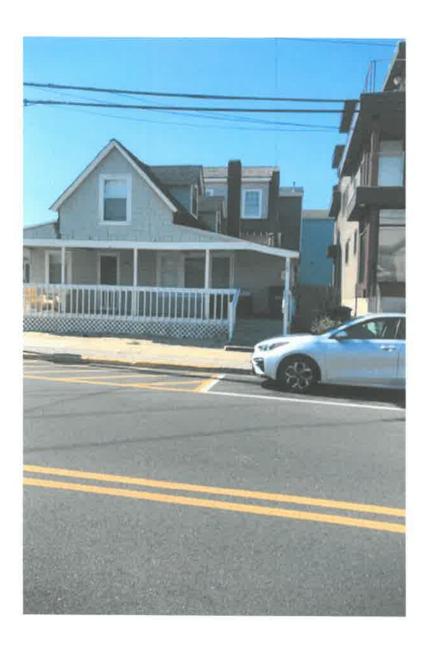


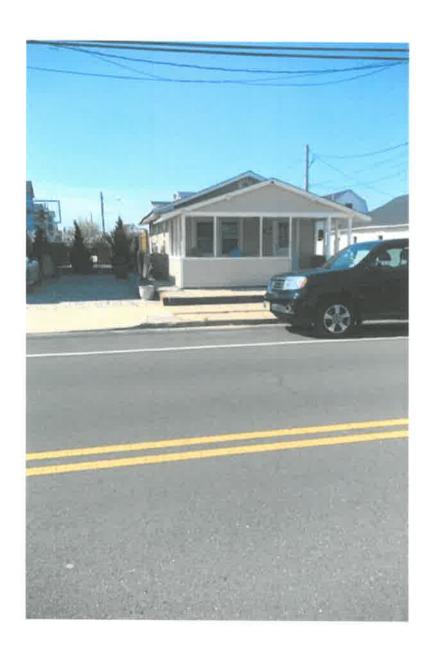
HALF STORY PLAN WITH ZONING & IRC CALCULATIONS SHEET 3 OF 4

















BOROUGH HALL 201 EAST MAIN STREET Incorporated December 30, 1887

732-223-0544 Fax 732-223-1300

Item 4.

EDWARD G. DONOVAN Mayor CONSTRUCTION DEPARTMENT

FRANK F. DIROMA Supervisor of Code Enforcement

THOMAS F. FLARITY Municipal Administrator BOROUGH OF MANASQUAN COUNTY OF MONMOUTH NEW JERSEY 08736 STEVEN J. WINTERS Construction Official

May 25, 2021

Steven Damen 579-581 Brielle Road Manasquan, NJ 08736

Re: Block: 182.01 Lot: 21,22 Zone: R-5 Flood Zone: AE BFE: 9ft. DFE: 10ft.

Dear Sir:

On this date we reviewed your revised application for the following project.

Construct a three story addition, inground pool, spa, raised deck in the rear yard and other interior alterations and renovations.

Revised plot plan prepared by Ray Carpenter on May 17, 2021. Revised conceptual plans prepared by Brendan McHugh on May 11, 2021.

Application denied for the following reason(s):

Section 35-9.4 – Front Setback – 10ft. Required 5.9ft. Existing 8ft. Proposed

- " Side Setback (Left) 5ft. Required 2.9ft. Existing
- Building Height 33ft Permitted
 37.84ft. Proposed
- " Number of Stories 2 ½ Stories Permitted
 3 Stories Proposed
- " Building Coverage 35% Permitted 40.48% Proposed

- Lot Coverage – 50% Permitted 50.45 Proposed

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

Item 4.

PANDOLFE, SHAW & RUBINO, L.L.C

ATTORNEYS AT LAW

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

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

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

October 18, 2021

Barbara Ilaria, RMC, CMR, CMC 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. Ilaria:

With reference to the above matter, I am in receipt of Mr. Furey's denial letter of October 13, 2021, which should now be attached and part of the application. I understand the hearing date is scheduled for November 2, 2021. I note there are some difference between Mr. Yodakis' letter of August 31, 2021 and Mr. Furey's denial of October 13, 2021.

I will amend the application to include that noted in Mr. Yodakis' letter:

Item # 2 (e) - Minimum pool side yard setback of 10 feet is required, whereas a setback of 5.4 feet is proposed.

I will also amend the application to include that set forth in Mr. Furey's denial letter:

Section 35-9.4 – Side Setback (Left) – 5 feet required, 2.9 feet **existing**; Section 35-11.8c – Prohibits locating any mechanical equipment (a/c, shower) in the required 5 foot side setback;

Section 35-7.7 – Driveway Width – 20 feet permitted, 33 feet **existing**; Section 35-13.3 – On-site parking – 2 spaces required, 1 space proposed;

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

If you require anything further, please let me know.

Very truly yours,

MICHAEL R. RUBINO, JR., ESQ.

MRR/lmw Enclosure(s) cc: Client



August 31, 2021

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

Re: Boro File No. MSPB-R1491

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 July 19, 2021.
- 2. Architectural Floorplan and Elevations prepared by Brendan McHugh, RA, dated July 21, 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 <u>complete</u> as of August 31, 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 33 feet is permitted for non-conforming dwellings, whereas a height of 3 stories and 35.78 feet is proposed (35.78 feet exists).



Re: Boro File No. MSPB-R1491 Variance – Damen Block 182.01, Lots 21, 22

- c. A maximum building coverage 35% is permitted, whereas a building coverage of 37.3% is proposed.
- d. Two conforming parking spaces are required, whereas one conforming parking space (9'x19') is provided in the proposed garage. The garage is 17' by 29' but cannot accommodate two conforming spaces.
- e. A minimum pool side yard setback of 10 feet is required, whereas a setback of 5.4 feet 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. Outdoor showers are prohibited in the side yard, whereas the outdoor shower is located within the side yard (east). It should be noted the shower is to be relocated 3 feet from the side and rear property lines.
 - 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 12.93 where the current base flood elevation is 9 feet. The finish floor of the existing structure is
- 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 existing air conditioning units are to be relocated to an upper balcony with the proposed unit. It is indicated that they will be screened, however the method of screening should be described.
- 7. The applicant's engineer must conform there are no proposed grading changes or fill to be imported to the site.
- 8. The applicant should be aware that the existing fences appear to meander over the adjacent property lines.
- 9. A landscaping plan for the front yard area must be provided. No trees will be removed as part of this application.

BOROENGINEERING

Re:

Boro File No. MSPB-R1491

Variance - Damen

Block 182.01, Lots 21, 22

August 31, 2021 Sheet 3

10. Any curb and sidewalk must be replaced along Brielle Road and as necessary.

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:jy

cc: George McGill, esq., Planning Board Attorney

Michael Rubino, esq.

215 Morris Ave Suite 2, Spring Lake, NJ 07762

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

BOROUGH HALL 201 EAST MAIN STREET Incorporated December 30, 1887

732-223-0544 Fax 732-223-1300

FRANK F. DIROMA
Supervisor of Code Enforcement

3-0544 Item 4.

EDWARD G. DONOVAN Mayor

THOMAS F. FLARITY
Municipal Administrator

BOROUGH OF MANASQUAN COUNTY OF MONMOUTH NEW JERSEY 08736

CONSTRUCTION DEPARTMENT

STEVEN J. WINTERS
Construction Official

October 13, 2021

Steven Damen 579-581 Brielle Road Manasquan, NJ 08736

Re: Block: 182.01 Lot: 21,22 Zone: R-5 Flood Zone: AE BFE: 9ft. DFE: 10ft.

Dear Sir:

On this date we reviewed your application for the following project.

Construct a three story addition, pool, hot tub, deck and other interior alterations and renovations.

Survey prepared by Justin Hedges on November 3, 2020. Revised plot plan prepared by Ray Carpenter on July 19, 2021. Revised conceptual plans prepared by Brendan McHugh on July 21, 2021.

Note: The front steps of the existing dwelling are encroaching onto borough property.

Application denied for the following reason(s):

Section 35-9.4 - Front Setback - 10ft. Required 8ft. Existing 5.9ft. Proposed

- Side Setback (Left) 5ft. Required
 2.9ft. Existing
- Building Height 33ft. Permitted
 35.78ft. Existing and proposed
 - Number of Stories 2 ½ Stories permitted
 3 Stories proposed

www.manasquan-nj.gov

Building Coverage – 35% Permitted
 37.3% Proposed

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

Section 35-7.7 – Driveway Width – 20ft. Permitted 33ft. Existing

Section 35-13.3 - On-Site Parking - 2 Spaces Required 1 Space Proposed

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

Additional required documentation:

- 1. Plot plan revised to show compliance with Section 28-1.3 (stormwater management)
- 2. Prior approval from the shade tree committee regarding the removal of any trees on the property.

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

Sincerely

Richard Furev

732-223-054 Fax 732-223-1300

EDWARD G. DONOVAN Mayor

THOMAS F. FLARITY Municipal Administrator

CONSTRUCTION DEPARTMENT

FRANK F. DIROMA Supervisor of Code Enforcement

STEVEN J. WINTERS Construction Official

BOROUGH OF MANASQUAN COUNTY OF MONMOUTH NEW JERSEY 08736

October 13, 2021

Steven Damen 579-581 Brielle Road Manasquan, NJ 08736

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 35.78ft. Existing and proposed
- " Number of Stories 2 ½ Stories permitted 3 Stories proposed

Item 4.

- Building Coverage – 35% Permitted 37.3% Proposed

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

Section 35-7.7 – Driveway Width – 20ft. Permitted 33ft. Existing

Section 35-13.3 – On-Site Parking – 2 Spaces Required
1 Space Proposed

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

Additional required documentation:

- 1. Plot plan revised to show compliance with Section 28-1.3 (stormwater management)
- 2. Prior approval from the shade tree committee regarding the removal of any trees on the property.

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

Sincerely

Richard Furey



September 13, 2021

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

Re: Boro File No. MSPB-R1720

Variance – Bushong Block 96, Lot 4.01 222 East Main Street

R-2 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. Survey of Property prepared by Michael Williams, PLS, dated January 7, 2019.
- 2. Architectural Floor Plans, Elevations, and Site Plan prepared by Carolyn Young, RA, of CA Young Architecture, dated June 10, 2021.

The property is located in the R-1 Single-Family Residential Zone with frontage on East Main Street and Wyckoff Avenue. With this application, the applicant proposes to construct a new two-story addition on the east side of the existing dwelling and interior alterations. The application is deemed <u>complete</u> as of September 13, 2021.

The following are our comments and recommendations regarding this application:

- The property is located in the R-1 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 maximum building coverage of 25% is permitted, whereas a coverage of 32.8% is proposed (25.8% exists).
 - b. A maximum lot coverage of 35% is permitted, whereas a coverage of 45.9% is proposed (36.6% exists).
 - c. A maximum dormer length of 10 feet is permitted, whereas a dormer length of 14 feet 4 inches is proposed.

September 13, 2021 Sheet 2



Re: Boro File No. MSPB-R1720 Variance – Bushong Block 96, Lot 4.01

- The following non-conformities exist on Lot 4.01 and are not proposed to be modified as part of this application:
 - a. A minimum lot area of 7,000 square feet is required, whereas a lot area of 6,207.5 square feet exists.
 - b. A minimum front yard setback of 25 feet is required, whereas a setback of 17.9 feet exists.
 - c. A minimum rear yard setback of 35 feet is required, whereas a setback of 27.71 feet exists.
 - d. A minimum side yard setback of 15 feet is required, whereas a setback of 13.26 feet exists (west side corner lot).
 - e. A minimum accessory rear yard setback of 5 feet is required, whereas a setback of 0.38 feet exists.
 - f. A minimum accessory side yard setback of 5 feet is required, whereas a setback of 1.57 feet exists.
 - g. A minimum driveway setback of 1 foot is required, whereas a setback of approximately 0 feet exists.
- 4. A revised grading plan for the property must be submitted.
- 5. A drainage recharge system in accordance with the Borough's stormwater ordinance is not required as the proposed addition does not increase the building footprint by more than 500 square feet.
- 6. It appears that several existing trees will be removed as part of the application. Any trees to be removed must be shown on the plan.
- 7. If proposed, the location of any additional air conditioning units must be shown on the plan. They must be located outside of the side yard setback area or a variance must be requested.
- 8. Any curb and sidewalk must be replaced along East Main Street and Wyckoff Avenue.

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. PLANNING BOARD ENGINEER BOROUGH OF MANASQUAN





Re:

Boro File No. MSPB-R1720

Variance – Bushong Block 96, Lot 4.01 September 13, 2021 Sheet 3

ADY:jy

cc: George McGill, esq., Planning Board Attorney

Carolyn Young, RA

CA Young Architecture, 118 Washington Street, Morristown, NJ 07960

Charlotte Bushong

222 East Main Street, Manasquan, NJ 08736

732-223-05² Item 5. Fax 732-223-1300

EDWARD G. DONOVAN Mayor

THOMAS F. FLARITY Municipal Administrator CONSTRUCTION DEPARTMENT

FRANK F. DIROMA Supervisor of Code Enforcement

BOROUGH OF MANASQUAN COUNTY OF MONMOUTH NEW JERSEY 08736

STEVEN J. WINTERS Construction Official

RECEIVED AUG 3 1 2021

APPLICATION TO THE PLANNING BOARD

*Applicant's Name: CHARLOTTE ETTA BUSHONG
*Applicant's Address: 222 EAST MAIN STREET
 *Telephone Number: Home: NONE Cell: 201-927-6531
*e-mail Address: ETTABUSHONG@optfmum.net
*Property Location: 222 EAST MAIN STREET
*Block: 96 Lot: 4.01
*Type of Application: BULK VARIANCE
Bulk Variance, Non-Permitted Use- Conditional Use- Subdivision- Minor Subdivision- Major-Site Plan Approval
*Date of Zoning Officer's Denial Letter: 6-30-2021, Philippo 8-16-21 Attach Zoning Permit Application
*Plot Plan (Survey) not older than five (5) years, clearly indicating all buildings and setbacks.
*Is the Applicant the Landowner? YES
*Does the Applicant own any adjoining land? No
*Are the property taxes paid to date?
*Have there been any previous applications to the Planning Board concerning this property?_No (Attach copy)
**Are there any Deed Restrictions, Easements, or Covenants affecting this
property? No
(Attach copy)
*The applicant agrees to be responsible for and pay for the costs entailed in the review of this application by any experts retained by the Planning Board for advice in this matter.
Chastoth Sta Bushons Signature of Applicant or Agent Date 8/18/21

Item 5.

BOROUGH HALL 201 EAST MAIN STREET incorporated December 30, 1887

732-223-0544 Fax 732-223-1300

EDWARD G. DÖNOVAN Møyor CONSTRUCTION DEPARTMENT

FRANK F. DIROMA Supervisor of Code Enforcement

THOMAS F. FLARITY Municipal Administrator BOROUGH OF MANASQUAN COUNTY OF MONMOUTH NEW JERSEY 08736 STEVEN J. WINTERS Construction Official

August 16, 2021

Charlotte Bushong 222 East Main Street Manasquan, NJ 08736

Re: Block: 96 Lot: 4.01 Zone: R-1

Dear Ms. Bushong:

On this date we reviewed your application for the following project.

Construct a two story side addition and other interior alterations and renovations.

Survey/site plan prepared by Michael Williams on January 7, 2019. Conceptual plans prepared by Carolyn Young on June 10, 2021.

Application denied for the following reason(s):

Section 35-9.4 – Lot Area – 7,000s.f. Required 6,207.5s.f. Existing

- Front Setback 25ft. Required 17.9ft. Existing 27.2ft. Proposed
- Rear Setback 35ft. Required
 27.7ft. Existing
 35.5ft. Proposed
 - Side Setback (Left) 15ft. Required
 13.26ft. Existing
- Building Coverage 25% Permitted
 25.8% Existing
 33% Proposed

- Lot Coverage 7 35% Permitted 45.9% Proposed

Section 35-5.2b3 - Accessory Building (Garage) - Rear Setback - 5ft. Required 0.38ft. Existing

Side Setback - 5ft. Required
 1.57ft. Existing

Section 35-7.7 – Driveway Setback – 1ft. Required .0ft. Existing

Additional Required documentation:

 Prior approval from the Shade Tree Committee regarding the removal of any trees on the property.

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

Sincerely/

Richard Furey

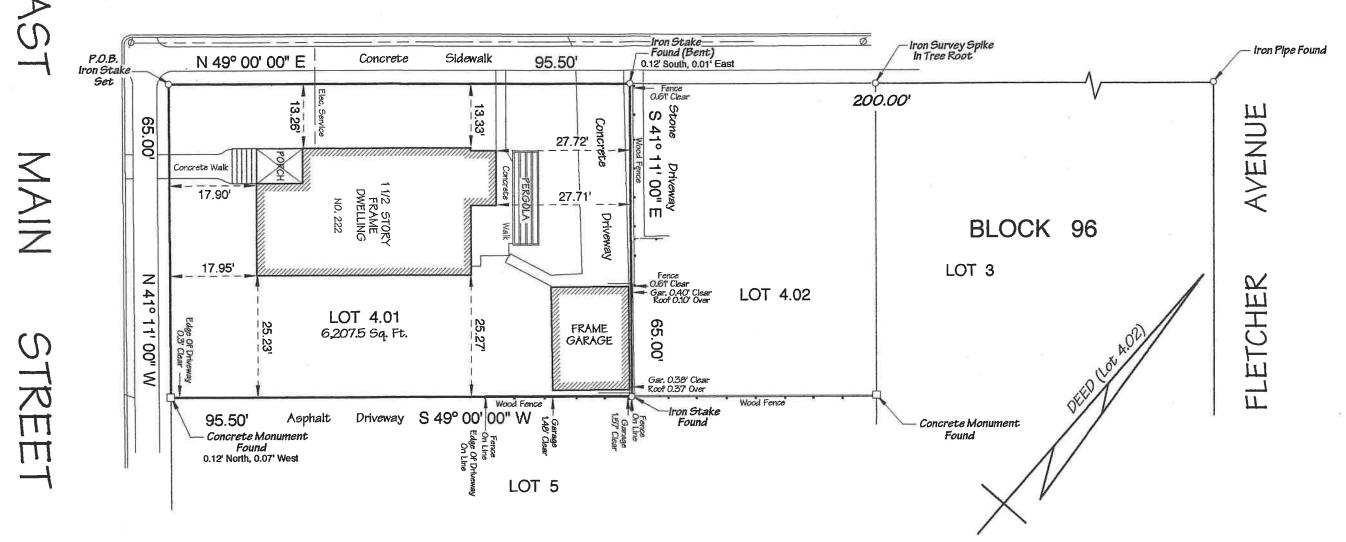
PREMISES BEING ALSO KNOWN AND DESIGNATED AS LOT 4.01 IN BLOCK 96 AS SHOWN ON THE TAX MAP OF THE BOROUGH OF MANASQUAN.

(60' WIDE RIGHT OF WAY)

WYCKOFF

AVENUE

(40' WIDÉ ASPHALT PAVEMENT)



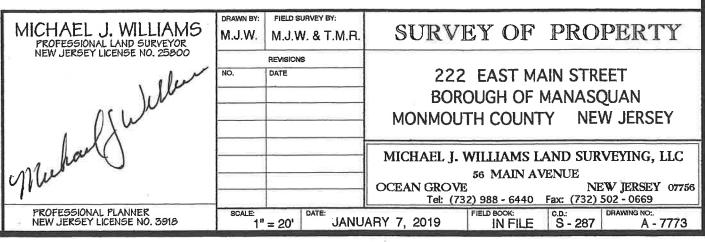
TO: PHYLLIS R. OLSEN AND CHARLOTTE ETTA BUSHONG

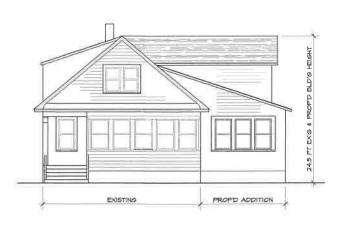
I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS THE RESULT OF A FIELD SURVEY MADE ON JANUARY 3, 2019, BY ME OR UNDER MY DIRECT SUPERVISION, IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE "STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS".

THE INFORMATION SHOWN HEREON CORRECTLY REPRESENTS THE CONDITIONS FOUND AT, AND AS OF THE DATE OF THE FIELD SURVEY, EXCEPT SUCH IMPROVEMENTS, OR EASEMENTS, IF ANY, BELOW THE SURFACE AND NOT VISIBLE.

THIS CERTIFICATION IS GIVEN SOLELY TO THE ABOVE NAMED PARTIES.

CAUTION: IF THIS DOCUMENT DOES NOT CONTAIN A RAISED IMPRESSION SEAL OF THE PROFESSIONAL, IT IS NOT AN AUTHORIZED ORIGINAL DOCUMENT AND MAY HAVE BEEN ALTERED.







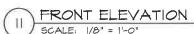
RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

10













LEFT ELEVATION

SCALE: 1/8" = 1'-0"

EXISTING FRONT ELEVATION SCALE: 1/8" = 1'-0" SCALE: 1/8" = 1'-0"

EXISTING RIGHT ELEVATION

SCHEDULE

ZONE: R-S PERMITTED USE: S-FAM

LOT FRONTAGE MIN, FT.

FRONT YARD MIN. FT.

SIDE YARD MIN. FT.

SIDE YARD MIN. FT.

REAR YARD MIN ET.

BUILDING HT. MAX. FT. MAX. STY

BUILDING COVERAGE MAX. %

LOT COVERAGE MAX. %

MYCKOFF AVE

LOT AREA MIN SO ET 7000 SE



NC

NC.

NC

NC

ILL FT

2,038 SF = 32.8%

2,852 SF = 45.9%

PROP'D

REQ'D/ ALL EXISTING

50 FT

25 FT

15 FT

5 FT

35 FT

25%

35%

EXISTING AND PROPOSED NON-CONFORMING ITEMS

62015 SE

17.9 FT

13.26 FT

25.23 FT

27.71 FT

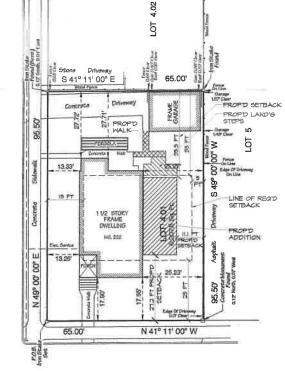
24.5 FT 1 1/2 STY

1,587 SF = 25.6%

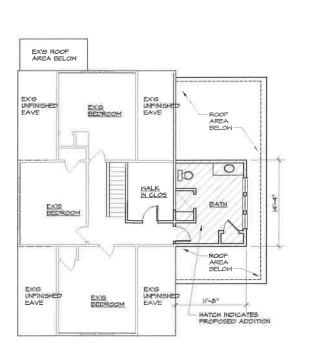
2,213 SF = 36.6%

EX'S NON CONFORM'S YARIANCE REQUIRED	KOFF
EX'S NON CONFORM'S, VARIANCE REQUIRED	WYC

EXISTING LEFT ELEVATION SCALE: 1/8" = 1'-0"



MAIN STREET



SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"



(2)	FIRST FLOOR PLAN
	SCALE: 1/8" = 1'-0"

PROPOSED ARCHITECTURAL SITE PLAN SCALE: |" = 20'-0"

ARCHITECTURAL SITE PLAN REFERENCE SURVEY OF PROPERTY BY MICHAEL J. WILLIAMS PROFESSIONAL LAND SURVEYOR DATED JANUARY 7, 2019

Item 5.

Variance Application Issued For Bld:

118 Washington Street Morristown, NJ 0 7 9 6 0 tel: (973) 359-8033 fax: (973) 359-8043

NJ License No. 10883

VARIANCE APPLICATION Proposed Addition/ Alteration

BUSHONG

RESIDENCE 222 East Main Street Borough of Manasquan Monmouth County, NJ

BLOCK 96 LOT 4.01

06/10/21 Drawn By: CAY/JET Project No.: 22113

PAGE TITLE: ARCH'L SITE PLAN, SITE DATA, FLOOR

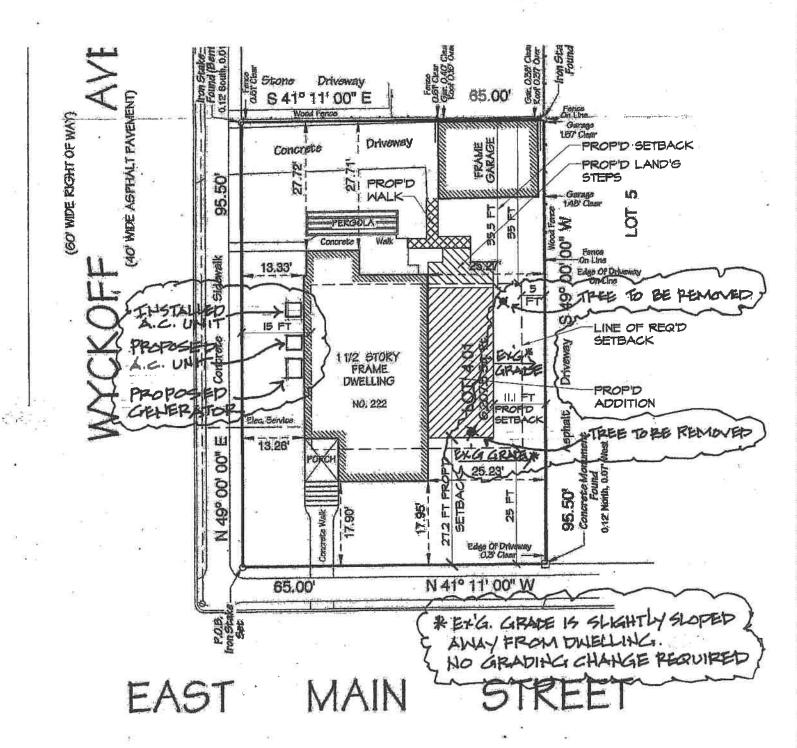
PLANS, ELEVATIONS

SCALE: AS NOTED

SHEET | OF |

55





PROPOSED ARCHITECTURAL SITE PLAN

SCALE: |" = 20'-0"

ARCHITECTURAL SITE PLAN REFERENCE SURVEY OF PROPERTY BY MICHAEL J. WILLIAMS PROFESSIONAL LAND SURVEYOR DATED JANUARY 7, 2019

PER ENGINEERS COMMENTS.