The Manasquan Planning Board held a Regular meeting at 7PM on May 5, 2015 in the Council Chambers of the Borough Hall, 201 East Main Street, Manasquan, NJ.

Chairman Hamilton opened the meeting by asking everyone present to please stand and salute the Flag.

ROLL CALL:
Board Members Present:
Mayor George Dempsey, Chairman Neil B. Hamilton, John Muly, Paul Rabenda, Councilman McCarthy, John Burke, Greg Love, Leonard Sullivan, Peter Ragan, Mark Apostolou, Robert Young
Kevin Thompson was in the audience he stepped in for Mayor Dempsey following the first application.
Board Members Absent:
Joan Harriman
Professionals Present:
Geoffrey S. Cramer – Planning Board Attorney
Albert D. Yodakis – Planning Board Engineer/Planner – BORO Engineering

Attorney Geoff Cramer read the Open Public Meeting Statement.

John Burke made a motion to approve the minutes of March 17, 2015, seconded by Mark Apostolou, all in favor none opposed.
MINUTES APPROVED

Peter Ragan made a motion to approve the vouchers, seconded by Greg Love.
Board Members Voting Yes:
George Dempsey, Neil Hamilton, John Muly, Paul Rabenda, Owen McCarthy, John Burke, Greg Love, Leonard Sullivan, Peter Ragan, Mark Apostolou, Robert Young
VOUCHERS APPROVED

RESOLUTION #17-2015 – Federico, Susan – 295 Beachfront – Block: 1 – Lot: 3 – Zone: R-4 – Bulk Variances – New single-family dwelling. Paul Rabenda made a motion to memorialize, seconded by Greg Love.
Board Members Voting Yes:
Neil Hamilton, John Muly, Paul Rabenda, Greg Love, Robert Young
RESOLUTION MEMORIALIZED

RESOLUTION #18-2015 – Carr, Liam – 155 Third Avenue – Block: 169.01 – Lot: 50.04 – Zone: R-3 – Bulk Variances, rear deck. John Muly made a motion to memorialize, seconded by Paul Rabenda.

<u>Board Members Voting Yes</u>:
Neil Hamilton, John Muly, Paul Rabenda, Greg Love and Robert Young
RESOLUTION MEMORIALIZED

<u>RESOLUTION #23-2015</u> – Jennings – (Thompson, Little Gym – 27 Osborn Avenue) Approval for a Site Plan amendment for the Little Gym – Mayor Dempsey made a motion to memorialize the Resolution, seconded by Paul Rabenda.
<u>Board Members Voting Yes</u>:
Mayor George Dempsey, Neil Hamilton, John Muly, Paul Rabenda, Robert Young
RESOLUTION MEMORIALIZED

At this time Mayor Dempsey stepped down and Kevin Thompson (Mayor's Alternate) stepped in.

<u>15-MINUTE PRESENTATION</u> – Bennett, Catherine/Baldwin, Mary Ellen – 131 Beachfront, 130 First Avenue – Block: 167 – Lot: 14 – Zone: R-4 – Subdivision – Keith Henderson is the attorney representing the applicants. There are two existing houses on the property and this was approved for a subdivision of those lots a number of years ago. Unfortunately for these folks they didn't have the money to perfect it at that time because they couldn't afford to put the water/sewer lines in. They fell in the gap between the first set of permit extension acts and the current permit extension acts which have been continued into this year. So, they really need to come back to the Board and ask for a subdivision. He had Catherine Bennett give the background of the property; this has been in her family for 67 years. She proceeded to give the history of the property. Keith Henderson said they are looking for feedback from the Board. Neil asked the Board for input, John Burke said he sat on the case when it had come prior and he voted yes then, Mark Apostolou said he doesn't have an opinion on it, Greg Love said he doesn't have any issues personally, Owen doesn't have any problem, Kevin doesn't have a problem, Robert Young doesn't have a problem neither does Peter Ragan. They would have to return with a full application, Mark questioned the parking. Paul Rabenda said the Permit Extension Act was put in place for economic hard times and they fell in between but that's exactly what happened to her, he would probably be in favor of the application. Neil said he would have to be the lone wolf, back in 2000 he read the Resolution, he went over the Survey's of local properties there, you are only 19 ½ - feet on that Street, you have no parking at all, you have a fire hydrant there. It's a pretty unique lot because it is so small, the lots are either side start to increase in size to 22, 23, 24-feet. We put ourselves in a position that granting this small subdivision with no parking you open the door to the others that are older bungalows that may come to this Board for a similar situation and once you do that as Keith knows, he'll look the Resolution up and we are going to look to approve it. At the point in time it was done our thinking was positive for development at the Beach, to get things going. We are going back to 2000, a lot has changed, houses are being elevated, property values are very expensive, you see what's taking place down at the Beach I frankly don't know what can be build there at some point in time if the subdivision is granted, that either you or your sister or it's sold out, what could be built to satisfy any of our parking requirements, deal with the easements, the setbacks, you are probably looking at almost a 13-foot wide house on either one, should they be demolished and put back in at

a later date. That's only his opinion; he will be a negative vote. You are welcome to proceed on. Mr. Henderson thanked the Board.

<u>APPLICATION #19-2015</u> – Ketner, John – 111 Beachfront – Block: 167 – Lot: 4.02 – Zone: R-4 – Front deck encroachment. Geoff swore in Michelle Dare, John Kettner, owners/applicant's, Al Yodakis, Planning Board Engineer/Planner, and Mary and Art Ryan who will be testifying on behalf of the applicants. Michelle spoke stating that their house is presently lifted they are in the air. They want to put a deck on the Oceanside of their home which causes the need for the Variance. The deck will be over the existing pavers and they will be cutting into the front setback. The front setback should be 15-feet from the property line and they are proposing 4.2-feet. Neil said the TRC looked at the site and discussed it and felt it was a de minimis request and that's why there was no report issued. Neil said it's so simple, we have the plans in our packets. You might want to mention that the house to the North exceeds out further than you are. Michelle Dare said we have pictures, you can't really argue a Hardship, we are lifting the home up 3-feet, exactly the same existing, horizontal, and vertical. But it will be 3-feet higher and in doing so for ingress, egress Ocean side we would like to have it just a few steps off the sidewalk, then we would have that actual deck then a few steps more, step into the covered front porch. Her mother is 86 and has some mobility issues, also other relatives with physical handicaps. They feel this would make the property look much nicer, and it's consistent with the other homes around us. Neil said we noticed you dropped that deck down is there a reason you did that for aesthetics or courtesy to the neighbors. John said the home is being elevated to meet the new FEMA updates of 15-feet under the V-Zone, so what we want to do is split the difference in the transitional height from the additional elevation of the home to the sand level. So in doing that you come off the existing platform, go down approximately two steps go onto the landing deck and then do another transition right at the sidewalk which would be on the south side which would be another two to three steps and be on the same level as the existing paver sidewalk that's there. They are doing it for aesthetic purposes and also for aid of mobility. Lenny Sullivan said just to be clear when you leave the deck you are going off to the south. The answer was yes that is correct. Paul Rabenda and Mark Apostolou had questions that were addressed by Al Yodakis. Neil asked the applicants if they got approval from the Borough Attorney to exceed their height and they answered that yes, they did. Michelle said NJ State Law, the home was existing at the time of Hurricane Sandy and as long as you are staying within the exact same footprint that existed at that time, horizontal and vertical, you can absolutely go up. The maximum you can go up is 3-feet over the advisory BFE. We could go up 18 but are going up 17. The back half of our property which is strange, under FEMA standards it was considered a basement because it had 4 supporting walls and the square footage was too big and there was a concrete foundation and you also had mechanicals hanging in there. It was an Insurance nightmare. All of that is removed now. All the mechanicals will be two mini-split systems, so there will not be any duct work or air handling equipment under the home, everything will be in the actual home. Mark Apostolou made a motion to open the meeting to the public, seconded by Paul Rabenda all in favor none opposed.
<u>Audience Members Coming Forward</u>:
<u>Mary Ryan – 113 Beachfront</u> – she welcomed Michelle and John to the neighborhood and she knows they have put a lot of thought into this. They have shared their hopes and

dreams with the Ryans and they feel very comfortable with the plan. They like the idea of the step-down front level deck. That will make it less imposing, not having that in the past. They are just doing it right over an area that was a patio before. She is in favor of the application. They are looking forward to having them for neighbors and hopefully have a lot of long, happy years together.
<u>Art Ryan – 113 Beachfront</u> – He agrees, he thinks it will be a better solution than what they have there now, it will be aesthetically pleasing. We are supportive of it.
Mark Apostolou made a motion to close the public portion of the meeting, seconded by Leonard Sullivan, all in favor none opposed.
Councilman Owen McCarthy made a motion to approve the application as presented, seconded by Mark Apostolou.
<u>Board Members Voting Yes</u>:
John Muly, Paul Rabenda, Councilman McCarthy, John Burke, Greg Love, Leonard Sullivan, Peter Ragan, Mark Apostolou, Kevin Thompson, Robert Young and Neil Hamilton
APPLICATION APPROVED

<u>APPLICATION #46-2014</u> – RALCO Major Subdivision – OCLAR Properties, LLC – 49 Forest Avenue – Block: 29 – Lot: 1 – Zone: R-2 – Atlantic View Cemetery – John Burke wants it on the record that he did not hear prior testimony on this application, he cannot vote but will sit and ask questions. Board members who listened to the CD's were: Peter Ragan, Lenny Sullivan, Bob Young and Greg Love. Neil addressed the Attorney for the applicant stating he may not be aware of a prior Resolution that goes back to 2005, the Atlantic View Cemetery made application to the Board for the Mausoleum. There were conditions in there for Resolution compliance for the expansion of the garage, removal of a trailer which was the sales office, and in that Resolution it states that no additional application will be made to the Board until these issues were resolved, or they came back to the Board for expansion of the garage and removal of the trailer. So, he defers to the Attorney, if we are going to proceed, how we are going to proceed, and if we are going to try to finalize it to some fashion how we are going to put these conditions in there prior to any formal approval so they can move on with the new project as opposed to resolving the issues outstanding for the old project. Mr. Starkey said he has both his client and the principal of the cemetery here, so he is sure they can address those issues. Neil said we can't put the burden on the new applicant RALCO, they are outside the realm of this, we have to go back to the original and hold feet to the fire for the original applicant. Kevin Starkey said he can have them both testify what will be done. Neil said just so you understand, this has become a bone of contention of a few of the members that have brought up this outstanding issue that was never resolved. Mr. Collins was given a copy of the Resolution with some of the key points highlighted on it. Neil turned it over the Board attorney Geoff Cramer. Geoff said in paragraph 5 under conditions. No deliveries will be brought into the cemetery from Forest only from Church Street. He spoke of the small strip of land that abuts the 5-lot subdivision and the possibility that the cemetery may use that for access. Kevin Starkey said in February there were a number of concerns raised by the Board. We have gone back, we have spoken with some of your professionals and his client and the owner of the property and they have presentation to make tonight that will address those concerns and he is also pleased to report that what we have here now is a

fully conforming subdivision. The lots are fully conforming; they will not be seeking any Variances or waivers. This is as clean as we can make the application. He asked Mr. Carpenter to walk the Board through the concerns of the Board and how they will be addressed. Neil said our Engineer has met with you and will be the lead on this that you have satisfied the issues on the Site Plan, water, drainage, sidewalk, etc. Mr. Starkey asked Mr. Carpenter to address the two main issues, the water and the drainage. Mr. Carpenter said he would address Mr. Yodakis' letter dated April 24, 2015 as an outline and he went through that letter and addressed the issues. The subdivision map is revised and dated 4/06/2015. Al said he met with the applicant and their Engineer and Attorney to go over all of this and the plans that you see here are presented based on our meeting. Mr. Carpenter said this lot contains 1.64 acres located in the R-2 Zone which is single-family residential zone. They seek to subdivide the property into 6 lots, 5 residential lots and one remainder lot for the existing mausoleum. He read the list of variances required, they are proposing to combine lot 1 with lot 4 and lot 5 and by doing that they eliminate all the variances. Lot 5 becomes part of a lot that does have frontage, also lot 2. By doing that the lot has frontage, the Mausoleum is all on one lot so there is no setback violations. We still end up with the 5 conforming residential lots and it makes it easier to deal with the Mausoleum because it's all on one lot. Al said this is the first he is hearing of this. Mark Apostolou said if our Engineer has not had an opportunity to review any of this and this is all new. Kevin Starkey said this is simply an erasing of a lot line, this does not affect the substance of the application. It is making 4 lots into 1 which is deleting simply the lines on the lot; it does not affect the Site Plan. Our proposal for doing that is simply to eliminate the need for two variances. The owner of the cemetery is here and has agreed to that. Mark Apostolou said that's great as long as our Engineer has had an opportunity to review it and approve it. Al said the offering to consolidate the lots would preclude us from hearing the rest of what they have to say tonight. It does sound like a straight forward approach to eliminate some of the variances; of course we would need to <u>put a condition in that they would have to file</u> <u>a Deed of consolidation</u>. Mr. Carpenter proceeded on with his testimony. They did a test pit at the intersection of Gardner and Forest Avenue to find out the size of the pipe on Gardner and it is a 6" pipe. We propose to run a 6" line in front of our site to service all of our individual lots, there are two services that connect into that existing water line now, we will upgrade those services to the curb and we will connect at the end of Gardner, pick up the water main and connect it to Central Avenue, the water main on Central is an 8" line. So now you will have a looped system. Owen commented on that, any agreement or authority to tap into the water lines will have to come from the Mayor and Council, the Governing Body is responsible for the Utility. That may be a separate issue that you guys have to deal with. Al said his only concern is that on Forest you we still have a 4" water main and we have had some pressure problems in this neighborhood, he doesn't know that this is going to be an absolute cure-all for everything that happens here. He doesn't know that's its fair to have our water system re-built on the applicant. They are providing a sufficient service to service their new properties and they are also giving us a significant improvement by looping the system in this case. Neil said Tom Nicastro, our Superintendent of Public Works was involved in the meeting so he is on board with this. Al said Tom preferred this option rather than connecting down at Church and connecting a line up. This is actually a much larger benefit. Mr. Carpenter said we have to provide a certain amount of water and pressure at a hydrant to meet the RSIS requirements. They

are talking about putting curb across the entire frontage of the property where they are proposing the houses and they will run the curb all the way to the end of the Street. There is an existing 12-inch pipe that goes across Forest Avenue that's barely covered with asphalt; they will replace that and two catch basins one at either end of the pipe. The location of the catch basis is at a low point of Forest Avenue so that the water will run to it. The basins they are proposing have a sump in them. Geoff asked with respect to the curb running to the end of the Street is he talking about the end at Forest and Church. Ray Carpenter said no, the end of Forest where it ends, the northerly most end. Lenny said so that would block access in because you are going to put curb there. Ray said yes. Neil asked will there be a curb cut there? Ray said we talked with Troy about his concern with getting back to this lot 5 which we are consolidating with the other lot, he can't run heavy equipment or trucks over the top of existing graves. So, in order to get back here with heavy equipment he has no way to get back here. He is looking for something so lot 5 is not cut off. Using the Survey he explained where lot 5 is and showed the Board members that there is no access to that. Neil said we need to stay on track with the improvements, but the back of this Mausoleum will be an area with grave site in there, why do you need that access on Forest to run heavy equipment in there? At some point in time you will be locked out because of the grave sites. Mr. Starkey said he would like Troy to address that. Neil said to bring in heavy equipment, he wouldn't want to see that for the homeowners. Paul Rabenda said that is mentioned in paragraph 5 of the previous Resolution from 2005, "all deliveries shall be from Church Street". Mr. Carpenter said with regards to the wetlands, we have already engaged an Environmentalist to do what they call an absence/presence of the site for wetlands, he did an initial investigation out there, his opinion is that there are no wetlands on the site or within 100-feet of the site, but we will get the DEP's concurrence on that. If there are future Variances we will have to come back to the Board, that's obvious. They will comply with #9,10, 11 and #12 the right-of-way on Forest Avenue is 40-feet at this point, it runs basically from the edge of the pavement on the west side to 10-feet behind the curb on the east side. The existing Street is actually 30-feet. Mr. Starkey said immediately behind the proposed new homes there was a question about what would be behind that, we agree to put a 10-foot conservation easement across the rear of the mausoleum lot on the mausoleum side and that's to provide some kind of landscape buffer. That addresses all the issues that were raised at the last meeting. Mr. Starkey stated each home will have parking for three vehicles. If the Mayor and Council want to make no parking on the Street, it would make no difference to us because it would likely not affect those homeowners. Neil said the neighbors are hear and they will voice their opinion in reference to that. Greg Love speaking for the Environmental Commission stated the absence/presence is key regarding the DEP. Al asked if that had been submitted already. Mr. Carpenter said they are putting the application together right now, 30-60 days depending on the whim of the DEP. Mark asked Al if he looked at the 2005 Resolution; there are all kinds of pre-conditions in paragraph 8. Do we know if those were met with? Al said he had not seen that Resolution. Mark said he feels this needs to be addressed by our Engineer. Mark said we have another pre-condition being drainage. Neil said if we can get this project on track we have to go back to the prior situation and make sure all those issues are resolved. If they are not, we have to address those before we can move on. Mr. Carpenter said he wasn't aware of the previous Resolution and he wasn't the engineer for the mausoleum. Mr. Starkey said if he could make a recommendation, this Resolution

does have a number of conditions the owner has already complied with, most of them seem to be standard conditions. If they are not, we would have to come back before the Board again. Paul Rabenda gave Mr. Starkey a highlighted Resolution to help him understand the conditions not met. Mr. Starkey said he will call the owner next and have him address this. Next witness is Troy Nicola, president of the Atlantic View Cemetery Association. As far as the strip of land the cemetery proposes to keep at the end of Forest he stated is existing cemetery land, if we ever have to get to lot 5 it's for access. If we ever need to get some type of truck, machinery in there we would have the ability to get there, otherwise it's not a daily, weekly, monthly occurrence at all. It is not for access by the public. They will not have any deliveries associated with cemetery operation go through there. There will not be any construction materials delivered through there. This would be only for periodic maintenance if necessary to access that back lot. Mr. Nicola said very, very sporadic. Mr. Hamilton said and once it is developed there for plots, then there would be no reason to go back there with any equipment, you couldn't get back there. Mr. Nicola said you do have the ability to put graves, cremation gardens, things that cemetery goods and services and uses back in that area and that's what we would use it for. Neil said he gets it but he is still uncomfortable by having that access there, that it can become abused. At some point in time if the area is filled up with gravesites, you are not going to run back there anyway and now we have a piece of idle land that sits there serving no purpose whatsoever. Mr. Nicola said its inventory for a cemetery, every square inch in a cemetery is inventory. It's income to a cemetery's bottom line. Mark asked him can't they access that from Block 29? Mr. Nicola said there is many ways to get access to there, it's just if you give up any available land. Owen asked him if they plan on putting graves there. Mr. Nicola said it could be graves, it could be cremation scattering garden, mausoleum, those are the primary uses of a cemetery. He said we have never said that we are using that for access, that parcel of land, we just said we don't want to adjoin it to the other lot. Mark said he thought this whole discussion was getting equipment in from the roadway. If you are willing to give up the access to the roadway, I don't think we have a problem with it. Neil said maybe we misunderstood you, so there is going to be no curb cut there, this is going to be a vacant piece of land right now with some grass or whatever and it can't be accessed by equipment. Mr. Nicola said absolutely. So, there will be no access from Forest at all. Mr. Starkey said in reference to Resolution 39-2005, paragraph 1 on his copy, a highlighted portion. This addresses the removal of the trailer. He asked Troy is he can make a provision for the removal of the trailer. Troy said one of the main reasons for the sale of the land is to generate cash flow for the cemetery in order to take care of the trailer and the shed. It was his understanding back in 2005, he was here for that meeting that it wasn't a stipulation to get approval for the mausoleum that we had to remove the trailer and the shed that's been there since the '50's, but that the Board would have liked to see those improvements made, but the cemetery couldn't be held responsible for making those improvements or removal of the trailer and shed to get the approval of the mausoleum. Paul Rabenda said he believes that was the stipulation, that the trailer would be removed and for the record it's more than an eyesore, it's also a violation of Township Ordinance to have that trailer there. Mr. Nicola said there was a trailer there prior; there has always been a trailer office there. Paul said it's a violation, it's been a violation for 10 years or better. Mr. Starkey said the language of this Resolution is important. It clearly says there was a suggestion that the trailer would be removed. Paul said he also has a construction permit and it says right on

it "for approximately one-year". No matter how you slice it, it's a violation to have it there. He can give them a copy of that Ordinance if they would like it. Geoff Cramer said at that meeting there was a lot of discussion of this trailer, his concern is in the last paragraph of that Resolution that any activity to enter the cemetery is to come off of Church Street, not Forest Avenue. It clearly speaks to the access point off Forest Avenue which is existing now. Neil said we need to proceed on and then go back and get these prior issues out of the way before we can proceed on with this current application. The public is here this evening, they may want to speak again. Mr. Starkey said he wants the cemetery owner to give more testimony about the concerns regarding the cemetery and what his intentions are in going forward with the application before this Board. Mr. Nicola said the income from the sale of the land is to be used for the improvements of the cemetery. Re-paving all the roadways throughout the entire cemetery. The other aspect is knocking down the shed, taking the trailer out of the way and building a permanent office building/future caretaker home for the maintenance and preservation of the cemetery, with a maintenance garage on the back. When we took over the cemetery over in 1999 was $400,000 in debt, we took over the cemetery, assumed all that debt and we have been making improvements in the cemetery ever since. His goal is just to improve the cemetery. When they make the improvements he described they will return to the Board for a Site Plan application. He anticipates that being in the near future when the financing is available from this project. Paul Rabenda said he thinks Resolution of that old Resolution should be done at this time. Mr. Starkey said the funding will come from this subdivision. Neil said we are extending ourselves out again, let's assume things don't go well, here we are back to square one again, 10 years out, the improvements haven't been made, the Resolution hasn't been satisfied. Paul said the Code Enforcement Office should send a violation notice immediately. Mr. Starkey said the reason he wanted the owner to testify is because you can see this cemetery had fallen into disrepair and he has taken tremendous steps to get it into a well functioning, well financed entity and has a plan to move forward, so we are here to ask the Board to allow this plan which includes this subdivision application which will bring benefit to the Borough and to the surrounding area. Mark said if closing of title takes place, they will have the cash flow, so why couldn't we put a condition that they would have to remove it within x number of days. What is the trailer used for right now. The answer was a Sales Office. Mr. Nicola said there will be a cash flow that is paid over time is what is contemplated. Mark said so they are going to hold paper. Geoff said the trailer used as a sales office is to be replaced by something that will be more contemporary, a more permanent structure used for sales as well as accommodations for caretaker's residence. Mr. Nicola said when the cemetery is completely filled and there is no more income to be made at the cemetery, to be able to maintain the cemetery, if you do have an on-site caretaker home, pay them a small fee and their job is to maintain the cemetery going forward. It's the most cost-effective way to maintain the cemetery for perpetuity. Mark Apostolou said we have a Resolution that speaks for itself, he doesn't think that we can wait. Neil said we will have to carry this application again, open to the public, note what the public says. Anything that's open that Al needs to address, any documents that he has not seen and needs to look or talk to anyone. Also, Council you and Geoff could address the outstanding issue with the prior Resolution, talk about finances anything that's going to protect the Borough and the Planning Board, we can proceed on with this at a later date and proceed on with this when we have all our ducks in a row. That's going to take you

professionals to put this in order. Mark said he needs Mr. Carpenter and Mr. Yodakis to specifically address paragraph 8 in the Resolution and the letter of July 7, 2005. Paul said the trailer was permitted in 96 and C/O'd in '99, it was supposed to be there for one year, it was still on the site in 2005 when they came forward for the mausoleum and that's when they were told to address that matter so it's been there for quite a number of years. Mark Apostolou made a motion to open the meeting to the public, seconded by John Burke, all in favor none opposed.

<u>Audience Members Coming Forward</u>:

<u>Laurie Centrella</u> – 5 N Mail Street – She said there are indeed wetlands there. She has documentation that states this and Neil asked her if she could provide the document to the applicant. She said she has done so. Al Yodakis said he doesn't deny there are wetlands there. Greg Love said he was in charge as the Environmental Commission Liaison to look into this and he would like to see that document.

<u>Steve Edwards</u> – 4 Forest Avenue – the right-of-way is actually 41-feet and does not comply with the Borough Ordinance which states it should not be smaller than 50-feet. He strongly recommends a cul-de-sac. He researched subdivisions in Manasquan from the past 30-years and he hasn't seen a dead end that was not required to have a cul-de-sac.

<u>Richard Deacon</u> – 34 Forest Avenue – where Forest Avenue dead ends, his main issue is parking. There are 3 houses from Gardeners Lane to the dead end. He is concerned with the amount of cars parked on both Gardeners Lane and Forest and the intensity.

<u>James Long</u> – 11 Gardeners Lane – He is concerned with the parking and the width of Forest Avenue and Gardeners Lane. He said the bottom end of Gardeners Lane is no wider than a driveway. The egress for Forest onto Church Street and Alan and Gardner's Lane, there is so many cars on these Streets now and the traffic will now become a highway because Gardner's Lane is the logical egress to Central to Main Street. 90% of the traffic does not go to 35-South all the neighbors go Central to North Main to the circle. There are little children and a lot of cars and the intensity is too much for that neighborhood.

<u>Annette Pratt</u> – 43 Central Avenue – she is by Gardner's Lane, Central Avenue is very hard to have two cars coming by at the same time and she cannot see how you can have two sided parking on Forest Avenue.

Mark Apostolou made a motion to close the public portion, seconded by Greg Love, all in favor none opposed.

Neil Hamilton told Kevin Starkey he heard the audience and basically it's cul-de-sacs, parking, wetlands documentation to satisfy the Environmental Commission and the Board Engineer.

Mr. Starkey said regarding the wetlands, we absolutely will comply with the DEP regulations on wetlands. The usual way of doing that is to put a condition on and we have no objection to a condition. He said they will agree that if any structure is going on any one of those lots, is not going to comply with the Borough requirements for setbacks, we have to come back here. We will submit plot plans and we will comply with that. Cul-de-sac, I would agree, if one was possible but that is not within our ability to do and what our obligation is to comply with RSIS Standards of the Street, which we are doing. This is a 30-foot curb to curb paved Street. Whether or not there should be parking allowed on one side or the other, that's within the Mayor and Council's jurisdiction, we would abide by whatever they think would be necessary and appropriate. If you could give me clarification what the outstanding concerns of the Board to be with this prior Resolution

and how we can address those items that are there. At first glance it seems like it would require an amendment which he thinks is within this Board's jurisdiction and authority to do that based on the testimony you have heard. So, that would be his proposal on that front. Neil said we as a Board need the expertise of our attorney to direct you how we are going to protect ourselves and Manasquan. We don't want to end up 10 years down the road still with that open ended Resolution. That's what we are trying to prevent. Neil said hopefully we can wrap this all up at the next meeting. Mr. Starkey said for the record they agreed to waive the jurisdiction. Neil said we need to proceed on so he told Mr. Starkey they would be carried to Wednesday, June 3, 2015 at 7PM. Neil said he doesn't know that any of us are really excited about this application, but the bottom line is, legally we cannot deny it. They are entitled to their five homes; they are entitled to develop what they want to do. As long as there are no variances with the houses and the setbacks and they deal with those issues, the Environmental, they have complied with the parking; they only need two spots for each house. We can't fix this parking and the traffic. Mark Apostolou made a motion to carry this application, seconded by John Burke, all in favor none opposed.
APPLICATION CARRIED TO JUNE 3, 2015 – WEDNESDAY

Neil told the Board members that Council introduced an Ordinance amending driveways, the Ordinance is to provide for just one curb cut on a corner lot where now they can have two. And, the outer edge of the driveway must have 1-foot pervious area of grass, stone or whatever if it abuts up to a property line so you are not running water onto the neighbors. It's those two items that were basically put in the Driveway Ordinance.

Geoff Cramer read a Resolution for the Board to go into closed session, motion by John Burke, seconded by Mark Apostolou, all in favor none opposed.

Following the closed session meeting, Mark Apostolou made a motion to adjourn the meeting, seconded by John Burke, all in favor none opposed.
MEETING ADJOURNED AT 8:53PM

Respectfully Submitted,

Mary C. Salerno
Planning Board Secretary