The Manasquan Planning Board held a Regular meeting on August 4, 2015 at 7PM in the Council Chambers of the Borough Hall, 201 East Main Street, Manasquan, NJ.
Chairman Neil Hamilton asked everyone present to please stand and salute the Flag.
Geoff Cramer, Board Attorney read the Sunshine Law Meeting Act Statement.

ROLL CALL:
Board Members Present:
Neil Hamilton, John Muly, Paul Rabenda, Greg Love, Leonard Sullivan,
Peter Ragan, Mark Apostolou, Kevin Thompson, Robert Young
Board Members Absent:
George Dempsey, Joan Harriman, John Burke, Owen McCarthy
Professionals Present:
Geoffrey S. Cramer – Planning Board Attorney
Albert D. Yodakis – BORO Engineering – Planning Board Engineer/Planner

Chairman Hamilton made a statement to the audience. He said the Board received a letter from Mr. Henderson's Law Office – Mr. Henderson has a medical condition and asked that Application #20-2015, Frank Morris, 3-lot subdivision be carried to the next available meeting which is October 6, 2015 at 7PM, the applicant will not have to re-notice or re-publish. Kevin Thompson made a motion to continue the application to October 6, 2015, seconded by Robert Young.
Board Members Voting Yes:
John Muly, Paul Rabenda, Greg Love, Leonard Sullivan, Peter Ragan,
Mark Apostolou, Kevin Thompson, Robert Young and Neil Hamilton
APPLICATION #20-2015 WILL BE CARRIED TO OCTOBER 6, 2015

Kevin Thompson made a motion to approve the minutes of June 3, 2015 Regular Meeting, the motion was seconded by Mark Apostolou, all in favor none opposed.

Mark Apostolou made a motion to approve the minutes of July 7, 2015 Regular Meeting, seconded by Paul Rabenda, all in favor none opposed.

Kevin Thompson made a motion to approve the Vouchers for payment, the motion was seconded by Greg Love.
Board Members Voting Yes:
John Muly, Paul Rabenda, Greg Love, Leonard Sullivan, Peter Ragan,
Mark Apostolou, Kevin Thompson, Robert Young and Neil Hamilton.

RESOLUTION #21-2015 – Plaine, Mary – 368 First Avenue, 369 Beachfront – Block: 185 – Lot: 18 – Zone: R-1 - Mark Apostolou made a motion to memorialize the Resolution, seconded by Robert Young. All in favor none opposed.

<u>15-MINUTE PRESENTATION</u> – Vidreiro, Jorge – 109 McLean Avenue – Block: 109 – Lot: 18 – Zone: R-1 – Sheila Vidreiro was the first to speak, she introduced her husband Jorge, she stated they are applying for a Variance for an oversized garage. They bought the house last year, tore down what was probably a safety hazard and put up a house that they think fits in beautifully in the neighborhood. The house is 28-feet tall, they could have gone higher, and they didn't. They put their bedroom on the first floor; they are here for the long haul. They have been planning this for the last 10 years. They lived in Howell for 32 years. Jorge is a do-it-yourselfer, they have tools, he has exercise equipment, and there is no basement or attic in the house. They want to be able to store their things in the garage here. Neil said the Board members have seen the drawings, the size, they are certainly aware of what has been approved in the past and what the Ordinance states. Bob Young said he thinks it's too big. Shelia said what they tore down covered 45% of the property. Bob said he understands, as a rebuttal he would say that perhaps when you were building the home there would have been a way to incorporate the exercise equipment in the home rather than the garage, it just seems like the garage would be over-sized. Shelia asked what the Board would be happy with. Lenny asked if there is a TRC report. Mark gave the Vidreiro's a copy of the TRC report. A copy was mailed to them but they never received it. Mr. Vidreiro asked if he could go to 600-square feet and change the height. Mark Apostolou said he would be open to 600-square feet even though it exceeds, he would be willing to grant a Variance as well as the height restriction. Mr. Vidreiro asked if they could possibly go higher so you could walk upstairs and not hit your head on the beams. Mark said 15-feet is what the TRC is requesting. Neil said if you could find a way with pull-down stairs you have about 7-feet to the ridge. Neil said if you shrink the garage down, you could probably have a shed to put your lawn mower and things of that sort in there for additional storage. If you are going to comply with size and height, you will need to come back for a building coverage Variance, he thinks the Board may be amenable to that. The lot is 8,000 square-feet, 56 X 150. John Muly said TRC also addressed the driveway, the Ordinance now calls for a 1-foot area on the side of the driveway toward your neighbors. Mr. Vidreiro said the driveway is in, it's permeable. Lenny said your home is beautiful. Neil said from what he is hearing, they will be in compliance with the garage other than the building coverage, that is an issue for a Variance and they will come back for that. He told them to go back to Mr. Furey and make your full application.

<u>MODIFICATION OF A RESOLUTION – TRITSCH, TIMOTHY</u> – 58 Stockton Lake Boulevard – Block: 99 – Lot: 5 – Zone: R-2 – Neil has to step down as he lives within 200-feet of the applicant. John Muly will take over the meeting. Michael Landis, the attorney for the applicant, he had the contractor with him, Dennis Roberts. Mr. Cramer swore in Mr. Roberts along with the Board Engineer, Al Yodakis. Mr. Landis said in October of last year the applicant appeared before this Board seeking two Variances in connection with the re-building of the home which was significantly damaged by Hurricane Sandy. One was for minimum lot area and the other was for maximum building coverage. The application was approved and by Resolution #25-2014 it was adopted on November 6, 2014. After the Resolution was adopted it came to the attention of Mr. Furey, Zoning Officer, that the Engineer had made an honest error in calculating the building coverage. What caused the difficulty; the Engineer confused what was to be a covered rear porch as being an open deck. By virtue of that the calculation was a little different, and even though it

didn't change the footprint of the plan, it increased the maximum building coverage slightly. We are here tonight to ask the Resolution be modified to correct the error and permit the applicant to have the covered rear porch they thought they were getting. John Muly said there is a deck on the first floor and what is the difference in the calculation. The builder said just a few percent if that, nothing changes just the upper porch. Lenny said its 8%, we approved an additional 5% of lot coverage and now you are looking for 8%. I understand what happened but he thinks difference in lot coverage is a lot. You are asking for another 2.5% over what was approved. The builder said the bottom deck is open treks, the gutters go to a re-charge, and it's a small area. The first floor deck is covered by the second floor deck, it's a mirror image. Mark asked if the original plans showed this. The builder said correct. Mark doesn't have anything in front of him and he has a problem with that. The builder said there is nothing different than what was approved; it's a technicality of how Ray Carpenter figured that when we did the calculation. Lenny said our Zoning Officer's calculation was correct; your Engineer's was different. Kevin Thompson said when we looked at it we went on Ray's calculations but we didn't pick up the difference. Paul Rabenda said when you are looking at a plan you don't really perceive the percentage, we are considering the number, you can't really perceive that by looking at the plans, we approved 5% because we thought that was a good number. The builder said Mr. Tritch's lot is a smaller lot, they did examine the property in the rear of the lot but it's not habitable. The Borough has title to that land. Mark asked if the plans that were submitted to us that evening, are exactly what is being constructed, it was just a calculation error on your Engineer's part. The answer was yes and what they are asking is to change the upper deck from decking to fiberglass so it doesn't drip on their head when they are sitting on the first floor. Al Yodakis said what they are doing from a practical and construction standpoint of fiber glassing the upper deck makes a lot of sense for exactly the reason he just said. The Board needs to consider the percentage here, what they presented originally is exactly what they are planning on building. Al was not sitting on the Board when this application was heard, but will the land behind you ever be developed, probably not. Kevin made a motion to open to the public, motion seconded by Mark all in favor none opposed. There was no public participation. Mark Apostolou made a motion to close the public portion, seconded by Kevin Thompson, all in favor none opposed. Kevin Thompson made a motion to approve the application, seconded by Peter Ragan.

<u>Board Members Voting Yes</u>:
John Muly, Paul Rabenda, Greg Love, Peter Ragan, Mark Apostolou, Kevin Thompson and Robert Young
<u>Board Members Voting No</u>:
Leonard Sullivan
APPROVED

Owen McCarthy came to the dais having arrived at the meeting during the last application. At 7:30PM Geoff Cramer read a Resolution authorizing the Board to go into closed session from which the public will be excluded.
There was no one present in the public who wanted to make a comment before leaving the room.

At 8:05PM Mark Apostolou made a motion to close the meeting, seconded by Kevin Thompson, all in favor none opposed.
MEETING ADJOURNED AT 8:06PM

Respectfully Submitted,

Mary C. Salerno
Planning Board Secretary