

JANUARY 26, 2013

A Special Meeting of the Manasquan Mayor and Council was held on January 26, 2013 at 9:36 a.m., in Council Chambers of Borough Hall with Mayor George Dempsey presiding.

Mayor Dempsey related that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press and posted on the website on January 25, 2013 and posted on the Borough website.

ROLL CALL: Present: Council Members Bossone, Sinneck, Donovan, Mangan, Olivera and McCarthy

Absent: None

ORDINANCES

The Borough attorney went over the reason for having this ordinance presented to council for their consideration.

Mr. Delorio went over the forum and the post forum presentation so that the council and audience would understand the height requirements.

Mr. Kitrick and Mr. Delorio went over what is in the ordinance and explained the changes that will take affect as a result of this ordinance.

The Borough Attorney read the title of ordinance 2130-13 for introduction. He also explained the process for zoning changes and the time frame that is required.

Ordinance Amending and Supplementing Chapter 35-3.1 (Definitions) section 35-11 (Supplementing Lot, Height, and Yard Requirements) and Schedule 1 to Amend Zoning Requirements for Residential Structures Located in Flood Hazard Zones V and A

Mayor Dempsey asked if council had any questions.

Council Member Sinneck asked what affect, if any, Governor Christie's proclamation regarding the adoption of the ABFE has on this ordinance.

Mr. Delorio stated that he has been in contact with the Governor's staff on the recent statements made by the Governor through the emergency rule and he stated that he received confirmation that there will be a free board allowance of 1 foot. He stated that residents would have to consider going an additional foot above the ABFE according to the statement from the State.

Mayor Dempsey asked if that is mandatory.

Mr. Delorio stated that he does not have clarification on that question yet and he is waiting for that answer.

There was discussion on free board allowance.

Council Member Donovan asked if there should be a definition of a landing.

Mr. Kitrick stated that there does need to be a definition of a landing and does not believe that it is needed for this ordinance but for the zoning ordinance. He stated that he believes that there should be a few things added to the definition part of the ordinance.

Council Member Sinneck made a motion to introduce ordinance 2130-13, seconded by Council Member McCarthy. Motion carried by the following vote; "yes" Council Member Bossone, Sinneck, Donovan, Mangan, Olivera, and McCarthy; "no" none.

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AUDIENCE PARTICIPATION

Council Member Donovan made a motion to open the meeting to the public, seconded by Council Member Mangan. Motion carried unanimously.

Kevin Monaco, 42 N. Potter commended everyone for their work on this ordinance which he believes is appropriate and helpful. He wanted to know if the council would consider providing the same degree of minor relief to accessory buildings and garages.

Council Member Mangan stated that he believes that the flood advisory maps do not apply to unoccupied spaces.

Mayor Dempsey stated that it deals primarily with living areas.

Mr. Monaco stated that he received a letter from the Code Department indicating that he does need to raise the facility because there are mechanicals in the building.

Council Member McCarthy stated that he would look into this situation.

Ryan Tomasso, 520 Brielle Road had questions with raising his house and the planning board. He wanted to know if he had to go back to the planning board and wanted to know with this ordinance if previously approved projects can just be raised an additional 3 feet that is recommended.

Mr. Kitrick stated that he reviewed the planning board resolution that Mr. Tomasso previously received and advised him that in the resolution if there was any change that he would have to go back to the technical review committee. He stated that he does not believe that they can circumvent that as it was one of the conditions of the previous approval.

Mr. Delorio recommended alerting the technical review committee so they can meet and go through this type of application.

Donald Crestillo, 361 Beachfront commented on how pleased he is to see that the council is functioning. He asked for clarification of the V zone of the beachfront area with a structure on a non-conforming lot which can go to 38 feet but if there is 2 structures on that lot then he has to go back to the planning board.

There was discussion on the property in question and what buildings are on it.

Mr. Kitrick stated that it has to be a dwelling unit and the garage would not require

Mr. Crestillo to go back to the planning board.

Mr. Crestillo commented on the stair well/way and the size that is needed for elevators. He handed the clerk a plan for a stairwell and discussed break away walls.

Marilyn Jacobson, 59 McLean wanted to know if the height of a building is measured from the crown of the road or the curb.

Council Member Mangan stated that the current code reflects where the building is measured from.

Ms. Jacobson inquired about the elevations that the Borough will be using compared to what the BFE would be.

Mr. Kitrick stated that the borough has not adopted the advisory map but used it as a reference point and he stated that this is an ordinance addressing the maximum height that the Borough will allow for buildings in certain zones.

There was discussion on height restrictions within the Borough and the ABFE maps that are currently out.

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Ms. Jacobson inquired about set backs and wanted to know what is being considered new construction.

Council Member Mangano stated that this ordinance only deals with set backs when a house is being raised.

Fred Bostel 48 Second Avenue stated that he is in the process of rebuilding his house and he stated that through some research he believes the elevation is the bottom of the floor joist not the top floor. He wanted to know if that is going to be a requirement if there is a clear definition of Coastal A zone.

There was discussion on the different zones for the coastal area.

Council Member Donovan made a motion to close the public portion, seconded by Council Member Bossone. Motion carried unanimously.

Council Member Simneck made a motion to close the meeting at 10:20 p.m., seconded by Council Member McCarthy. Motion carried unanimously.

Respectfully submitted,



Barbara Ilaria
Municipal Clerk

DATE APPROVED 4-8-13