

**POINT PLEASANT PLANNING BOARD
SPECIAL MEETING
March 16, 2017**

The special meeting of the Planning Board was called to order at 7pm by Chairman Bavais. Ms. Bavais read the Notice of Compliance which states that adequate notice of the meeting had been given.

Roll Call:

Present: Mayor Sabosik Mr. Vitale Mr. Permuko Mr. McHugh Mr. Welch Mr. Faraldi
Mr. Preiser Ms. Bavais

Absent: Mr. Furmato Mr. Lobravico Mr. Forsyth

Engineer: Laura Neumann Attorney: Ben Montenegro Secretary: Catherine Gardner

NEW BUSINESS

**Minor Subdivision & Variance – Block 274 Lots 11 & 12 – 1603 Bay Ave. & 702 Hance Pl.,
Applicant: Susan & Ernest Scherler:**

Daniel Popovitch, attorney for the applicant, appeared before the board. He stated the application is for a three lot conforming subdivision. Two variances are being requested for Lot 11.01 due to the shape of the lot. The property is located in the NC zone, but he asked the board to apply the R-1A standards, as was done with Aribia Oil down the street. He stated the application keeps with the residential character of the neighborhood.

Mr. Popovitch stated the applicant would be eliminating the third floor habitable space. The application received County planning board approval, and they did not require sidewalks along Bay Ave. They did require a dedication of 8 ft.; 32 ft. from the center line.

Mr. Popovitch stated that Mr. Carpenter is on vacation and Robert Morris would be testifying. The plans would be amended to show a 32 ft. maximum building height.

Robert H. Morris, PLS, PP was sworn in. Mr. Morris stated that he prepared the survey in conjunction with the application.

Exhibit A-1 – board mounted subdivision plan.

Mr. Morris discussed the engineering review letter. Mrs. Neumann stated Mr. Popovitch shouldn't refer to the R1A zone; this property is located in the NC zone.

Mr. Morris stated the variances are warranted for the lot and it would not impair the zoning ordinance as it would match the surrounding neighborhood.

Mr. Morris stated if Lot 11.03 were commercial, Bay Ave. would be the front of the lots. All three lots would face Hance Pl. He stated the County required a dedication, not an easement measuring 30 x 100.

Exhibit A-1 is not the plan the board members have in their packet; the exhibit has the site triangle added. Board members discussed the large site triangle. Mr. Popovitch stated he may ask the County for a waiver but it could also accommodate a house. The board and Mr. Morris discussed the County site triangle and the setback variance being required.

Mrs. Neumann stated there should be testimony from the planner as to the granting of the variances. She again stated the property should be referred to as in the NC zone, not the R1-A zone.

Mr. Montenegro explained to the board members that the property is in the NC zone, however, Mr. Popovitch is offering the R1-A compliance.

Mr. Popovitch stated the previous application for this property was a condo project with a 35 ft., which the neighbors did not like; the houses in this project would not exceed 32 ft.

Mr. Morris stated the project would fit with the criteria of the surrounding homes and neighborhood. The 25 ft. rear setback gives a separation from the professional use behind.

Mr. Morris went through the engineering review letter. He stated he would agree with the comments, and offered the following information:

The flood zone is AE-8; the houses would not need to be elevated more than 3 ½ feet above the road; the applicant is eliminating the third floor; will submit a storm water management report at the time of the building application process; will increase the driveways to 12 ft. width. The revisions being requested will be done.

Mr. Popovitch stated the architectural plans submitted are for Lot 11.01 only. The applicant could supply the board with the other two lots if required. He stated the subdivision is conforming.

Ms. Bavais stated the board likes to see architectural plans during the review process. Mr. Popovitch stated the applicant would be willing to submit the plans to the board as an administrative approval prior to obtaining building permits.

Mr. Vitale asked about the fence for Lot 11.01. Mr. Popovitch stated a vinyl fence would be installed at the rear of that lot.

Jack Taylor was sworn in. He stated the fence actually belongs to the neighbor; it had blown down but he told the neighbor that he would split the cost to replace.

The board discussed at length the curbs and sidewalks, which the applicant is requesting a waiver. Mr. Popovitch stated the County did not require the curbs/sidewalks along Bay Ave. Board members stated they want the curbs/sidewalks installed. They also discussed the timing of the curbs and sidewalks to be installed.

RECESS

Mr. Popovitch stated the curbs/sidewalks along Bay Ave. will be installed when construction starts. The curb/sidewalks would be installed for the two remaining lots before applying for a certificate of occupancy.

Mr. Vitale asked if architectural plans would be submitted; Mr. Popovitch stated yes, as an administrative approval as a permit is being submitted.

Mr. Taylor stated he has been a builder in town for many years. He stated he takes a lot of pride in each home that he builds. He also stated he designs a home with the customer so there are very little revisions.

Conditions for approval: No finished third floor habitable space; will meet the RSIS standards for a three bedroom home; administrative approvals for Lots 11.02 & 11.03 for architectural plans; no specific conditions for accessory structures – not to exceed 50% building coverage, maximum building height is 32 ft.; fence to be replaced; curb/sidewalks for each lot at time of certificate of occupancy, placing of monuments on properties; identify County restrictions; two trees per lot; 15 ft. side yard at Bay Ave.

Mr. Vitale made a motion to approve the application with the listed conditions; seconded by

Mr. Welch.

Roll Call Vote:

Mayor Sabosik: Yes Mr. Vitale: Yes Mr. Permuko: Yes Mr. McHugh: Yes Mr. Welch: Yes
Mr. Faraldi: Yes Mr. Preiser: Yes Ms. Bavais: Yes

There being no further business, Mr. Vitale made a motion to adjourn. The special meeting of the board adjourned at 8:45 p.m.

Respectfully submitted,

Catherine Gardner
Planning Board Secretary