

POINT PLEASANT PLANNING BOARD

March 23, 2017

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

Roll Call:

Present: Mayor Sabosik Mr. Furmato Mr. Vitale Mr. Lobravico Mr. Welch Mr. Faraldi
Mr. Preiser Ms. Bavais

Absent: Mr. Permuko Mr. McHugh Mr. Forsyth

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

RESOLUTION:

Res. 2017-03 – Preliminary/Final Site Plan – Block 316 Lot 5 – 2434 Bridge Ave.,
Applicant: Jyotsna & Kokila Properties (Dunkin Donuts) – Approved

MINUTES: The board approved the minutes of January 31, 2017 & February 23, 2017

UNFINISHED BUSINESS:

Administrative Approval – Block 279 Lot 132 – 1400 Rue Mirador, Applicant: Minerva Properties

Daniel Popovitch, attorney for the applicant, stated curbs/sidewalks will be installed along the property and there is not a request for the third story habitable space.

The board discussed with Mr. Popovitch, Mr. Montenegro & Mrs. Neumann the fact that Mr. Shippee does not own the two other two lots in the previously approved subdivision and would not install the curbs/sidewalks in front of those properties. Mrs. Neumann stated the Borough could go after the bond holder to install the remainder of the curbs/sidewalks. The board also discussed the administrative approval for Ryan Nedza, the adjoining lot to Mr. Shippee's and the fact that sidewalks were to be installed. Mr. Shippee stated he would install the sidewalks for his lot only.

Mrs. Neumann stated the Borough engineer can enforce the improvements to be done. The board members discussed issues relating to sidewalks.

Mr. Shippee stated he just wants to get the approval to construct a different house than what was approved; the proposed home is smaller. The owner of Lot 133 holds the bond for sidewalks.

The board had a lengthy discussion relating to placing a condition that the original applicant needs to install the improvements. Mr. Shippee stated he would agree to a condition of a temporary certificate of occupancy. He stated at the closing of the property, he did not place a bond with the Borough for this property; it is still in the original developers name. A letter will be sent to the Borough attorney for enforcement of the original bond holder to install the curbs/sidewalks.

Exhibit A-1 – rendering of proposed home. Mr. Shippee stated the grading/drainage is on the new plot plan and would be submitted to Borough engineer when applying for his permit. He stated the house meets all zoning regulations; is reduced in size from the original proposal, one car attached garage and wrap around porch.

The board discussed the drainage of the property. There would be roof leaders and the plan would be submitted to the Borough engineer.

Mayor Sabosik stated the town will be improving streets and advised Mr. Shippee that Rue Mirador and Riviera Pkwy. would be improved within the next 18 months.

PUBLIC – None

Condition of Approval – curb/sidewalks of the entire site to be installed prior to this lot receiving a certificate of occupancy. Mr. Montenegro will contact the Borough attorney to compel the owner of Lot 133 to voluntarily install the curbs/sidewalks for the entire project.

A motion was made by Mr. Faraldi; seconded by Mr. Furmato

Roll Call Vote:

Mayor Sabosik: Yes Mr. Furmato: Yes Mr. Vitale: Yes Mr. Lobravico: Yes Mr. Welch: Yes
Mr. Faraldi: Yes Mr. Preiser: Yes Ms. Bavais: Yes

RECESS

NEW BUSINESS

Minor Subdivision & Variance – Block 240 Lot 11 – 2204 North Rd., Applicant: TFM Builders LLC

Daniel Popovitch, attorney for the applicant, appeared before the board. He stated the applicant did appear before the board prior for an informal hearing and took all the suggestions the board had into consideration on his plan.

Aaron McLaughlin, TFM Builders LLC was sworn in.

Charles Gilligan, P.E., P.P. was sworn in.

Exhibit A-1 – area map. Mr. Gilligan described the area and lot sizes; 60% of the lots do not have adequate lot width. He stated there are two two-family homes across the street from the property.

The proposed lots would exceed lot area but would need variances for frontages. He stated the applicant is providing 7.7 foot side setbacks and approximately 36 ft. front setbacks. Mr. Gilligan stated the applicant would definitely have 7.5 side setbacks, if after the foundation is poured and they find they may be short.

Mr. McLaughlin stated the homes would be 2 ½ stories and would not have the third floor habitable space, the height would be no more than 32 ft. from the crown of the road. No variances would be required for the homes.

Mr. Gilligan requested a waiver of providing the names/addresses within 200 ft. on the plan.

Mr. McLaughlin stated that Lot 11.01 would provide for 6 off street parking spaces with a Garage and Lot 11.02 would provide for 5 off street parking spaces with a garage.

The A/C units would be on the side of the house in the rear of the bump out. The board members discussed the location of the A/C units on both lots. Mr. McLaughlin stated the newer A/C units are very quiet. Mr. Welch stated he agreed.

Mr. Gilligan requested that the plat be filed by deed; Mrs. Neuman stated she prefers filing by map.

The proposed homes have basements and the sump pumps would be tied into the drainage system.

Mr. McLaughlin asked for a bit of leeway with the demolition of the house and pool at the time of construction and not prior to filing map. He stated he is not the owner of the property but the contract/purchaser. After a discussion, the board did not have an issue with the request.

PUBLIC – None

Mr. Welch made a motion to approve the application; seconded by Mr. Lobravico

Condition of Approval: The applicant would comply with the conditions as outlined in the review letter of CME; the removal of the house/pool at the time of the building permit as the applicant is the contract/purchaser.

Roll Call Vote:

Mayor Sabosik: Yes Mr. Furmato: Yes Mr. Vitale: Yes Mr. Lobravico: Yes Mr. Welch: Yes
Mr. Farldi: Yes Mr. Preiser: Yes Ms. Bavais: Yes

**Minor Subdivision & Variance – Block 162 Lots 7 & 8 – 1209 Johnson Ave. & 1100 Ocean Rd.,
Applicant: Sailskidive, LLC**

Daniel Popovitch, attorney for the applicant appeared before the board. Mr. Popovitch stated the property is the Travel Smith's property. The applicant applied to the Zoning Board a year ago to separate the house from the separate garage and apartment; the board decided it was legal.

The application is to subdivide the business from the house and apartment.

Sally Jane Smith & Paul Gerard Smith, 1511 Salem Rd., Pt. Pleasant was sworn in.

Mrs. Smith stated they have owned the business for 30 years and moved into the building ten years ago. They have 4-11 employees and the hours of operation are 10am-6pm and 10am – 3pm on Saturdays. In November, 2014, they purchased the house.

Mrs. Smith described the improvements made to the Travel Smith property and house; also the parking lot has been improved.

The house has a two car garage and three bedrooms. The garage with apartment is four garages and a two bedroom apartment.

Robert C. Burdick, P.E., P.P was sworn in. He stated the application is for moving property lines with no improvements. He explained the lot lines in the proposal; Lot 8.01 is encumbered by the parking lot. Mr. Burdick explained the existing conditions on each lot and the variances being requested.

He stated there are no additions, etc. proposed; only a new fence for the existing swimming pool.

Mr. Burdick was asked if a NJDOT access permit would be required; he stated it would not.

Mr. Vitale stated he doesn't see the reason for three lots and ten variances. Mr. Popovitch stated the proposal is separating each dwelling into its own lot.

Mr. Faraldi asked about the hardship. Mr. Burdick stated there really is not a hardship; it comes down to the future and if selling. It would also remove the non-conformities.

Mayor Sabosik stated it seems it would comply with the master plan and clean up and improving the property.

Mrs. Neumann stated it is a unique circumstance; the variance being requested are for existing conditions.

Mrs. Smith stated they live with her mother on Salem Dr., and when she passes away, they will move into the house. Currently there is a tenant. Mrs. Smith's sister lives in the apartment.

Mr. Burdick stated he could take some area from the parking area to add to Lot 8.02 to bring it closer to 5,000 sq. ft. The board discussed and felt it should be left as proposed. The board and Mr. Burdick also discussed the unnamed alley that runs behind the property.

PUBLIC: None

Mr. Welch made a motion to approve the application; seconded by Mr. Furfato.

Roll Call Vote:

Mayor Sabosik: Yes Mr. Furfato: Yes Mr. Vitale: Yes Mr. Lobravico: Yes Mr. Welch: Yes Mr. Faraldi: Yes Mr. Preiser: Yes Ms. Bavais: Yes

CORRESPONDENCE:

Proposed Ordinance 2017-11 from Council relating to setbacks of decks.

Councilman Michael Thulen appeared before the board to answer questions from board members. He stated Council had been receiving emails from residents when raising their homes and not able to to construct a deck. He stated they need to go down the stairs to BBQ and sit. He stated the Land Use Committee drew up the ordinance.

The majority of the board members were not in favor of the verbage of the ordinance. The mayor stated there would need to be a compromise in the ordinance.

The board suggested obtaining the verbage from the DCA as to what is allowed when raising houses. Also, a deck would come from the finished first floor with natural progression.

Mrs. Neumann stated the ordinance is limiting the height of decks. Mr. Vitale stated lattice should not be allowed under the decks so the adjoining neighbor would still have a view of the water if not elevating. Mr. Thulen stated those residents applying to the Zoning Board are being granted approval.

Robert Shippee was in the audience and suggested limiting the height to the DFE. Ms. Bavais suggested limiting the size of the deck and setback. Another suggestion was side steps instead of front.

Mr. Thulen stated he would return to the Committee and discuss the issues.

VOUCHERS:

The board approved payment of the following vouchers:

Montenegro, Thompson, Montenegro & Genz: \$45.00 (Furgason), \$30.00 & \$1,125.00 (Joyostsna/Kokila), \$1,440.00 (PP 847 Prop), \$435.00 (Wick it Bad LLC), \$210.00 (Minerva Properties), \$225.00 (Sailskidive), \$225.00 (TFM Bldrs), \$75.00 (Marcinkowski), \$135.00 (Bugun), \$255.00 (General Board)

CME Associates: \$71.50 (PP 847 Prop), \$347.00 (Marcinkowski), \$211.00, \$ 607.75, \$524.00, \$1,287.75 (Jyotsna/Kokila), \$629.50 (Marcinkowski), \$1,275.00 (Scherler), \$534.50 (Bugun), \$149.50, (2154 Bridge Ave LLC), \$35.75 (Ocean Assoc LLC), \$143.00 (1125 Arnold Ave. LLC), \$143.00 (Minerva Properties)
Remington, Vernick & Vena: \$130.00 (TFM Bldrs)
Ocean/Coast Star: \$9.29, \$18.20, \$15.56 (General Board)
Asbury Park Press:

There being no further business, Mr. Vitale made a motion to adjourn. The regular meeting of the Planning Board adjourned at 10:45 p.m.

Respectfully submitted,

Catherine Gardner
Planning Board Secretary