**POINT PLEASANT PLANNING BOARD**

**September 27, 2018**

The regular meeting of the Point Pleasant Planning Board was called to order at 7:15 pm by Chairwoman Bavais. Ms. Bavais read the Notice of Compliance, which states adequate notice of the meeting had been given.

**Roll Call:**

Present: Mayor Sabosik Councilman Furmato Mr. Vitale Mr. Faraldi Mr. Preiser

 Mr. DeJong Ms. Bavais

Absent: Mr. McHugh Mr. Forsyth Mr. Welch Mr. Altero

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

**RESOLUTIONS:**

The board memorialized the following resolution:

Resolution 2018-12 – Administrative Approval – Block 105 Lots 28, 39, 40 & 41

 1125 Arnold Ave., Applicant: 1125 Arnold Avenue LLC (Approved)

**UNFINISHED BUSINESS:**

**Minor Subdivision & Variance – Block 113 Lot 25.01 – 821A Trenton Ave., Applicant:**

**Chadd & Malissa Smith:**

Ms. Bavais advised the applicant due to the fact there is another application on the agenda, they would be given until 9pm to continue with testimony and then the board would hear the second application.

Matthew Robinson, Midlantic Engineering, was sworn in. He stated his partner could not attend this evening’s meeting but he would be able to give testimony and answer questions.

Mr. Robinson stated he contacted both Chief Hoffman, Fire Chief of Point Pleasant and

Daniel Mulligan, Ocean County Fire Marshal regarding the application.

Chief Hoffman stated there was a fire hydrant in front of the property and they would hook up and battle the fire from the street.

Mr. Robinson stated the width of the easement is 11-12 feet; Mr. Preiser stated he measured it at 10 feet. Mr. Robinson referenced a subdivision approved by the board on River Rd. with

Mr. Caprio, and that easement was approved at 15 feet.

The board discussed the letter provided by Mr. Mulligan and the width of the easement. The board and Mr. Robinson discussed the easement and he stated he would provide adequate surface and meet with Mrs. Neuman should the board approve the application.

Exhibit A-3 – six photos of the property – the board again discussed the easement and widening of the easement.

Mr. Elwood discussed his conversation with Mr. Mulligan and feels his conclusion was for new development. Mr. Montenegro asked if the easement meets 20 ft. and would be clear of trees and shrubs; Mr. Elwood stated yes.

Mrs. Neumann stated it is a moot point as the applicant is providing the 20 ft. width in the easement. Mr. Smith explained his conversation with Mr. Mulligan and that he would further provide sprinklers in the new home.

**Cross Examination**

Mr. Popovitch questioned Mr. Robinson relating to the proposed easement and his conversations with Mr. Mulligan. Mr. Popovitch stated the board could not impose a condition of Mr. Hildebrandt’s property, such as widening the easement at Trenton Ave. Mr. Montenegro stated the board could impose the condition as it is access through the first portion.

Mr. Popovitch, Mr. Elwood, Mr. Montenegro and Mrs. Neumann discussed the easement and the blocking of the easement and fire access.

Mr. Popovitch questioned Mr. Robinson relating to West Laurel Dr. and the property lines to the Smith property. Mr. Robinson stated it was landlocked and there was no access to

West Laurel.

Mrs. Burcz questioned Mr. Robinson about trees at the Hildebrandt property line; he stated the applicant would save the tree if possible. She asked Mr. Robinson about the 1986 Planning Board approval; he stated he was not familiar with the approval. Mrs. Burcz asked about the fire hydrant to the west on Trenton Ave; he stated it was not in line with the access to the property.

Exhibit A-4 – 1986 resolution – Mrs. Burcz pointed out it states there would be a 15 ft. easement but no mention of a buffer.

**PUBLIC – QUESTIONS: None**

Mr. Robinson read the 1986 Planning Board resolution and stated the unsigned minor subdivision map matches the resolution.

A-5 – 1986 minor subdivision map

Andrew Janau, Beacon Planning was sworn in. Mr. Janau described the character of the neighborhood. He explained the approval to the Hildebrandt’s relating to the review letter, resolution and the 15 foot wide easement. He stated the application was approved without architectural plans but could not exceed the zoning requirements. He stated the resolution allowed for a 19,000 sq. ft. house to be built due to the size of the property and the zoning regulations.

He discussed with the board members the size of the homes on the lots and the lot/building coverages.

Exhibit A-6 – aerial photo of Lot 15 with an 11 ft. easement.

There is a duplex condo on Lot 16 with an easement, which is six properties over from the subject property.

Exhibit A-7 – Two aerial photos of Riverwood Park. There is a 13 – 15 ft. easement which runs from Arnold Ave. to at least 15 homes. There is another driveway easement, which is 12 ft. that runs across the easement.

Exhibit A-8 – aerial photo and a photo of West Laurel. The picture shows 819 W. Laurel, the home of Irene Conti and Lucille Culver. The street is a 14.45 ft. right of way with 11 ft. of pavement. The house is located at the end of the street and cars are parked over the curb as there is no driveway.

Mr. Montenegro stated this application would be carried to the 10/25/2018 meeting with no further notification.

**RECESS**

**Minor Subdivision & Variance – Block 139 Lot 19 – 1205 Madison Ave., Applicant:**

**GM07 LLC (Catala):**

John Jackson, attorney for the applicant appeared before the board.

Exhibit A-1 – PowerPoint presentation. Mr. Jackson stated the applicant previously appeared before the board for an informal hearing. He stated the property backs up to commercial. There is an existing in ground swimming pool which is to be removed; there is an existing greenhouse to remain, although it does encroach into the setbacks.

Robert Burdick, P.E., P.P. was sworn in. Mr. Burdick described the property and surrounding area, stating that 30 of the 36 lots in the area are undersized.

Mayor Sabosik requested a buffer along the commercial area with arborvitaes.

Mr. Burdick stated the pool and shed are to be removed, as well as the attached porch.

The variances being requested are (2) for lot area, (2) for lot width and (1) for side setback. He stated the wall along the property is to remain. Board asked for two rows of arborvitae to be planted; Mr. Burdick agreed.

Mrs. Neumann requested two street trees and trees for enhancement for the trees removed at a substantial caliber.

Mr. Burdick stated there would be recharge systems in the front and rear of the property.

Mrs. Neumann stated the recharge system could be located in the side yard, however, would need a design waiver for being 10 ft. from a structure. Mr. Burdick stated there is no basement.

Mr. Burdick stated the applicant is seeking a waiver from curbs/sidewalks and would make a contribution to the pedestrian safety fund. Three parking spaces are providing on the proposed lot; four parking spaces are on the existing lot.

Mr. Burdick will correct the deficiencies on the plan as outlined in the review letter. He stated he feels the application can be approved with the variances.

Scott Catala was sworn in. He stated the house proposed is a two story with an attic – pull down stairs, with mechanicals on the second floor.

Board members asked as a condition, no livable area in the attic; Mr. Catala agreed.

Mr. Vitale and Mr. Catala discussed the greenhouse. Mr. Catala agreed to a condition there would be no living space in the greenhouse in the future.

The board and Mr. Catala discussed the greenhouse. The board felt it was better to demolish the greenhouse as it encroaches into the setback.

Condition of Approval: Two rows of evergreens at least 6 ft. in height, mature trees at least 6 ft. in height, remove the greenhouse, shed and pool, two street trees, no basement, design waiver for the location of the recharge system, contribution to the pedestrian safety fund, and no habitable living space in attic.

Mr. Vitale made a motion to approve the application; seconded by Mr. Preiser.

**Roll Call Vote:**

Mayor Sabosik: Yes Mr. Furmato: No Mr. Vitale: Yes Mr. Faraldi: Yes Mr. Preiser: Yes

Mr. DeJong: Yes Ms. Bavais: Yes

Environmental Committee Report

Improvements are starting at the Slade Dale property. The Commission is starting preparations for Earth Day in 2019.

**VOUCHERS:**

**Montenegro, Thompson, Montenegro & Genz:** $510.00 (Smith), $30.00 (Ravallo), $1320 & $1110.00 (Cellco), $600.00 (General Business)

**CME Associates:** $ 74.50 & $74.50 & $1068.00 (Cellco), $319.25 & $477.75 (Smith), $505.50 (Ravallo), $461.50 & $298.00 (GM 07), $487.75 (314 Nancy Dr), $214.50 (ACI Contracting)

**Ocean/Coast Star:** $6.79 (Ravallo), $6.79 (Scherler), $12.26 (Cellco)

There being no further business, the board adjourned at 10:00 p.m.

 Respectfully submitted,

 Catherine Gardner

 Planning Board Secretary