

**Point Pleasant Planning Board**  
**August 27, 2020**

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 the meeting had been given.

Roll Call:

Present: Mayor Sabosik Mr. Furamto Mr. Vitale Mr. Faraldi Mr. McHugh Mr. Forsyth  
Mr. Welch Ms. Bavais Mr. Altero (arrived at 7:20)

Absent: Mr. Preiser

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

The Board approved the minutes of July 23, 2020

**UNFINISHED BUSINESS:**

Amended Final Site Plan – Block 128 Lot 46 – 807 Ocean Rd., Applicant: Ocean Associates LLC  
Carried to 9/24/20

**Exempt Site Plan – Block 335 Lot 18 – 2708 Bridge Ave., Applicant: Carmelo Castronovo**

Carmelo Castronova appeared before the board. Exhibit A-1 – marked up survey. He stated he is amending his application to include a dumpster enclosure and fence.

Mr. Castronova showed a picture of an old van that the former owner used to store garbage; he would like to remove the “A” frame shed and replace and also relocate the small shed to the street side; install a white vinyl privacy fence. Behind the property is a fence and would like to relocate the shed to this location – approximately a 5 x 10 size. Beyond that area is two walk-in boxes on the trailer and beyond that is a shed that is to be replaced. He stated the walk in box will also be white vinyl fencing.

He stated he would keep the walk in boxes on the trailers for now; they are approximately 13 inches off the ground; the trailer is low.

Board members stated they wanted a plan with dimensions and more to scale. The board had concerns with the walk in boxes on trailers with accessibility (steps). He stated he would put the trailers on a slab.

Mr. Castronova discussed with the board the penalty, which was paid and the permits were last week, however, he is not ready for the inspections.

Mr. Castronova also discussed the photos the mayor showed last month; they were delivery of provisions on pallets. He stated his son could discuss that with the board as he runs the store.

Jesupe Castronova was sworn in. He stated when the building was purchased, it was disgustingly dirty and there was a lot of scrubbing inside and out. He stated there were four illegal freezers behind the store.

Jesupe Castronova explained all the provisions that the mayor saw prior to the last meeting and provided additional pictures to explain the pallets and products. He said there is not a lot of storage space in the store. They store paper products on the second floor of the building.

Mr. Altero stated he understands the delivery of dry goods and storage issues and asked if he could get three deliveries a week instead of two. He stated that wouldn't work as he could have a busy Monday and it could wipe out all his products.

The Board discussed placement of the walk-ins on concrete pads as long as the applicant meets the bulk requirements. Mayor Sabosik said he was concerned about the walk ins during bad weather with slip/fall issues.

Mr. Castronova suggested a roof structure over the walk-ins; Ms. Neumann stated as long as it is not attached to the building it wouldn't be an addition. She stated he would need to show on a plan the size, setbacks and landscaping.

Mr. Castronova will return next month with a survey showing the actual sizes and setbacks for all the changes he wishes to make.

#### **NEW BUSINESS:**

##### **Exempt Site Plan – Block 349 Lot 3.03 – 3208 Bridge Ave., Applicant: Stop & Shop**

Mayor Sabosik recused himself from the application.

Christina Moreau, Agnoli Sign Company and Kent Steffier, Engineer were sworn in.

Ms. Moreau stated Stop and Shop is implementing on line pick up service at all their locations. The proposal is to install (7) 18 x 24 signs in designated spaces in the parking lot, an attendant will come out and customers pull away. There will also be directional signs to the parking slots.

There would be no eliminating of existing spaces; anyone can use the spaces.

The applicant also proposes an A/C unit on the roof of the building to cool the area of the pick up and collect and holding area. The collection area is to the right of the store. Customers do not have access.

Ms. Moreau explained the process of ordering and pick up.

#### **PUBLIC – None**

Mr. Welch made a motion to approved the application; seconded by Mr. Vitale

#### **Roll Call Vote**

Mr. Furmato: Yes Mr. Vitale: Yes Mr. Faraldi: Yes Mr. McHugh: Yes Mr. Forsyth: Yes  
Mr. Welch: Yes Mr. Altero: Yes Ms. Bavais: Yes

##### **Minor Subdivision & Variance – Block 112 Lot 8 – 801 Dudley Ln., Applicant: Nick & Kathryn Mancini**

John Jackson, attorney for the applicant, appeared before the board. He reviewed the prior application that was denied as there was a tie vote. The new application is substantially difference with no bulk variances. The variances being sought are not fronting on a street and using a driveway access easement.

Mr. Montenegro stated that Mr. Gasiorowski and Mr. Jackson have conferred and agree to allow the Applicant's case to proceed tonight. Mr. Jackson will put on Applicant's case in chief (all witnesses and evidence as time will permit) without cross examination tonight. Applicant shall make all of those witnesses available for cross-examination at the continuation of the hearing. Mr. Gasiorowski will have the opportunity for cross examination at that continued hearing. Objector case in chief, testimony from the public and any rebuttal testimony/witnesses by Applicant will follow Mr. Gasiorowski's cross-examination of Applicant's witnesses.

On another matter, Mr. Montenegro stated the board must make a determination relating to

res-judicata (It is a common law doctrine meant to prevent relitigation of cases between the same parties regarding the same issues and preserve the binding nature of the court's decision). He read from Cox which states that significant changes must be made. He stated it is up to the board to make that decision.

Mr. Welch made a motion to hear the application; seconded by Mr. McHugh. All were in favor, no one was opposed.

Mr. Montenegro stated this will be a separate application; all comments will be based on this application alone, not evidence from the previous. All evidence is based entirely during this case.

Joseph Kocuiba, KBA Engineering, was sworn in.

Exhibit A-1 - PowerPoint presentation

He stated the house at Dudley Ln. has a covered porch, landscaping and plenty of room for parking and safe ingress/egress. An extensive landscaping plan is part of the application.

Mr. Kocuiba stated the property was two lots at one time, and did receive approval several years ago for two lots and the applicant is seeking approval for two lots again.

Mr. Kocuiba stated it is not unusual in Point Pleasant for properties to have easements.

Mayor Sabosik questioned the width of the driveway. Mr. Kocuiba stated the artistic rendering is not to scale. He stated there would be three parking spaces including one in the garage. Mr. Kocuiba explained the application and that there is ample room to park without impact. The standard with RSIS is 9 x 18 which is provided.

He stated the Army Corp. map showed a five foot easement; there is no other documentations.

The house allows for an elevator for Mrs. Mancini's parents and the house's square footage has been reduced.

The property is very unique on Dudley Ln. There is an existing cottage, sheds, carport and large stone driveway.

Mr. Kocuiba stated there is a mixture of residential in the area;

Exhibit A-2 – tax maps of riverfront area; areas marked with yellow are via an easement; areas marked with green have access Right of Ways less than 50 ft. width.

Mr. Kocuiba stated there have been two dwellings on the property since 1940. The original subdivision had two lots on one lot. In 1987, the previous owner consolidated the lots via deed in 2000. In 2016, the owner made an application for a subdivision, which was granted, however, did not file the subdivision map.

On 6/23/16 Resolution 2016-07 was adopted by the board granting a minor subdivision. Two very large homes were approved; this application's proposal is much smaller homes.

The variance being requested is due to Dudley Ln. not fronting on the lot.

Mr. Kocuiba stated 7,500 sq. ft. is required – Lot 8.02 will have 9,766.20 sq. ft., Lot 8.03 will have 7,592.36 sq. ft. He stated it is a fully conforming subdivision with no bulk variances other than no frontage along Dudley Ln.

Mr. Kocuiba explained the extensive landscaping plan for the property and the proposed parking. He stated two spaces are required; the applicant is proposing four.

The plans have been approved by CAFRA. He stated the Riparian lot is owned by the applicant with a long dock. Mr. Vitale asked if the front house has a right to the dock; Mr. Kocuiba stated no.

Mr. Kocuiba explained MLUL about the property not fronting on an approved street.

Exhibit A-3 – a minor subdivision was approved by the Board for the applicant Home Design Construction on 7/21/2006 with access to Lot 30 via an easement.

Mr. Kociuba stated at a previous hearing, the Fire Marshal approved the access of the easement to the properties, stating there is also a fire hydrant at the corner of Clark St.

Mayor Sabosik stated he was concerned about the pool located in moderate waive action. Mr. Kociuba stated the pool was approved by CAFRA via a permit by rule. Mr. Altero thought that the mechanicals for the pool were close to the house; Mr. Kociuba stated it meets the manufacturer's specifications.

Mr. Jackson provided a copy of the CAFRA permit to board members – Exhibit A-4

Mr. Kociuba stated that the board could grant the variations without detriment to the zoning ordinances. He also explained the C-2 variance criteria.

Paul Grabowski, Virtuoso Architects, Sea Girt, NJ was sworn in.

Mr. Grabowski stated on Mrs. Mancini's parent's house; there will be an elevator and the main house would be on the first floor. He stated it is an aging in place designed home. It will be a modest front porch and ornamental design. He described the materials to be used on both homes.

He stated a condition of cedar siding can be imposed if the board were to approve the application.

The board and Mr. Grabowski discussed the porch steps and driveway width. He stated he could recess the steps in or expand the driveway.

There is a side garage door; if need be, a lift would be installed to go from the garage to the interior of the house. He stated he would adjust the front steps to be centered with the front door.

Mr. Grabowski stated the existing house would be lifted, relocated and add a first floor.

Kathryn Mancini, owner, was sworn in. She stated she found the listing for the property when they purchased and read to the board. She stated she did a lot of research on the property prior to the purchase, including going to the Borough Hall and finding out the status of subdivision.

After the purchase, they renovated the cottage. It needed a lot of work and found that the basement leaked every time it rained. She stated they love the house and didn't want to demolish it, as was one of the conditions in the prior approval.

Mrs. Mancini stated they had discussed with her parents the option of the subdivision and building them a house for them to live out their lives.

Mr. Montenegro stated the application will be carried to September 24<sup>th</sup>, without further notice, at which time Mr. Gasiorowski will cross examine the witnesses and present his case.

Mr. Kociuba stated he does have another meeting on that date but will do everything he could to be present.

#### VOUCHERS:

The board approved the following vouchers for payment;

Montenegro, Thompson, Montenegro & Genz: \$330.00, \$75.00, \$90.00 (CAM Trust), \$390.00 (East Coast Land), \$480.00 (Coyne), \$150.00 (Castronova), \$180.00 (Hildebrandt litigation), \$1,322.50 (Mancini litigation), \$705.00 (General Board)

CME Associates: \$39.75, \$119.25 (CAM Trust), \$261.00 (Hackensack Meridian), \$79.50 (Castronova)

Remington, Vernick & Vena: \$998.00 & \$78.50 (Hackensack Meridian)

Ocean/Coast Star: \$ 9.96 (Coyne), \$9.96 (East Coast Land), \$7.75 (Fam), \$7.75 (Rambaldi)

There being no further business, the Board adjourned at 10:45 pm.

Respectfully submitted,

Catherine Gardner

Planning Board Secretary