

**BOROUGH OF POINT PLEASANT
ZONING BOARD OF ADJUSTMENT
May 12, 2021**

The regular meeting of the Point Pleasant Zoning Board of Adjustment was called to Order by Chairman Coleman at 7:00 P.M. Mr. Coleman led the Salute to the Flag. He proceeded to open the meeting in compliance with the “Open Public Meetings Act”.

Roll Call Vote

Members Present:	Mr. Shrewsberry	Mr. Hutchinson	Mr. Nikola
	Mr. Giordano	Mrs. Masterson	Ms. Coulson
	Mr. Coleman	Mrs. Petrillo	Mr. Shrewsberry
Members Absent:			
Attorney:	Mr. Gertner		

New Business/Unfinished Business

20-24- 604 Ocean Shores, LLC- Block 136 Lot 1.01- 604 Ocean Road- Use Variance, Site Plan, Minor Subdivision and Bulk Variances

All members have read the transcript or listened to the record and are eligible to vote.

Mr. Jackson, attorney for the applicant. Mr. Jackson had revised plans/PowerPoint, marked A – 2.

Mr. Jackson explained there is a previous approval on this site. A subdivision for a 50 x 100 lot, 4 apartments and a commercial use. They are seeking to eliminate the commercial use.

Mr. Slaght, applicant was sworn in. Mr. Slaght stated they are proposing 4 apartments and looking for another 50 x100 residential lot, while eliminating the commercial use. They have flipped the orientation of the building, addressed lighting, signage, and numerous items that the Board had concerns about.

Mr. Jackson stated are creating an easement on the residential property to install an arborvitae buffer between the residential property and apartments.

Mr. Slaght stated there is no access to the apartments from Wilmington Street. They have increased the rear yard for the apartments. They have also increased the size of the storage units to 8x8. The setbacks have also increased from surrounding properties. They have increased the proposed landscaping, street lighting and providing three 16ft light poles on the Wilmington Street side and signage. The dumpster has been proposed in the Northeast corner of the property and the enclosed expanded to and 8 x 8 with a private service collecting the garage. The bin will be enclosed with Azek or vinyl. Pavers have been added in front of the parking spaces.

Mr. Lurie, Engineer was sworn in.

Mrs. Petrillo questioned the setback between the house and the property line.

She questioned where the 6ft fence was going. What guarantee to maintain the arborvitaes?

Mr. Lurie replied that the side yard setback from the property line to the house is 7.5'. The fence is going on the property line.

Mr. Gertner stated the applicant has proposed an easement providing that the owner of the 4-unit complex will be responsible for the maintenance of the arborvitaes and fence.

Mr. Jackson stated the easement would have to provide for access to care for the arborvitaes and must be replaced if dead and trimmed. Which would be enforced by the homeowner and the Borough.

Mr. Giordano stated the storage units are 8 x 6, not 8 x 8.

Mr. Slaght agreed.

Mr. Giordano likes the rear yard improvement. He would like to see buffers around the gas and electric meter facing Rt 88. Also, there is no access to the dumpster area, he would like some type of sidewalk possibly pushing back the dumpster area.

Mr. Lurie agreed to buffer and slide the dumpster area back.

Mrs. Petrillo stated they are already over on impervious coverage. She wants them to reduce the coverage. Can they propose move pavers and less concrete?

Mr. Slaght agreed.

Mr. Giordano wanted to see and actual lighting fixture, to make sure it matches the esthetics of the building.

Mr. Jackson stated that can be part of resolution compliance and Mr. Savacool can make that decision. Mr. Jackson stated they can lift the storage structures to allow drainage under the units.

Mrs. Petrillo would like it reduced to 70%.

Mr. Coleman had a question about maintenance or on-site management.

Mr. Slaght stated his company will provide the maintenance and management. There will not be an on-site manager at this time. There will be doorbells and cameras on-site.

Mr. Coleman questioned the size of the rear yard.

Mr. Slaght stated the depth is 12ft and the width is approximately 15ft.

Mrs. Masterson questioned the color scheme and why is the new house the same color.

Mr. Slaght stated the home will most likely be a grey exterior, hardy board. He will not build yellow house.

Mr. Savacool questioned the size of the sign. He would like the sidewalk to be increased to at least 4ft. Are any the units proposed to be universally accessible?

Mr. Jackson stated the sign will comply.

Mr. Slaght is opened to have a unit universally accessible unit.

Mr. Jackson stated they will comply and that is a building department issue.

Mr. Jackson brought up the affordable housing requirement.

Mr. Hutchinson questioned if they have considered any other plans allowing for affordable housing.

Mr. Jackson stated yes, they have. They looked at a 7-unit plan, that would eliminate the subdivision and provide affordable housing. They believe the proposal in front of the Board is a better fit.

Mr. Gertner stated the Resolution 17-21, the subdivision was filed, but an opinion was never received by the affordable housing council. As part of any approval the applicant will have to get an opinion from the affordable housing council. The Board has the authority to find a specific finding.

Mr. Jackson does not feel affordable housing applies to this application. This application is for 4 units, not 5. That does not have to be determined at this time.

Mr. Gertner stated the applicant has applied for a D-1 variance. During resolution compliance, prior to perfecting the subdivision they would need an opinion from the affordable housing council.

Mr. Jackson stated if they have to, they will comply. They are seeking relief for a D-1 variance.

Mr. Savacool a D-1 variance has been presented; all bulk variances are subsumed in the use variance.

Mr. Gertner stated the previous resolution asked for an opinion of the affordable housing. The Board should look at the proposal as a D-1. They should also look at the application as triggering an affordable housing requirement.

Mr. Giordano request that the resolution reads, the residential lot will comply with the R-1A Zone.

Public Comment/Questions

Mr. Anthony Coppolino 612 Delaware Ave, objector
Mr. Art Matuschat 606 Ocean Rd, in favor
Mrs. Sherry Curry, 1207 Wilmington St, objector
Mr. Percentino, 1210 Wilmington St, objector
Mrs. Christine Martin, 1009 Ocean Road, in favor

Mr. Jackson surmised that this is a difficult commercial corridor. They believe that this application is a better use, less intense and more compatible with the neighborhood. They have revised the plans to meet the Boards concerns. There have been a few apartment complexes approved in the Borough and this type of project is appropriate for Point Pleasant Borough and this area. They will provide accurate renderings. The impervious coverage for the entire site is in line with what is required.

Caucus

Mrs. Petrillo feels the applicant made a decent effort to address the Boards concerns as well as a better fit for the neighborhood. The apartments are backing up to a carwash. She would like to see the impervious down at least 6%.

Mr. Giordano stated it is a 6% over, however; it is a reduction from the previous plan. They are averaging the maximum lot coverage for the single family and the 4-units. They did a good job revising the plans providing a better back yard and larger storage area. The location is not adequate for a commercial use. This is a good transitional use.

Mr. Savacool replied the 4-units have lot coverage of 83%, the maximum single family is 50%, the average is 72%.

Mr. Nikola feels the applicant addressed the concerns of the Board and the neighbors. He likes the plans.

Mr. Hutchinson likes the change in orientation of the building. This opens off-street parking on Wilmington.

Mr. Coleman agrees this is a lame duck commercial lot. He feels this is a reasonably aesthetically appealing development.

Mr. Gertner reviewed some of the conditions: impervious aggregate is not to exceed 72%, the architectural plan subject to administrative review, upon perfection of subdivision the opinion of affordable housing council must be obtained.

A motion to approve the application was made by Mr. Giordano, seconded by Mrs. Masterson.

Roll Call Vote

Mr. Shrewsberry- No	Mr. Hutchinson- Yes	Mr. Nikola- Yes	Mrs. Petrillo- Yes
Mr. Giordano- Yes	Mrs. Masterson- Yes	Mr. Coleman- Yes	

20-03-Northstar Capital, LLC- Block 113 Lot 41 & 43- 842 & 850 Arnold Ave- Use Variance, Preliminary & Final Major Site Plan, Bulk Variances Building Height, Building Stories & Impervious Coverage

Donna Jennings, attorney for the applicant

Edward Liston, attorney for the Clarks Landing Condominium Homeowners Association.

Mr. Liston has a jurisdictional problem with the legal notice.

Ms. Jennings chose to proceed with the hearing.

The applicant is looking to construct a luxury sixteen-unit, three story apartment complex. The property is in the R1-A zone. The applicant is willing to set aside 3-units for affordable housing. The site is surrounded by multi-family dwellings. The property backs up to Borough owned vacant land.

Mr. Liston believes the intent is to create a new zone. There is an increase in density that does not exist in any multi-family structure in town. The applicant is stretching all the multifamily criteria.

Ms. Jennings stated she believes in the end the applicant will have met the positive and negative criteria to approve this application.

Douglas Gryshko, Engineer was sworn in. The Board accepts his credentials.

A-1 Color Aerial 5/12/2021

A-2 Site Plan Rendering

Mr. Gryshko stated the property in question is known as 842 and 850 Arnold Ave, currently a dental office and a single-family home. They will be demolishing all structures on both lots, with a proposal to merge both lots. The site backs up to Borough owned vacant land to the south, a residential property to the east, and two multifamily structures to the north and west. Mr. Gryshko briefly went through the site plan. In reference to the Board Engineers review letter all technical issues can be addressed. Ocean County Planning Board has issued a final site plan approval, with conditions.

Mrs. Petrillo asked to see the approval, with conditions.

Mr. Liston questioned Mr. Gryshko how many units could fit and comply with the RM Zone.

Mr. Gryshko replied less than 16.

Mr. Liston replied about 11. That would be compliant with the RM Zone. He further questioned the permissibility of a 3 story building and the lot coverage with only 11 units.

Ms. Jennings objected.

Mr. Gertner noted the objection and stated this property is not in the RM zone.

Mr. Liston stated this property is in the single-family zone. This application is far from the zone or any multifamily structure in the RM Zone.

Ms. Jennings feels these questions were for the Planner not the Site Engineer.

Public questions/comments

Albert Morgan 838 Arnold Ave was sworn in. Mr. Morgan had concerns about the trash enclosure being so close to his side yard and swimming pool, approximately 18ft.

Diane Hurlbert- 1123 Front St was sworn in. She is concerned that the site is being referred to as a dentist office. This location has not been used as a dentist office is misleading to the public.

Linda Hoxie 836 Arnold Ave was sworn in. She is concerned about the parking for sixteen units.

Mr. Gertner there is a traffic engineer to address this question.

This hearing has been carried to June 23, 2021, at 7:00PM, no further notice will be given.

A motion to adjourn was made by Mr. Giordano, seconded by Mrs. Masterson. The meeting adjourned at 10:15PM.

Respectfully submitted,

Sharon Morgan
Board Secretary