

POINT PLEASANT PLANNING BOARD
July 28, 2022

The regular meeting of the Planning Board was called to order by Chairwoman Bavais who read the Notice of Compliance which states that adequate notice of the meeting had been given.

Roll call:

Present: Chairwoman Bavais, Councilman Furmato, Mr. Vitale, Mr. Faraldi, Mr. Welch, Mr. Preiser, Mr. Potter

Attorney: Ben Montenegro, Esq., Jordan Rizzo, Board Engineer, Claire Hense, Board Secretary

Absent: Messrs. McHugh and Pannucci, Mayor Sabosik

The June 23, 2022 **Minutes** were approved on a motion by Mr. Potter and seconded by Mr. Preiser, with all in favor.

Chairwoman Bavais stated there were two **Resolutions** for review this evening, the first being that of Thomas & Madeleine Halter and Phyllis Healy regarding property located at 1626 Center Street, a/k/a Block 306, Lot 75, which was approved at the meeting of June 23, 2022.

A motion was made by Mr. Potter and seconded by Mr. Faraldi to approve the Resolution. Roll call: YEAS: Fred Potter, Albert Faraldi, Mary Jane Bavais, Joseph Furmato.

Chairwoman Bavais stated the next **Resolution** for review this evening is that of Point Pleasant 847 Properties, Inc. regarding property located at 847 Arnold Avenue, a/k/a Block 112, Lots 65 & 65.01, which was approved at the meeting of June 23, 2022.

A motion was made by Joseph Furmato and seconded by Fred Potter to approve the Resolution. Roll call: YEAS: Joseph Furmato, Fred Potter, Jack Vitale, Albert Faraldi, Brian Welch, Andy Preiser.

New Business

Chairwoman Bavais announced that the application by FNDZ Realty, LLC with regard to 2419 Bridge Avenue, a/k/a Block 228.01, Lot 19 has been carried without further notice to the August 25, 2022 Board meeting.

Chairwoman Bavais stated the Board has one **application** to be heard this evening, that of Joshua & Elizabeth Kokoll regarding property located at 2406 Oak Street, a/k/a Block 177, Lot 9.01.

Timothy B. Middleton, Esq., Manasquan, New Jersey came forward. Mr. Middleton stated he represents the applicants who are here to request permission to amend a former Resolution of approval from the Planning Board dated in June or July, 2005 which was for a minor subdivision which at that point was in order to create two lots. Mr. Middleton further stated the Board stipulated the house built would be limited to three (3) bedrooms, the house currently has 3 bedrooms and the first floor consists of a living room, dining room, kitchen and family room, further stating a bedroom was removed from the plans for above the family room which now contains a cathedral ceiling.

Mr. Middleton stated his clients purchased the home in 2018. Mr. Middletown further stated his clients are from the Borough, met when they both worked at the Dairy Queen in town, and both applicants worked from home during Covid for 2-3 days per week, stating they would like another bedroom or alternatively, an office space. Mr. Middleton stated he was not sure he would need Board approval for an office, the footprint will not be expanded, and their only request is to construct a bedroom above the current family room.

Mr. Welch questioned the number of cars which could fit into the driveway, to which Mr. Middleton stated they could easily park 4 cars, further mentioning the house also has a garage. Mr. Rizzo pointed out the driveway should be twenty (20') feet wide and is currently only eighteen (18') feet wide, although the pictures show they can clearly accommodate 4 cars. Mr. Rizzo further stated per RSI, they only need 2 parking spots, that the current driveway is 18x25 and in order to count as a two-car driveway, it must be 20' wide so they require an additional two (2') feet in width. Mr. Rizzo also stated the driveway extends ten (10') feet beyond the property line. Mr. Furmato suggested pavers on either side of the driveway.

Mr. Middleton caused to have the following documents marked into evidence:

- A-1 Colored photograph with 4 cars in driveway, arrow on right side - pointing left;
- A-2 Colored photograph of overview of driveway, arrow on top - pointing down

Mr. Middleton called the following witness who was sworn in by Mr. Montenegro:

Elizabeth Kokoll, 2406 Oak Street, Point Pleasant

Mrs. Kokoll stated she owns the property with her husband, they purchased it in 2018 and she would like this to be her "forever home". Mrs. Kokoll further stated the home currently has three bedrooms, that within the last 4-6 months they made application to the Zoning Officer to add a fourth bedroom above what is now the

family room, and discovered per the previous Resolution, it contained a restriction on the number of bedrooms.

Mrs. Kokoll further stated she works three days per week from home and her husband works 4 days per week from home for a “non-profit”. Mrs. Kokoll stated they have two little boys and are considering having another baby, and they therefore need another bedroom.

Mr. Middleton stated one issue raised tonight by the Board engineer was with regards to the width of the driveway – that it needs to comply with RSIS standards. Mr. Middleton offered if the Board agrees to approve the application, his clients would be willing to expand the width of the driveway by two (2’) feet. After discussion among members of the Board as well as Mr. Montenegro as to what could be done to increase the width, Mr. Montenegro concurred with Councilman Furmato’s previous comment that they could install one (1’) foot of pavers on each side of the driveway. Mr. Middleton stated that may necessitate a de minimus change for lot coverage as the applicants are very close to the allowed coverage as a result of their patio. Mr. Rizzo stated they would need approval for approximately 51% of lot coverage as opposed to the allowed 50%.

Chairwoman Bavais opened the meeting to the public for questions; no one came forward so the meeting was closed for public questions. Chairwoman Bavais opened the meeting to the public for comments; there were no comments so the meeting was closed for public commentary.

A motion was made by Mr. Welch and seconded by Councilman Furmato to approve the application. Roll call: YEAS: Brian Welch, Joseph Furmato, Mary Jane Bavais, Jack Vitale, Albert Faraldi, Andy Preiser, Fred Potter. NAYS: None

Exempt Site Plan Committee

Mr. Potter stated the Mayor, Zoning Officer Colleen Malvasio, Business Administrator Frank Pannucci and he all met earlier today with Dana Van Houten with regards to the property located at 2301 Lakewood Road (Route 88), the former Pichirillo’s Pizza and then Salsa. Ms. Van Houten owns District Refillery & Co. which sells locally grown coffee, filters, etc., and the majority of her business is delivery and online purchases. Mr. Potter stated Ms. Van Houten would like to showcase her products in the front of the store.

Mr. Potter further stated Ms. Van Houten’s hours of operation are Friday/Saturday/Sunday from 10 am until 4 pm, she is the owner and sole employee, she has one van and the building offers six (6) parking spots, further indicating she would like to eventually hire another employee to assist her. Mr. Potter stated they were impressed with the applicant and the committee gave their approval for what they think is a good use.

Mr. Welch commented that the owner of the property agrees to everything but then never agrees to allow someone to occupy the premises, suggesting the owner should be brought in to see why no one is ever allowed to open a business there. Mr. Vitale added there are two apartments above the first floor.

Environmental Commission

Mr. Faraldi stated two people came into their last meeting, Miles (whose last name he couldn't recall) and his wife who are Scientologists and reside in Bay Head. Mr. Faraldi stated they were very nice and they wanted to know how businesses work in New Jersey. Mr. Faraldi stated anyone can walk into the meeting and wondered about a sign-in sheet. Mr. Welch suggested meetings could be moved to a private location such as the Elks if there were concerns about people coming into a public building such as the Municipal Building, where it is open to the public.

Old Business

Mr. Vitale stated at the last meeting, the Board approved a subdivision whereby they put the air conditioning condensers in back of the house, further stating that on a 50 foot lot in a flood zone, the platform would need to be high and for a 2 zone system would need to be very wide. Mr. Vitale stated that to him, it is an eyesore from the water and he would not want to hear them from the back of someone's house. Mr. Vitale further stated that is why he did not vote affirmatively for the last application as he did not want the air conditioning in the back but wanted to see it on the sides of the houses, especially with a seven (7') foot setback. Mr. Vitale indicated if another one comes before the Board with the air conditioning in the back, he will again not vote favorably.

Councilman Furmato stated he formerly lived on the lagoon where they were 12 to 14 feet from the side house and he could hear his neighbor's condensers resonating throughout his entire house, which is probably the number 1 reason why he moved because the noise is worse when the condensers are elevated.

Mr. Welch mentioned they could ask Tim Skinner, the Construction Official, because he believes anything within five feet of a property automatically becomes a fire wall. Mr. Welch further suggested a vibration isolator should be installed on the platform.

Mr. Welch questioned whether there was any work occurring at Oakwood Pizza, stating the temporary freezers are still on site as well as the new freezer. Mr. Montenegro stated the Judge gave the owner a lot of time to remove the old freezers but he would check with town attorney Jerry Dasti, Esq. to see about the timeframe given.

Mr. Vitale stated his 84 year old neighbor was recently fined \$1,200.00 from the town for not lifting his house post-Sandy. Councilman Furmato stated he believes the son-in-law came to the Mayor's Hours a few weeks ago, further stating the fine is from FEMA and there is nothing the town can do. Mr. Vitale stated maybe his neighbor can give back the money he received as he cannot afford to raise the house, and due to his wife's health, she was recently admitted to a care center, he is not in a position to do so. Mr. Vitale stated the son-in-law indicated maybe in a few years they would elevate the house. Councilman Furmato stated insurance will go "way up" if they do not lift the house and was unsure if the \$1,200. fine from FEMA will be a yearly rather than a one-time expense. Councilman Furmato further stated the insurance companies know whether or not the homes were substantially damaged.

A motion was made by Mr. Potter and seconded by Mr. Preiser to approve the vouchers. All were in favor.

The meeting adjourned on a motion by Mr. Welch and seconded by Mr. Preiser. All were in favor.

Respectfully submitted,

Claire S. Hense