

POINT PLEASANT PLANNING BOARD
November 10, 2022

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

Roll call:

Present: Chairwoman Bavais, Mayor Sabosik, Mr. Vitale, Mr. Faraldi, Mr. Preiser, Mr. Potter

Attorney: Ben Montenegro, Esq., Engineer: Laura Neumann, P.E, P.P., Board Secretary: Claire Hense

Absent: Councilman Furmato, Vice Chair McHugh, Mr. Pannucci, Mr. Welch

The October 27, 2022 **Minutes** were approved on a motion by Mr. Preiser and seconded by Mayor Sabosik, with all in favor.

New Business

Mr. Montenegro stated the Board Secretary received a letter from applicant's attorney that he had a medical situation and could not attend tonight's meeting. Therefore, Chairwoman Bavais announced that the application by Shirley Gasiorowski with regard to the property located at 213 Ida Drive, a/k/a Block 13, Lot 16 has been carried without further notice to the December 8, 2022 Board meeting.

Chairwoman Bavais stated the Board has one **application** to be heard this evening, that of Donald DeFilipo for a minor subdivision regarding property located at 910 Ellison Avenue, a/k/a Block 126, Lot 8.

John J. Jackson, III, Esq., a member of the firm of King, Kitrick, Jackson, McWeeney & Wells, LLC, Manasquan, New Jersey came forward. Mr. Jackson stated he represents applicants Don and Kristen DeFilipo who come before the Board for a minor subdivision of an oversized lot which they propose to divide into two lots of 7,500 sq. feet each. Mr. Jackson stated Mr. DeFilipo's parents built the current home in 1958 and they would like to replace the structure with at least one structure prepared by Mr. Grabowski.

Mr. Jackson caused to have the following item marked into evidence:

- A-1 Packet of thirteen (13) pages, printed on both sides, of colored photographs depicting two different styles of proposed homes, their layout and proposed drainage systems, the existing home, overview of property and zoning analysis of neighboring properties prepared by TC Engineering.

Referring to page 5 of said packet wherein the zoning overview with analysis of neighboring properties was shown, Mr. Jackson stated every surrounding property marked in blue showed similar dimensions of the proposed 2 lots.

Mr. Jackson stated the testimony to be given will support that this application meets the pattern of the neighborhood and they are replacing older housing stock with new homes. Applicants plan to have two (2) houses, selling the house on the right and the applicants will live in the house on the left, further stating that if they sell the right lot, they would like to sell it with the condition that the purchasers have to return to this Board for approval of whatever they wish to build.

Mr. Montenegro swore in the following witnesses:

James Giordano, P.E., P.P., of TEC Engineering, P.C., Point Pleasant.

Mr. Giordano, in referring to the site plan he prepared dated August 31, 2022, pointed out that the lot in question is a 15,000 sq. foot lot and if divided in half, would create two 7,500 sq. foot lots. Mr. Giordano added that proposed lot 8 would have a 13.16 foot side yard (outside) setback, a 7.5 foot side yard (inside) setback, and a rear yard setback of 62.45 feet, and proposed lot 9 would have an 8 foot side yard (outside) setback, a 10 foot side yard (inside) setback, and a rear yard setback of 59.62 feet. Mr. Giordano stated the lots would be narrower but will add light, air and open space. Mr. Giordano further stated proposed lot 8 had building coverage of 20.6% and proposed lot 9 had building coverage of 26.3%.

Mr. Vitale wanted to know if the shed was included in the lot coverage, to which Mr. Giordano replied in the affirmative. Mr. Vitale stated there is 32 feet height allowance and the property is not located in a flood plain area, to which Mr. Giordano replied the building heights were reduced to 30.63 feet in lot 8 and 31.7a% in lot 9. Mr. Vitale stated the plans show two wide driveways, further indicating the proposed 5 bedroom home would require 3 parking spaces, while the proposed 4 bedroom home would only require 2.5 parking spaces. Mr. Giordano stated there are 4 code compliant spaces at the proposed 5 bedroom home which was the house depicted on the left side, and 3 spaces at the proposed 4 bedroom home on the right, which is the smaller of the 2 homes.

Mr. Preiser asked if applicant was just requesting one waiver, to which Mr. Giordano responded "yes, for lot width". Mr. Montenegro wanted to know if applicant planned on retaining the existing shed, to which Mr. Jackson responded in the affirmative. Ms. Neumann stated the existing shed is 10 x 8. Mr. Jackson stated applicant would eliminate that if it was an issue. Mr. Giordano stated the reason for approval of the variance is hardship because the lot in question is much deeper than it is wide, further stating the chart shows that 81% of the lots on the block are non-conforming in width, and that most of the lots on the block and across the street are the same size as what the applicant is proposing.

Mr. Giordano stated there is no detriment and per C2, what is proposed is an improved zoning alternative as the aesthetics preserve the light, air and open space by not building one very large house on the lot, and further stating the proposed homes are not “cookie cutter” but 2 different types of houses.

Mr. Jackson added this is efficient use of the land as these are newer homes. Mr. Giordano stated the new houses will comply with all building codes, adding that older houses are more dysfunctional while new houses have desirable upgrades. Mr. Giordano stated applicant will pay into the Pedestrian Safety Fund for sidewalks and will comply with curbs with compressions for the driveways. Mr. Giordano stated as to shade trees, the 2 existing will have to be removed to make way for the dry wells. Mr. Giordano stated he walked the site with his client and the trees in the year yard will be kept except for one, they will replace the trees in the front yards, and the front yards will have dry wells in them. Mr. Jackson stated they will record by plat and they will place 2 new shade trees on each of the two lots – his client has no problem with that.

Mr. Vitale questioned whether the recharge systems required a certain amount of footage off of the property, to which Ms. Neumann replied “yes, 10 feet”. Mr. Vitale asked where the trees would be placed in the front yards. Mr. Giordano stated they will replace the necessary curbing and contribute to the Pedestrian Safety Fund. Mayor Sabosik questioned if they were proposing to keep the 20 x 10 foot asphalt driveway, to which Mr. Giordano responded they are not proposing to keep any existing asphalt.

Mr. Preiser asked if the fencing in the back yard belonged to applicant; Mr. Giordano responded affirmatively and stated applicant plans to keep the fence. Mr. Preiser then asked if applicant planned on keeping the fencing located on either side of the property, to which Mr. Giordano responded the chain link fencing on the left side of the lot belongs to applicant who plans to keep it at this point, and the other lot, lot 8, will be sold and improved but there are no fence changes at the current time.

Paul Grabowski, AIA, owner of Virtuoso Architecture, Sea Girt.

Mr. Grabowski stated proposed lot 9 is for the homeowner/applicant and the proposed home will have 5 bedrooms, 3.5 bathrooms, 2 car garage, and a finished basement. The second home is on proposed lot 8 and will have 4 bedrooms, 3.5 baths, a 1 car garage, finished basement and a larger front porch than the one proposed for lot 9. Mr. Grabowski added both homes will be fully compliant to the setback requirements. Mr. Preiser wanted to know if when the proposed lot 8 is sold, would Mr. Grabowski offer the plans for purchase, to which Mr. Grabowski agreed.

Chairwoman Bavais asked about the fifth bedroom in the first home, stating it is shown in the basement. Mr. Grabowski stated it is for guests and elderly parents when visiting, added that since Covid, so many people work from home. Ms. Bavais stated she was concerned about windows in the bedroom, to which Mr. Grabowski stated they are on the right side for egress. Mr. Vitale stated the drawings were very nice and he liked the layouts, and thanked Mr. Grabowski for designing two different houses. Ms. Bavais agreed, stating she agreed with Mr. Vitale and she also likes the plans. Ms. Neumann

stated she liked the fact the HVAC was not located in the side yards, but in the rear of each home, adding it was a nice feature. Mr. Vitale stated everything was very clean, with a 25 foot setback and that going forward, he would like there to be a stipulation that for the second house there be a stipulation for a 27 or 28 foot setback. Mayor Sabosik stated they were very nice designs, and that he did not like the chain link fencing.

Don DeFilipo, Point Pleasant

Mr. DeFilipo stated he owns all of the current fencing on the property, except the westerly wooden fence which is owned by his neighbor Joe, further stating he prefer white vinyl fencing and that the current chain link fencing will most likely be replaced with white vinyl.

Chairwoman Bavais opened the meeting to the public for questions. The following person came forward:

Virginia Sullivan, 911 Leighton Avenue

The meeting was closed to the public for questions.

Chairwoman Bavais opened the meeting to the public for comments or concerns. The following persons were sworn in by Mr. Montenegro:

Ryan O' Connell, 920 Ellison Avenue
Dorothy Shaffer, 915 Leighton Avenue
Joseph Dayon, 914 Ellison Avenue

Seeing there were no other members of the audience wishing to comment, Chairwoman Bavais closed this portion of the application.

Mr. Vitale stated parking has always been an issue in Point Pleasant and inasmuch as the Borough is a blue collar town, the wife has a vehicle, the husband has a vehicle and may have a work truck, and today we have a mom, dad and kids who are getting older which can add an additional 2 or 3 cars. Mr. Vitale stated what is designed here is 28 feet from the property line when only 25 feet is required which leaves ample parking. Ms. Bavais added that the house next door to her has a single driveway and when they did an addition, they created a wider driveway and now there is no need for parking on the street.

Ms. Neumann stated the coverage here for both building and lot is fully compliant, that they could have built a 4,500 square foot house but instead, one house is proposed to be 1,545 square feet with 20.6% coverage, and the other is under 2,000 square feet with 26.3% of coverage. Ms. Neumann offered that the applicant meets the C2 criteria, it is a very deep lot and they are respecting the setbacks. Mayor Sabosik stated the old house had no water retention, but they would have it with both of the proposed new houses

further stating that from an engineering standpoint, they are doing more to keep the water on the property.

Seeing as how there were no additional comments from the audience, Chairwoman Bavais brought the application back to the Board. Mayor Sabosik stated he loved the design of both houses, adding the architect did a phenomenal job of creating two different houses. Mr. Vitale stated it was a pleasure to see 2 houses with 8/10/13 foot setbacks, stating the depth and design were beautiful. Mr. Vitale asked Mr. Montenegro for any conditions, asking if they would have to stay with this footprint. Mr. Montenegro stated if there is a slight modification within the blueprint, they can return to the Board. Ms. Neumann asked if the shed would be removed, to which Mr. Jackson responded it will be moved or taken down. Mr. Montenegro read the proposed conditions.

Thereafter, a motion was made by Mr. Preiser and seconded by Mr. Potter to approve the application with the conditions stated. Roll call: YEAS: Andy Preiser, Fred Potter, Mary Jane Bavais, Robert Sabosik, Jack Vitale, Albert Faraldi NAYS: None

Exempt Site Plan Committee

Mr. Potter stated there was no meeting in November.

Environmental Committee

Mr. Faraldi stated he had nothing to report.

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

The meeting adjourned on a motion by Mr. Potter and seconded by Mr. Faraldi. All were in favor.

Respectfully submitted,

Claire S. Hense