

POINT PLEASANT PLANNING BOARD
September 26, 2024

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, Councilman Furmato, Mr. McHugh, Mr. Walker, Mr. Potter, Mr. Sestito

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

Absent: Messrs. Welch, Sestito, Archer

Chairwoman Bavais announced one of the Board's long-standing members, Jack Vitale, passed away since the Board's last meeting, and requested a moment of silence in his honor. There commenced a moment of silence after which Chairwoman Bavais requested everyone to keep his family in their prayers.

Chairwoman Bavais stated that the minor subdivision for the Gasiorowski matter regarding property located at 213 Ida Drive, will be heard at the Board's next meeting on October 10, 2024 and stated there will be no further notice.

Ron Gasiorowski, Esq. thanked the Board for their courtesies, and stated he wished to express his condolences as he had dealt with Mr. Vitale over the years and liked him.

The August 22, 2024 **Minutes** were approved on a motion by Mayor Sabosik and seconded by Councilman Furmato, with all in favor.

Chairwoman Bavais stated the Board has two **Resolutions** for review this evening, the first **Resolution** is that of First of Day, Inc. regarding property located at 2114 Lakewood Road a/k/a Block 169.01, Lot 34 and Block 39, Lot 1.

A motion was made by Mr. Potter and seconded by Mayor Sabosik to approve the Resolution. Roll call: YEAS: Fred Potter, Robert Sabosik, Mary Jane Bavais, Joseph Furmato, Jude Walker.

Chairwoman Bavais stated the second **Resolution** is that of Guy Warnken, c/o Chad Warnken, Executor regarding property located at 505 Barton Avenue and 2602 Herbertsville Road, a/k/a Block 47, Lots 6 and 7.

A motion was made by Mr. Walker and seconded by Councilman Furmato to approve the Resolution. Roll call: YEAS: Jude Walker, Joseph Furmato, Mary Jane Bavais, Robert Sabosik.

New Business

Chairwoman Bavais stated the Board therefore has one continuing **application** on tonight's agenda, that of **28 Foster Road, LLC** regarding property located at 2228 Foster Road, a/k/a Block 236, Lot 14.

John J. Jackson, III, Esq., Manasquan, came forward.

Mr. Montenegro stated Mr. McHugh had not listened to the earlier recording from that particular meeting and therefore would only be allowed to listen and ask questions but cannot participate in the vote. Mr. Montenegro stated therefore there are only 5 Board members who can vote this evening, to which Mr. Jackson acquiesced

Mr. Jackson stated he is here on behalf of the applicant, having been before the Board previously on July 25, 2024, and indicated he had a power point on the large screen television. Mr. Jackson stated when applicant was here the last time, the concerns of the Board members were that the houses were too large, and there were concerns regarding the parking so his client was advised/instructed by the Board to revise the plans.

Mr. Jackson stated the cookie-cutter concept was eliminated, and the applicant went back to the drawing board and created slightly smaller versions of what was earlier presented. Mr. Jackson stated they eliminated the third floor, there are no longer any basements, the first house is now approximately 2,373 square feet and the second house is substantially smaller in that it is now proposed to be 1,997 square feet.

Mayor Sabosik requested the sizes of the original houses. Mr. Jackson stated originally both homes consisted of 2,835 square feet of interior living space, and further stated applicant would like to create two 50 foot lots as the majority of homes in the neighborhood are 50 foot lots, and indicated the lot "bumps out" in the back at 6,250 square feet. Mr. Jackson stated the applicant could potentially construct a 7,000 plus square foot home consisting of 2 stories plus an attic. Mr. Jackson stated one of the advantages is they can't park on the narrow street and can get an abundance of spaces which will be addressed by the engineer.

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

A-2 20-page colored Power Point

Michael Goldstein, P.E., P.P., Van Cleef Engineering Associates, Toms River came forward. Mr. Montenegro stated Mr. Goldstein remains under oath from the last hearing.

Mr. Goldstein stated both of the originally proposed houses have been reduced in size as aforementioned by Mr. Jackson, and now have 4 spots in the driveways and 1 garage each. Mr. Goldstein stated they have reduced the width of both houses, have provided 2 shade trees on each of the lots and relocated the recharge areas to the front yards.

Mr. Jackson asked Mr. Goldstein if they now meet all the bulk requirements aside from the lot width and frontage. Mr. Goldstein stated they added to the exhibits showing habitable square footage for all houses on the block. Mr. Goldstein stated the two homes being proposed are not a substantial eyesore to the area. Mayor Sabosik wanted to know the average square footage of all houses on the street, asking if they were less than 1,200 square feet. Mr. Goldstein stated they did not do a specific average. Mayor Sabosik wanted to know how many houses are under 1,200 square feet, asking if there were more than 50% of the houses under 1,200 square feet. Mr. Goldstein stated not on the south side of the street but yes, they were more than 50% on the north side of the street.

Chairwoman Bavais wanted to know if they addressed the locations of the air conditioning condensers in the yards. Mr. Goldstein stated they would be placed in the rear yards of the houses. Mr. Jackson stated applicant has agreed to use quiet, efficient units. Chairwoman Bavais wanted to know how many trees were proposed to be taken down, to which Mr. Goldstein replied only one on the site, as well as 4 along the frontage. Mr. Jackson offered applicant can put hedgerows. Arborvitae or something for privacy. Board engineer Laura Neumann asked Mr. Goldstein if applicant agrees to comply with the conditions of her review letter, to which Mr. Goldstein replied yes, there are no basements and no habitable space in the attics.

Councilman Furmato stated the rooflines seem high, and asked if they were going right to the 32 feet permitted. Mr. Goldstein said the height is compliant, and added he had no objection to comment 6 by the Board engineer in her aforementioned review letter. Chairwoman Bavais wanted information on the driveway composition. Mr. Goldstein stated they will be pavers, adding there are no curbs or sidewalks currently on the street so they will match up.

Mayor Sabosik stated the house on the left side of the power point was 38 feet 8 inches, and the other on the right was 39 feet 8 inches. Mr. Jackson stated the houses will fit to the plot plans. Mr. Goldstein stated he has 39 feet 67 on the right, and has 6 feet for the porch which equals 45.6 on the other side of the house. Mayor Sabosik wanted to know if the house was the same length on both sides, to which Mr. Goldstein responded the garage sticks out and the front porch lines up with the garage. Mayor Sabosik stated one says 38.8 and the other says 39.8.

Michael L. Colucci, principal of MAC Builders, Route 88, Point Pleasant came forward. Mr. Montenegro reminded him he was still under oath from the last hearing.

Mr. Colucci stated he can lower the roof pitch to go less to be more in proportion to the other. Mr. Colucci stated he re-sized the houses, redeveloped them, and sat with some of the neighboring homeowners to be conscious of what they wanted. Councilman Furmato asked about the office on the first floor in the one floor plan. Mr. Colucci stated it can be utilized as an office to work from home, can be used for an aging parent or eventually the homeowner, adding there is a walk-in closet proposed but stated he

could change that to a shower and knock through the wall to the bathroom on the other side.

Chairwoman Bavais opened the meeting to the public for any questions about the application or of any of the experts. Seeing there were none, she closed this part of the application and then opened the meeting to the public for any comments. Mr. Montenegro swore in the following persons:

Henry Genthe, 2225 Wilson Road
Richard Maresca, 2229 Wilson Road
Dan Toth, 1111 Roberts Drive
David Mitchell, 2222 Foster Road
Joe Scaltrito, no stated address
Patrick Jeffrey, 2230 Foster Road
Laurie Scaltrito, no stated address
Vanessa Maestri, 2228 Wilson Road
Jason Barbato, 2231 Wilson Road

Mr. Colucci stated he attempted to address all of the issues, adding he could construct a 3,500 square foot home in the neighborhood but it does not fit, adding that housing is such a hard thing to have. Mr. Colucci stated people need housing, and added these proposed lots are more consistent with others on the street and are set back further.

Seeing as there were no other comments, Chairwoman Bavais closed this portion of the meeting to the public.

Mr. Jackson stated his client and his client's niece and nephew appreciate the time the Board has put into this matter. Mr. Jackson stated the predominance of the neighborhood is 50 foot lots and added these 2 proposed lots will have the same 50 foot frontage as almost all others on the block. Mr. Jackson stated the Board did not like the previous volume of the houses so his client went to the drawing board to create 2 smaller houses. Mr. Jackson stated this is why we have development, development makes a community. Mr. Jackson stated his client meets all of the bulk criteria.

Mr. Montenegro stated we will go forward with 5 Board members and added that Mr. McHugh is not voting. Chairwoman Bavais brought the matter back to the Board.

Mr. Potter stated 25 properties are 50 feet on this block, and 5 including this one are 100 feet. He stated the applicant returned to discuss size and parking, and stated he supports this application.

Mr. Walker stated he seconded Mr. Potter's observations and is in support of this application.

Mayor Sabosik stated he is torn, adding that applicant did a great job of making the houses smaller. Mayor Sabosik stated the one house, the smaller of the two, still has 4

bedrooms, and it appears to be a stacking of cars. Mayor Sabosik stated the builder's reputation is the best.

Chairwoman Bavais stated she agrees with the Mayor's comments.

Councilman Furrato stated these are 50 x 100 lots and he has a problem with that now. Councilman Furrato stated some of the roads are ridiculous, adding although the builder's reputation is great, they will be adding more cars while there is more traffic including bicycles and e-bikes, and stated the infrastructure cannot handle that.

Chairwoman Bavais stated our ordinances are there for a reason and this is a quality of life issue.

Mr. Walker stated at the last meeting when this was first proposed, he was very much against the application but tonight this is the reason why he is in favor of the application. Mr. Walker stated applicant significantly reduced the sizes of the houses, and added that as to car stacking, it can be done with any house on any given day. Mr. Walker stated if you drive up and down every street in the area, including Kilkare Parkway, etc., houses are large and these should all be handled on a case-by-case basis. Mr. Walker stated part of Point Pleasant is a welcome sign and we want families to come here, adding he understands what others are saying but he feels these homes would fit in.

Mayor Sabosik stated applicant made great strides in changing the plans, and suggested maybe applicant could sell the sides of the property to neighbors on either side and build a house for his nephew in the center of the lot, adding he just wishes the one house was smaller.

Vice Chairman McHugh stated he is really unsure but as Mr. Colucci stated, this town is at a crossroads with housing and this has been on his mind a lot. Vice Chair McHugh stated sooner or later we will have to deal with the housing crisis, adding we will have to figure it out but it is not our place as a Planning Board to do so.

Mr. Jackson stated they did not have a discussion about the 4th bedroom in the one house, but added applicant can revise the floor plan to make it 3 bedrooms. Mr. Potter stated people in town like to park on the street and unless you recommend to Council to have no street parking, we will always have that problem.

A motion was made by Mr. Potter and seconded by Mr. Walker to approve the application. Roll call: YEAS: Fred Potter, Jude Walker
NAYS: Mary Jane Bavais, Robert Sabosik, Joseph Furrato. The application was denied.

Chairwoman Bavais stated the Board has for review **Ordinance No. 2024-14** entitled "ORDINANCE OF THE BOROUGH COUNCIL, BOROUGH OF POINT PLEASANT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 19 OF THE BOROUGH CODE ENTITLED "LAND USE", TO INCLUDE THE REQUIREMENT FOR CERTAIN INFORMATION AND PLANS TO BE SUBMITTED IN

SUPPORT OF AN APPLICATION FOR A BUILDING PERMIT FOR A SINGLE-FAMILY HOME”.

Board Engineer Laura Neumann stated that basically, Council introduces Ordinances which are sent to the Planning Board for review of consistency purposes with the Master Plan. Ms. Neumann stated this is regarding the submission of documents in support of applications and is consistent with the Master Plan and it's objectives and goals, and therefore she takes no issue with it. Mr. Montenegro added it is consistent with the Master Plan. The Board unanimously agreed and instructed the Board secretary to advise the Municipal Clerk they are in agreement with same.

Environmental Commission

Mr. Potter read his September 17, 2024 report into the record.

Chairwoman Bavais stated she likes the idea of a community garden behind the library, and added they could have raised garden beds. Mayor Sabosik stated this could be an appropriate location and we could do shared services with the County. Mr. Potter stated the availability of water is a problem as none of the locations have water. Mr. Potter stated this will be presented to Council by the garden crew of the Pollinator Garden.

Vice Chair McHugh stated the town owned the whole tract where the library is located, but he is not sure they ceded the entire lot to the County, and the back lot might be owned by the Borough. Chairwoman Bavais said she doesn't believe the back lot belongs to the County, adding it would be good for the people who live in condos who do not have access to property to construct gardens and her only concern is the lack of sunlight in the back lot. Councilman Furmato stated the tax map shows it is Ocean County's and is exempt for the entire library property.

Councilman Furmato stated he will not be present for the October 10, 2024 Board meeting when the Gasiorowski matter is scheduled to be heard. Mr. Montenegro stated it is a presentation of a settlement plan.

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 Councilman Furmato and seconded by Mr. Potter. All were in favor.

Respectfully submitted,

Claire S. Hense