BOROUGH HALL, 201 EAST MAIN STREET
Incorporated December 30, 1887
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GEORGE R. DEMPSEY, JR.
Mayor

BARBARA ILARIA
Municipal Clerk

JOSEPH R. DeIORIO
Municipal Administrator/
Chief Financial Officer

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

The Manasquan Planning Board held a Regular meeting on Tuesday, July 5, 2011 in the Borough Hall, 201 East Main Street, Manasquan, New Jersey.

Chairman John Burke called the meeting to order stating that this is an Open Public Meeting published and posted according to law. He then asked everyone present to please stand and salute the Flag.

ROLL CALL:
Board Members Present:

Mayor George Dempsey	**Patrick J. Callahan**	**Joan Harriman**
Councilman Owen McCarthy	**James Coakley**	**John Burke**
Michael Sinneck	**Leonard Sullivan**	**Peter Ragan**

Professionals Present:
Geoffrey S. Cramer – Planning Board Attorney
Albert D. Yodakis – T & M Engineering – Planning Board Engineer/Planner
Board Members Absent:

John Muly	**Jay Price**	**Richard Read**

John Burke made an announcement explaining that Application #05-2011 – Joella and Harvey Malick's attorney sent a letter to the Planning Board requesting that their application be continued without further notice or publication to the August 2, 2011 Planning Board Regular meeting. James Coakley made a motion to approve the continuance, seconded by Leonard Sullivan all Board members were in favor of the motion, none opposed.

APPLICATION #10-2011 – Vierbuchen, John – 33 Old Squan Road – Block: 44.5 – Lot: 2.02, 3 – Zone: R-2 – Geoff Cramer swore in John Vierbuchen – owner/applicant, Brendan T. McHugh – Architect for the applicant and Al Yodakis, T & M Associate Board Engineer. John J. Vierbuchen, and Brendan McHugh, Licensed Architect in New Jersey. Mr. Vierbuchen said he is seeking Variance approval for his property at 33 Old Squan Road, the nearest cross Street is Sea Girt Avenue. His witness tonight is Brendan McHugh who is his Architect. His application is for relief of Section 35-11.8i, a covered front porch, a 3 X 5 is permitted, he is proposing 2.9-feet X 10-foot porch. Brendan McHugh took over stating John is doing some improvements to his home. He has added a couple of dormers up on the existing second floor. What we are here for tonight is this overhang and existing front door and front porch. When they originally looked at it they tried to make a 3 X 5-foot work but because of the existing opening which is about 6 ½-feet wide, it didn't make sense to sort of bring the scale down and abuse the door width and all that to make it appropriate. What we are trying to do here is to meet the scale in proportion to the existing house, keep the character of the neighborhood and use classical formations to

create a nice entrance way. The house as it stands is at the 25-foot required setback. They are looking to extend into those 25-feet by 2.9-feet. Now that would give them a front yard setback based on the review of the application by Dick Furey, the section that they were really asking for Variance from is 3-foot by 5-foot which is the covered front porch which can extend over the setback line. To answer your question it would be 22.3-feet. John Burke said ok instead of 25-feet. John asked Brendan if they have looked at the neighbor's houses and do you know what the setbacks are of the neighbor houses. Brendan said he looked at those and if you are facing the house the neighbor to the left is directly in line, we are at 25.3-feet so I would say they are right at 25.3-feet also. John Burke asked if they have any kind of a porch. Brendan said they do have a little front porch that actually has columns, we decided not to go for columns in this case. But their projection looks like it's 3 X 5 foot, it looks a little small for the house but it looks nice. Ours happens to have a larger front door opening and I wanted to pass around these photographs to show you what the existing house looks like in better detail. Geoff marked the photographs as exhibit A-1 which consisted of two photograph copies of the front of the house as it exists now. Brendan said those photographs show the existing porch area is about 10-foot wide so we are trying to match that, we're trying to give it a historical look by giving it a wider overhang. John Burke asked about the house to the right. Brendan said it's about a foot back and there is no overhang or anything. He said part of Mr. Vierbuchen's needs here is that we have an overhang so if it's raining, basically a place to put your keys in the door, you don't want to get soaking wet. Al Yodakis said with the existing windows on either side of the door you are really just putting the brackets outside of those. John Burke said let the record show that the architect is pointing to a large scale drawing that he has and all members have that drawing in their packets on a smaller scale. Patrick Callahan said he wants to point out that the three feet deep by five foot wide stoop is permitted in the setback, minimal, that's all you can have so he's basically going to be a little under that three feet depth he just wants to go to a width of ten feet. Board members commenting on the site plan were Owen McCarthy and George Dempsey. Motion to open the meeting to the public was made by Patrick Callahan, seconded by Joan Harriman, all in favor none opposed.

<u>Audience members coming forward</u>:

Mark Apostolou – 15 Cherry Place – He stated he is a neighbor of this young man, he came to speak in favor of this. He said on his block on Cherry Place they have approximately four homes that have porches. He thinks that porches add to the beauty of Manasquan. He just happens to really like that sense of who we are, the Town that we are. He said he saw an interesting study the other day and he doesn't know how true it is, but people were claiming that when decks were built in the backyards crimes went up because people weren't sitting out in front anymore keeping an eye on the neighborhood. There is also a positive aspect to this, when he invites me over for bourbon hopefully after this and a cigar out in the front so that we can just keep an eye on the neighborhood watch. He's a nice young man, he won't hold it against him that he's a retired Trooper, he's a good kid. He thinks it's in keeping with the format of what the neighborhood is and again he thinks it's going to improve the neighborhood. We do have four houses on my block that have about a 10-foot porch so he thinks it's a great idea and thank you for listening to me, it's great to be here, great to see all of you, thank you.

No more audience participation, James Coakley made a motion to close the public portion of the meeting, seconded by Mayor George Dempsey, all in favor none opposed. Councilman Owen McCarthy made a motion to approve the application as proposed consistent with what both the property owner, the Engineer and of course the public comment, he thinks that this application is consistent with the neighborhood and he thinks it is beneficial, he thinks whatever variation or Variance needed is minimal but he does think it will add to the character of the neighborhood for all the reasons articulated by all three individuals who gave testimony and spoke this evening. The motion was seconded by Lenny Sullivan.

<u>Board Members Voting Yes:</u>

Mayor George Dempsey	**Patrick Callahan**	**Joan Harriman**
Councilman Owen McCarthy	**James Coakley**	**John Burke**
Michael Sinneck	**Leonard Sullivan**	**Peter Ragan**

APPLICATION APPROVED

<u>APPLICATION #09-2011</u> – Klein, Jeff and Carolyn – 71 Wyckoff Avenue – Block: 94 – Lot: 7, 8.01 – Zone: R-2 – Introducing himself Frank Accisano is the attorney representing the Klines. He introduced his witnesses, Geoff Cramer swore in Jeff Kline, applicant/owner, Christopher Rice, architect for the project and also Al Yodakis, Planning Board Engineer/Planner. Geoff Cramer found the file to be in good order. Mr. Kline said he and his wife have lived at the address for about eight years. He gave the Board a general overview as to what he is doing and then Chris Rice will give the details. Jeff Kline said they are looking to put an addition to their home, they have three small children and they are looking to add some more bedrooms and a front porch to add more room for his family to live. Mr. Accisano asked Mr. Kline to explain to the Board what circumstances he is living with right now. Mr. Kline said currently they have one bathroom that they all share, it's not even a Master Bathroom, we have access from the hallway, access through our bedroom so only one full bathroom upstairs and a half bathroom downstairs. They are looking to add a Master Bedroom with a full bathroom for ourselves and then an extra room to accommodate our children. The house was built in 1925. There is no air conditioning; they have steam, hot water heat and no air conditioning. Mr. Accisano said assuming the Board gives you the approval to make the improvements there is nothing going to change in the Use, no additional cars. Mr. Kline said no. Mr. Accisano called Chris Rice. The Board accepted his credentials. He described to the Board what they are doing and what they need in terms of relief. Chris first addressed the Site Plan, he said basically there is the one Variance that we are creating which would be the front porch. The house that's there conforms, it's a huge lot. This area requires 5000 square feet we have over 15000 square feet. In terms of its area it's a triple lot. In terms of its width it's almost a double lot. What's interesting about the property most is that not only is it so big but there are a lot of small lots, small homes on that Street. This is probably the largest that he knows of on that Street. The house isn't that big as Jeff mentioned, so the addition they proposed all conforms. We have no issues at all; we are only at like 24% where 30% is allowed. In terms of all our coverage's, everything is fine. The front setback where you require 25-feet, we are at 25-feet today so in order to add a porch we would need a Variance. All of the neighbors next to us are all out well in front of us, the reason we

couldn't use that front yard average setback is there's two homes four doors away that are set way back. They throw the whole equation off. That's why we weren't able to eliminate that Variance. An 8-foot porch he thinks is standard at this point so we are going to ask for 8-feet, so that gets us to 17.6-feet where today we are at 25.8-feet. That will visually align pretty much with everyone other than those two. The house is sort of a classic center hall colonial; it almost looks like it doesn't belong on that block. It's nice but we just want to dress it up a little bit. We've got a lot to do inside of it; the additions are going to help. In terms of aesthetics we are going to maintain the open air porch, no intention of ever closing it. Chris had a Google map that Geoff Cramer marked as exhibit A-1. He said there are a couple of things we will get to later, one being the driveway width. Chris told Al Yodakis they are not asking for a Variance for the driveway width. The one Variance that also had to be included tonight is there is an existing detached garage on the property hopefully you got to see it. If you are looking at the house it's down the right side of the house at the end of the driveway. It's a great structure, it's as old as the house, and it's got these cool brackets, its better looking than the house. But, it's old, classical. It's their garage today, with this new addition they've got young kids, there's a lot going on there, the attached garage made a lot of sense, we have the property. It's something everyone in Manasquan would want but very few could have. It made sense to do the attached two-car garage make it part of the architecture of the house, so we'll be providing a new driveway. In doing that we'll abandon this driveway, but this structure is back and happens to be right next to their pool and the way it's used today is for bikes, strollers, pool toys, pool equipment, storage, and stuff. They would like to continue to use it that way but enhance it more as not so much garage space but more storage. We'd like to clean it up so two fold, we'd like to not only keep the structure, because it is a really good structure and have the right to fix it up, make it nice because it's right next to their pool. It really makes a lot of sense; there is a provision that you are allowed 100-square feet for an accessory structure, this one's 480-square feet. We wouldn't ask to do it if it was new, it's there, it's been there for 100 years, and it looks great. It goes with the house and since we're going to all this work to the house, it really enhances that. However, you are not going to see it anymore from the Street, so I don't see it as a visual thing like I know when you look at a 50-foot lot, you've got a house, detached garage, this is 15000 square feet all you're going to see is a house and you might see a hint of that garage in the back. I don't know in terms of the neighborhood, Zoning, the rest of us driving by I don't think we'll see it, if we did I don't think we'd think it was anything but the 100 year old garage that it is today. George Dempsey said yeah but it's almost five times what we allow and almost twice the height we allow. Chris said it is and it exists that way. George said yeah I know it exists but. Chris said and I wrestled with this and the Kline's did as well, but the fact that it was 100 years old, it's worth saving and the fact that it's right next to the pool, and the fact that we have 15000 square feet, just because we have a triple lot in square footage doesn't mean we think we deserve triple what you require, but we want you to consider letting us leave a really great structure that is there today, just leave it and use it for a new purpose in addition to doing these additions and I've got to tell you now the house will look like it fits the lot. He recapped the proposal. There's a lot going on in that Street, not all bad but there's a lot going on so we kind of like that we have a big lot. We feel a little more justified in doing what we are doing because we do have so much land to carry those structures. Mr. Accasiano said Chris there were several technical comments from Al Yodakis and also

from the Zoning Officer we can meet those? Chris said absolutely whatever occurred tonight we would of course do a grading and drainage plan and storm water management. The answer to what the driveway will be is pavers. John Burke asked Al Yodakis if he had any other questions on this. Al said he just looked up the section about driveways and it does reference at the curb line but then Section C of that says the driveway exclusive of curb return radii shall not exceed twenty (20) feet. Chris Rice said their intention obviously is to meet everything that they can. John Burke said so you can meet 20-feet on that rather than 21. Chris said he thought most important was 12 at the curb. Al asked about the steps coming down leading out to the sidewalk, are you going to put a front walk in? Chris said probably some pervious stone or something like that. Al said ok but that will be pavers or stone or something that won't be impervious, just worrying about the impervious coverage with making the driveway bigger. Al said he was sure somebody else would ask about the mechanicals but air conditioning units will be behind the building. Chris said absolutely. Al said everything else in the report was addressed and he had nothing else. Owen asked about the garage and as it appears now and you said that it would be storage and there may be some improvements done, minor. I guess one of the concerns that I have would be is this going to be converted at some point, are there any plans that you have now for this to be some type of guest house. Chris said no, because you can't. Mr. Accisano said just for the record Mr. McCarthy he asked a key question along those lines, it's not going to be heated or cooled. Chris said our primary focus is to save and keep that structure, over time they will make it cleaner, nicer, new lights, a little more attractive to be around. Leonard asked how do we make sure that happens if they sell the house. Mr. Accisano said if you want to impose a condition like that we can record a Resolution Geoff. *Geoff Cramer said one of the things the Board has done in the past Frank is to require a Deed Restriction on the garage usage for habitation purposes.* Mr. Accisano said that would be fine either that or record the Resolution, whatever your pleasure. Lenny asked about the front porch and if that was going to stay open. Chris said yes. Lenny said and will you make sure that stays open. *Chris said you can put that in the Resolution.* Joan Harriman had a comment, there is a new pervious paver with nubs on the side which controls how close the pavers can be which makes it a little more water pervious, she just thought maybe you could consider that. She said it's in New York in the Botanical Gardens. John Burke said the only thing is with all these pavers you can have the open pavers, you can have the ones with the nubs but if you put a really tight bed underneath, the water is not going to go through either. Chris said that's true, we don't have an impervious issue here, our driveway is now actually short compared to what it is now. The entire driveway on the north side of the property will be gone and it will be grass. Joan Harriman said the porch is 10-feet wide, how wide is the sidewalk? Chris said it will start at ten then it usually tapers to six or so, but again we may just do big blue stepping stones, whatever it is we'll be way under on impervious. Mayor George Dempsey made a motion to open the meeting to the public, motion was seconded by Councilman Owen McCarthy, all in favor, none opposed.

<u>Audience Members Coming Forward</u>:

<u>Janet Ostrander – 75 Wyckoff Avenue</u> – she lives in this little house, she thinks it's a very ambitious project, she would like some of the things to be explained to her. The open porch in the front, what about the side? Is it cut off at the side or does it wrap around? Chris had her come to his enlarged plan and described the porch design to her. She asked about

the setback from her property. Chris said its 5.25-feet where 5-feet is required. She asked if they were going up and Chris said actually no. She asked about the porch and how far around the house that would go. Chris showed Janet on the plans the design of the house and porch. She then said she thinks the garage is pretty big right now, how much bigger is it going to be. Chris said it's not going to be bigger. She asked how can you get more square footage and Chris said we're not. There was a misunderstanding, the garage that you know that is there today we want to just leave it there as it is. Ms. Ostrander said nothing is going to happen to it. She said so the only thing that is going to really affect me is this. Chris said you are used to having a driveway there now and that is going to be grass and then we will have an open wraparound porch that ends at the addition bump out. John Burke said but you are going to change the aesthetics of the garage. Chris said it needs a little bit of TLC, it's not getting any bigger, it's not getting any taller or any wider, we just have to make some roofing, siding and window repairs. Ms. Ostrander asked if something was going to be removed from it. Pat Callahan said an A Frame is going to be removed. Chris said that's on the opposite side from her though I didn't know if that mattered.

Reed Feuster – 85 Wyckoff Avenue – He said he lives at that house that's set back. He is here tonight in support of the plans; he thinks it will be a great improvement to the lot. It's going to allow the Kline's to use the big lot they have there in the right way and he thinks overall it's going to be a great improvement to the Street.

Shawn Feeney – 97 Wyckoff Avenue - In support of the Kline's as well he thinks this would be an aesthetically pleasing establishment to the block, the setbacks for both sides are very close. There are only two houses that he thinks have been grandfathered in due to their setbacks. He knows Fuester's as well as his neighbor setback as well. He thinks it will be a good addition to the block.

James Coakley made a motion to close the public portion of the meeting, motion was seconded by Joan Harriman, all board members were in favor none opposed.

Mr. Accisano gave his closing statement, they have no objection to the Deed Restriction suggested by Geoff Cramer, they will meet all the technical comments and would welcome a positive action by the Board, thank you.

Jim Coakley asked for the restrictions to be stated again. There will not be any heat or air conditioning in the detached garage, no mechanicals will go in there, they will be allowed to have electric in there, no food preparation areas at all. They can have a bathroom in there. The open front porch will be staying open. Geoff said and then Mr. Accisano you will also be complying with the recommendations suggested by the Board's Engineer, correct? Mr. Accisano said yes all the Technical comments by the Zoning Officer and the Board Engineer we will address. Owen McCarthy said Mr. Rice also stipulated that this would not be turned into an apartment. That's important for the neighbors to know that what's there is what will be kept there. The other stipulation was not to enclose the porch.

Owen McCarthy said subject to the restrictions as addressed by the Chairman he would be in favor of approving the application, his motion was seconded by Mayor Dempsey.

Board Members Voting Yes:

Mayor George Dempsey	**Patrick Callahan**	**Joan Harriman**
Councilman Owen McCarthy	**James Coakley**	**John Burke**
Michael Sinneck	**Leonard Sullivan**	**Peter Ragan**

APPLICATION APPROVED

Minutes from the Regular Meeting of June 14, 2011 – Michael Sinneck made a motion to approve, seconded by Joan Harriman, all in favor none opposed.
Mayor Dempsey abstained from voting on the minutes.
MINUTES APPROVED

Owen McCarthy said when the sub-committee met earlier this year, it was Pat, Geoff, Al, himself and Tom Carroll and discussed several recommendations that the Planning Board approved and the Council approved and then went to the Borough Attorney to be memorialized. One of them was to preclude and this received favorable comment from the Shade Tree Commission, was to prohibit plantings in the right-of-way other than those that are approved by the Shade Tree Commission. That is basically everything and it should be the area in between the sidewalk and the curb shall remain as pervious material. Really what this memorializes is that it's pervious material in between the sidewalk and the curb, except for trees approved by the Shade Tree Commission. Patrick Callahan said basically it was grass and pervious stone. Joan Harriman asked what about people that already have existing plants there, tall flowers. Patrick said that has been a problem in the past, we have asked them to trim them back and it's a constant maintenance issue and we can't depend on everyone to maintain those and they usually don't. John Burke asked will they be grandfathered or will they be required to take them out? Patrick said well they could be grandfathered in and we try to have them maintain them, but if we wrote this into Ordinance anybody that tried to put anything in we would have them remove it, but right now it's not very clear. Owen said there will be two or three more Ordinances that Mark is working on and he will be bringing them back. George said they are grouping a bunch of little ones together to keep the cost down. John said that means that our little committee has actually done a good job.

John Burke said the other thing we have to look at is the Town has talked to Mary about her minutes and it is the contention of the Borough Administrator that possibly Mary's minutes are too long and too detailed. They basically said it is up to us how Mary does the minutes what we are comfortable with and what Geoff is comfortable with. He asked the Board for any comments on the minutes. He said he made a suggestion that she possibly try to cut them back a little bit but that she only do what she is comfortable with. John said according to the new Robert's Rule of Orders they have a list of exactly the way minutes are supposed to be written. John said she puts everything in there basically to the point of where sometimes an attorney doesn't really need to get a copy of the tape, because she's got everything in the minutes. George asked Geoff how much detail we need if it has to go to the next level. Geoff said he thinks in the case of what Mary does with these minutes, they are very helpful because I do read them and I use them as something of a basis for doing the Resolutions. There will be times when questions come up about something that's in a Resolution that can't be answered with what's in the Resolution and you do have to go back to the minutes as like a separate resource tool to answer the question. So, I find them very helpful. I don't have any objection to the length of her minutes or the detail; he thinks it can be helpful. George asked if Geoff would prefer to keep them the way we are rather than abbreviate them. Lenny asked if you were leaving it up to Mary to decide what is or isn't important. George said we are a little different

situation from the Council, if we turn somebody down here and it goes to the next level, other than all of us listening to the tape, if we have abbreviated minutes instead of the minutes we have, we don't know what's going on in detail unless we have the minutes in detail and then Geoff would have to listen to the tape and if the minutes are abbreviated he's lost. Geoff said if you have to listen to the tape or the professionals have to listen to the tape it does cost the Borough more money because you would get a bill for that. Mary said once the minutes are approved you can write for destruction one year after their approval, which we have done. The typed/written minutes are for the life of the Borough. George said that's all the more reason to keep them. Owen said he thinks we also have to realize that the Planning Board and the applications that come in front of here at some point whether any of us are still on the Planning Board, it could be five years from now where there is an application, someone would be asking about something we heard tonight. We know Virginia Crossings when they returned to the Planning Board he thinks one of the things that was helpful was having minutes from prior meetings and looking at the comments. Looking importantly what the applicants and the objectors said, so he thinks that does make the job of people sitting on the Planning Board have a little better idea, knowing what people said. Lenny asked if we can't move to keep them the way it is. John said make the motion and Lenny Sullivan made the motion to keep the minutes being done by Mary the way that she does them now and continue to do it that way, motion was seconded by Michael Sinneck, all in favor none opposed.
MINUTES WILL CONTINUE TO BE DONE THE WAY THEY HAVE BEEN IN THE PAST

Next, was discussion on Virginia Crossing and the fact that the Patrick wrote to the owners and they said they were waiting for the trusses to be built by a different company. Patrick and the Borough Attorney and the Administrator are following up on the property.

Motion to pay the vouchers was made by Leonard Sullivan; the motion was seconded by Joan Harriman, all in favor none opposed.
VOUCHERS APPROVED FOR PAYMENT

There was no one in the audience so the meeting didn't have to be formally opened to the audience.

Motion to adjourn was made by Leonard Sullivan; motion was seconded by James Coakley, all in favor none opposed.
MEETING ADJOURNED AT 8:05PM

Respectfully Submitted,

Mary C. Salerno
Planning Board Secretary