

Minutes of the Jan. 6, 1981 Meeting of the Manasquan Planning Board. In attendance Chairman Dr. C. Tassini, Messrs. Donovan, Winterstella, Conrad, Stanley, Newman, Mrs. Danish, Planning Board Attorney J. Pandolfe, and Secretary Sue Frauenheim. Absent were Messrs Ianelli and Boulton

Workshop meeting opened at 7:30 PM by Chairman Dr. Tassini. Mr. Pandolfe brought up Informal Discussion held on Dec. 2, 1980 concerning the request of Schride Associates, represented by Mr. J. Giordano, attorney, for the Planning Board to recommend to Mayor and Council a change in zone on Brielle Road. This request was made on behalf of Schride Associates who would like to develop Lot 1-2 Block 136 into a Condominium-Residential site. Mr. Pandolfe reviewed Schride's request with the members and advised that Schride would be presenting their experts on traffic survey, water and sewer expert and also an expert on Demographic (density) studies at tonight's meeting. After hearing their presentations, the board could answer questions and also open the floor to the public for their comments. The Board could then advise Schride that they would like the opportunity to call upon their own experts, Consultant and Engineer and obtain their comments before making any decision. Jay advised the Board that the property could be rezoned PUD but this would mean there would have to be commercial property also. Board could also request zone be changed to PUR -(residential) and permit condominiums; could request change to multi-family. Board retired to public meeting room.

Dr. Tassini called meeting to order at 8:00 PM. Minutes of the December 2, 1980 meeting were discussed and Mr. Newman made motion to accept minutes; seconded by Mr. Stanley. All members in favor.

Dr. Tassini made the announcement that he would like to step down from Chairmanship and open the office of Chairman of the Plannin Board for 1981 for nominations and he made the motion to nominate Richard Newman, seconded by Mr. Stanley, all members in agreement.

Office of Vice-Chairman - motion made by E. Stanley to nominate Dr. Tassini seconded by Mr. Newman, all members in agreement.

Dr. Tassini made motion to have Board Meeting held on the first Tuesday of each month, seconded by Mr. Stanley, all members in favor.

Mr. Winterstella made motion to have the Coast Star as official newspaper for the Board announcements and the Asbury Park Press as the secondary, seconded by Mr. Stanley, all members in favor.

Mr. Stanley nominated Mr. Pandolfe as Planning Board attorney, seconded by Mrs. Danish, all members in favor.

Mrs. Danish nominated Sue Frauenheim as Secretary to Planning Board, seconded by Mr. Donovan, all members in agreement. Mr. Winterstella made motion to give secretary increase in salary in 1981 and Mr. Pandolfe suggested this be brought up at the February meeting. All members in agreement.

Mr. Donovan nominated Paul Szymanski as Board's consultant for services of expert as it may deem necessary to the Board., seconded by Mr. Stanley, all members in favor.

Mr. Winterstella nominated Wm. Farrell for Planning Board Engineer, seconded by Mr. Donova, all members in agreement.

Mr. Newman suggested Board review fees for various applications and made motion to discuss this at Feb. meeting, seconded by Mr. Donovan, all members in agreement.

Dr. Tassini turned the Chairmanship over to Mr. Newman. Mr. Newman praised Dr. Tassini's services with the Board for over twenty years. Members applauded Dr. Tassini for his many years of service on the panel and looked forward to his continued assistance as Vice-Chairman.

Mr. Pandolfe acquainted the audience with the application of Schirde Associates request to the Planning Board to recommend to Mayor and Council a zone change for that particular piece of property located on Brielle Road, known as Lot 136 Block 42, 100' on Brielle Road presently commercial zone and the rest residential. Property in question is 10.3 acres. Applicant is asking Planning Board to recommend zone change to Mayor & Council to allow them to construct what they are proposing. Mr. Pandolfe then introduced Schirde's attorney, Mr. J. Giordano. Mr. Giordano called on their architect, Hillyer Group from Princeton and introduced Mr. Wilson. Mr. Wilson presented their renderings of proposed development.

Mr. Giordano acquainted audience with their anticipated development of 108 condominium units; 31 - one bedroom units, 62 - 2 bedroom units and 12 - 3 bedroom units, selling prices ranging in the \$125,000 - \$175,000 bracket. Mr. Giordano then introduced Mr. Birdsall to present his findings regarding water, sewer and flooding problems. He advised present water system in this area 12" water main and their proposed development would put a demand of additional 24,000 gallons daily, approximately 2% of the capacity of this main. Regarding sanitary sewers, they propose to construct frost-free main under Watson's Creek and upgrade pumping station to handle increased flow. Their concern would absorb the cost. Regarding flooding, Mr. Birdsall their project would not be affected by Spring High Tide because of the elevation of their property. Board members presented questions concerning water demand on our system. Mr. Birdsall advised that he spoke to Boro Public Works Superintendent who informed him that this additional amount would not tax the present system. It is not large enough amount to cause impact. Mr. Winterstella asked Mr. Birdsall number of gals flow for a single residential. Mr. Birdsall advised 75 gal per person - three persons per unit max. for condo. Single family house could have many more persons. Mr. Giordano said at least 50% less for condo vs single home as they expect only 2 persons per unit in most of their units. Mr. Birdsall said single family home would use more water, 100 gals per person daily when you consider lawn watering, more clothes washing, more children using water, usually more than two cars in family, so more car washing, etc.. At this point, Mr. Steinfield, demographic expert advised that their studies show single family home has average 3 to 3½ persons and condo 2 persons.

Audience presented question of pressure loss on first Ave. Mr. Birdsall said only would 2% of full capacity of the main and would not interfere. On questions of flooding from audience, Mr. Giordano advised these units are on elevation higher than surrounding properties. They are one-half story above elevation and would not be necessary to evacuate people. Flooding condition exists, we would not be adding to it.

Mr. Giordano then introduced Mr. Steinfield of Bill Steinfield & Associates, Marketing Consultants. Mr. Steinfield worked for U.S. Homes and did market research and analysis and was asked by Schirde Associates to develop demographics as to kind of people who would live in condo, number of occupants, number of school children; number of units that would be rented, etc. He presented Condominium Demographic Study conducted at Channel Club Towers, Monmouth Beach, The Towers, Monmouth Beach, Barclay Woods, Brielle and Fairway Mews, Spring Lake Heights. His survey estimated number of occupants in Schirde development would be 2; total number of children 15, 65% would be year-round residents, 35% seasonal (April-Through Sept.); 15% fully retired, 85% older couples, children living away; 12% newly married or singles, 3% widows, widowers, divorcees, etc. Estimate that only 10% of units would possibly be rented since these homes would be in high price bracket.

Mr. Giordano then introduced Bob Nelson, Traffic Engineering Group in Belmar who conducted study on the effect on local traffic. Because of design of roads in development, traffic on Brielle Road would not be backed up any further than normal during peak hours. Drivers living on condo would be in the development waiting for egress onto Brielle Road. Peak hours on the road going to and from work 60 minute period

between 7:00 AM and 9:00 AM and between 4:00 PM and 6:00 PM. Summer peak would be after 9:00 AM and after 6:00 PM. Find during morning there would be 11 going in and 32 out; during evening 32 going in and 11 going out. There would be 62 opportunities to move 32 vehicles. Question asked what the impact would be on existing traffic. Mr. Nelson found that single family homes make trip to town 10-15 times per home; condos 5-6 per unit. Questioned about guest parking, Mr. Nelson advised that they will locate parking on outer perimeter of roadway. Roadway around development would be 22' wide and one-way traffic. No boats or trailers would be allowed in development. There would be ample room for fire apparatus, emergency equipment to get by.

Audience raised question of group rentals, Mr. Giordano advised there are regulations set forth by Condominium owners as to occupancy and rental. Controls maintained and credit checks made. Survey conducted shows owners of such condos occupy same during Spring, Summer and Fall. Rentals would be winter and would be tightly controlled. Mr. Nelson advised their Research Board has done studies on parking for these kinds of units. Need 1½ spaces for up to 2 Bedrooms; 2 spaces for 3 bedrooms.

Mr. Giordano summed up by saying the purpose of these hearings to provide Board with as much information so they could act on recommending zoning change. We looked at single family vs condos. The project will add to the enhancement of the community; sort to demonstrate water, sewer would not be problems and traffic would not be further impact. Financial impact and rates to your tax rate would be vital to your tax roll. We ask Board to make strong recommendation to Mayor and Council and respectfully request and suggest that you have Mr. Pandolfe and myself draft an ordinance covering this zone change. Mr. Newman mentioned that the applicant has provided the Board with all the information they have requested and the applicant has made a very good presentation. He asked the Board to consider having a Special Meeting before the regularly scheduled February meeting in order to pass on to our experts, all the data presented. He invited the public to the special meeting. Mr. Newman closed the meeting and went into Exec. Session.

Mr. Winterstella requested Board to hold Special Meeting as soon as possible. Mr. Donovan suggested all pertinent data be given to our experts and hold a Special Meeting Jan. 27th in order to insure greater time for experts to review project. Mr. Stanley made motion to hold Special Meeting Jan. 27th at 8:00 PM, seconded by Mr. Donovan. All members in agreement. Mr. Newman thanked public for attending and urged their attendance at Special Meeting and Feb. 3th regular meeting. Motion made to adjour at 10:00 PM, seconded and all in favor.

Project as proposed would have buildings covering 22-23% of the land. The road area less than acre, about 8%. Open land area - recreation, conservation, etc. would be 7 acres or 70%, including conservation.

One thing I have done - looked at it not only in terms of rezoning, but also option of the applicant going for Use Variance. Criteria is what would the benefits be to the community and what are the negative aspects of the proposal relative to the surrounding areas and other zoning ordinances. My presentation concerns both these aspects.

I have been a consultant for the Boro for three-four years and when I was associated with Candeb, Fleisig we worked with planning board in preparing and updating Master Plan. We did an analysis of the entire boro and certain decisions were made as to what should be the zone of those pieces of vacant land. I helped prepare ordinances. I have been associated with the Boro and know where they were several years ago. The Planning board has been mindful with everything I have presented to them, and as in the past, they reserve right to make their own decisions. I am just an advisor and not the formulator of their policies.

Using this map I would like to review locational analysis relating to land use and zoning.

Project is 10 acre site, generally vacant, including commercial area. East of site is Castaways Motel on Brielle Road. The property is unique in that it is surrounded on three sides by water, Brielle Road on other side. Across street B-2 is restaurant, boat repair, boat storage, tackle, marina - all very busy in Summer. East is R-3 single family homes on lagoon. R-3 area requiring only 3400 sq. ft. lots. Rear of properties on water. Yellow portion of map is built up area. Below property vacant land, parking lot R-3 zone. Across Watson Creek, Glimmer Glass Harbor and what is called Greater Mallard Park Neighborhood - 5000 sq. ft. lots single family R-2. Park located across Watson Creek. Fringe area along Watson and Glimmer Glass Harbor lined with boat docks, summer storage and some winter storage. Boro of Brielle located West of project. Haven't gone into analysis but it is residential along Fisk and Green Ave and located down road on Fisk is Casablanca. Rest of area island usually inundated by water - natural state.

Across Brielle Road, S.E. approximately 50 acres owned by several property owners, Boro one of them. Planning Board in Master Plan and Mayor & Council in Zoning reclassified these acres PUD - mixture of townhouses, single family, 25% land is open space conservation. Ordinance encourages B-2 commercial into PUD; restaurants, boutiques, motel, -attractive to tourists- bring dollars into Manasquan. I bring this up because this is important consideration to what possibly could happen in the entire section. While this is a specific request by applicant, there is of course the overall larger picture.

Other features Brielle Road two lanes - wide enough for 4- narrowing at bridge. (at this point audience laughter interrupted Mr. Szymanski and Mr. Szymanski made comment "I am not working for applicant ladies and gentlemen". There is bridge that opens and road narrows continuing onto Fisk to Rt. 71 or Green Ave to 35 into Brielle and shopping area. We would hope shopping down in downtown Manasquan.

Site itself is vacant. In a sense it is unique. It is isolated from any other properties. In visual contact but in terms of connection with other land it is substantially self-contained, dependent only on Brielle Rd. to get in and out. In a sense it has the ability to be self-contained development regardless of how it is developed.

One of the things to keep in mind, whatever happens in this area, the Boro has several entrances into the community and what is the image. To a great extent the bor has remained somewhat stable for a long time, and in some sections stagnant; we know in the beach area itself homes built for seasonal rental could be upgraded by owners for a variety of reasons. They aren't used year-round. We knew we wanted to do something to improve the image and upgrade the boro where needed and I think this is one of the things that made you make the decision on PUD. We had option of keeping single family homes and also turning it all into park and it was your decision to go into Planned Unit Development and provide maximum protection of those environmental area. In a sense those types of concepts are true about the project site.

I tried to review my minutes, but I'm sure some of the considerations being raised with this request, were raised about this piece of property two years ago. There was an option we brought to the Board. In addition to single family some type of Planned Development could have been applied to the property in question tonight, but you decided to stay with single family use.

I think it is obvious that I feel the zone change as being requested would not have a negative effect on the zone ordinance that exists. Nor do I feel it would have a negative effect on any of the surrounding area and property. Based upon my review of the Land Use analysis and documents have been presented, I personally feel the Planned Development concept lends itself to the development of that piece of property and as I said, this was an option discussed when we did the Master Plan Update.. This type of development would provide maximum open space - 70% - PUD 25%. One of the reasons for so much open space is parking under the building. If parking outside, less open space.

One of the requirements or considerations for any development is that they come under N.J. Coastal Area Facilities Review Act under its Coastal Management Program where the policies, and I think it goes back to your decision on PUD, support and direct development of planned and cluster housing rather than a spread out development, like conventional single family R-1 zone. Any planned development, forget this one, or any new development, especially planned unit that has good architecture and unique features would have a tremendous impact - this is a major entrance into the resort area from Fish over the bridge. Whatever happens to this piece of land, a development like this could say "we are trying to do something in this area - image and character of Manasquan". If it is retained single family character that would be reflected. But again because of your prior decision of how to treat the 50 acre area you sort of made a decision before that we are going to permit cluster housing in this section of town. This is geographically the same area of the boro. As I said before, the option for development of conventional 7000 sq.foot would be 100% building, parking and gravel, except for conservation which can't be built upon, wouldn't be many open areas and no change of public access to the water. With this type of development proposed, there would be at least some access to water. Of course, this would be required by Cafra and could be built into any ordinance if the zone were changed.

Jay Pandolfe: Have you analyzed differences between single family residential and planned relative to ratables.

Paul: Yes there are differences. I had prepared pro and cons.

One thing you have to keep in mind, we are here to discuss principle relative to rezoning for the concept. The density question is not locked into this application. The applicant shows 105 units, but the board has the option and policy to decide. In the PUD area we maintain density of 6 units per gross acre overall. I believe the net affect was that the net land usable would 8 units per acre. This project proposes 10. If you go in that direction because the application suggests 10 does not mean the ordinance has to be 10. It could be same as PUD. Would have to reflect your own policies. One concern, however, if you let this be high density, could haunt you on PUD property. Properties are not same but polices are involved. You have to give serious consideration. Right now any comparison I would give would be on 105 units vs 35 single family.

Jay: I think the board needs to know what is the difference between what is allowed now and what applicant proposes.

Paul: Start with Taxes. Applicant has prepared for you a review of cost revenue analysis based on 108 units. We are now talking about 105. It isnt my intent to go through their documents but they had indicated the sale of these units, flat, duplex, townhouses attached homes. They are not proposing Garden Apts., and no difference than the options available under PUD. There is no law ^{requiring} that a house must be for sale or for rent. Somebody could build single family homes and rent. You can't control ownership.

Mr. Newman, Chairman: Applicant stated these units would cost between \$100-150,000. Spending that much money would a client want to rent his home to someone.

Paul: I think there will be some rentals. This is the nature of area for rental. I spoke to a realtor today to see if price range of \$100-150,00 is reality and he concurs. Depends on individual's requirement - rent Summer or off-season.

- 1) Trend on Jersey Shore has been for all-year round occupancy. You can see this in Manasquan.
- 2) Many areas of N.J. this type of housing replacing single families. Not new. Been around for 15 years or longer. People buy single family, raise children-children go to college- they are empty nestors who want their own home but not so many rooms.

As Mr. Sternfeld's report says maybe 35% would rent, for a period of time. For example, new homes on Marlin between 2nd and 3rd are being rented.

Regardless, with condominium there is a Homeowners' Association who govern maintenance of grounds, pools, roads, snow removal, garbage removal. Roads are not dedicated. Association takes care of all these facilities. Owner pays mortgage to bank, pays monthly maintenance fee. This is how PUD works.

One of the requirements the board could effect as part of approval process along with preliminary site plans and prior to final approval would be a copy of the Association document. Also contain clause that no property owner could rent to group. I do not feel that group rentals as we know them in the beach area would happen in these homes assuming they come in under the price being offered.

Continuation of
Testimony of Paul Szymanski, Consultant for Manasquan Planning Board.
Special Meeting January 29, 1981

If they are going to be renting some of the units they would rent for not less than \$300-\$400 or more. Den could become bedroom. However, again, restrictions on rentals could be in rules and regulations of condominium association. If rules said no group rentals and owner rented to group they would be in violation.

This is true with PUD - no group rentals would be allowed.

J. Boulton- PUD is big piece of land. Land in question is always under water.

Paul: Soil Conservation analysis indicates the basic area is all organic and unpredictable. PUD has been filled in and there are also sections there like the property in question tonight. You can't isolate this piece of property. Everything here is subject to 8' flood. You have hundreds and thousands of people living here in Summer, and they live under the same threat as the owners would here. Homes built on Deep Creek had to be raised. Any homes built in the area have to be raised. You can't raise the road.

This property is going to be developed. If people think that every piece of vacant land will be vacant forever, that is something else. If that is the position the Boro wants - to consider this property for preservation - they can buy it as public land. But some one can come in right now and build 35 homes and you would not get some of the benefits you would get with this type of development. Your're still going to get development.

In terms of the Hillyer Group Study, these units would sell in the \$100,000-\$150,000 area. As I stated I checked with Haws & McAfee to see if they felt something like this could demand these prices. Hawes and McAfee said \$100,000 would be a reasonable beginning price. They felt this type of development, if well designed, could get \$100,000 and up. So in effect, the number for possible revenue are reasonably conservative. Naturally, if \$80,000 homes than the revenue would be different. If what is presently proposed to be built is done it would reflect \$12 million dollar investment. This would reflect \$329,000 tax revenue (all taxes considered). I would say the Boro's share would be \$59,000. If you take the number of people in the boro you come up with \$117 per person. $\$117 \times$ no. of people to live in proposed development- say 300-310 project municipal cost of \$36,00 is obtained. Actual municipal cost lower because association maintains street, lighting, trash removal, snow removal. Revenue produced out of this 110,000 more than cost. As a planner I have done similar studies and this within ball park. Boro cost would be less because of their own services.

I spoke to Mr. Morris, Supt. School in terms of school impact. Hillyer's report took school budget divided by number of kids anticipated to live in development approximately 42. Mr. Steinfeld's survey indicated 15 students. Based on Rutgers University and other criteria, bedrooms, etc., I estimate 40 might be maximum to come out of development- 20 H.S. 20 Elem. In terms of cost, maximum might be one new teacher in elementary. When you consider additional revenue available to school budget from this development average cost of pupil could be reduced. Reduction in tax somewhat - will not be increased. Could be \$170,000 "profit" revenue over cost in school budget line for this project.

School district is declining. Functioning at capacity 850 students in H.S. overcrowded based on standards have staggering shifts. However reduced by 50-100 every year so introducing 20 to H.S. over a three-four year period, because it would take that long to build this development, would have no real effect on the H.S.

Elementary School is 200 students below capacity. Plenty of room to handle children.

A similar kind of analysis was done by me when we did PUD showing 50 acre development, 8 units acre - 340 units. Even that was acceptable by Boro in terms of sewers, water, school district, taxes. Never did a big study but it was discussed and I had personal contact with people.

In terms of taxes for development under existing zone R-1 single family detached homes - 32 -35 homes. Small lots, 10' apart no open spaces I would estimate selling price of \$80,000 giving you a 2.5 million dollar project. This is 1/6th of the value of the proposed complex. Based on 48% assessment rate and fact that your revenue received is 1/6th - total tax for all jurisdictions would be \$60,000, Boro's share would be \$10,000.

In the frontage we have about 3/4 acre available commercial B-2 development Assuming buildings cover 30% of the land - anyone would have to come in with site plan showing setbacks, parking, landscaping, etc. Probably one story building. We don't permit apartments in that area except in business districts so they could put one over each building. 30% 3/4 acre would be 7000 sq.ft. at approximate cost \$80 sq.foot construction - \$720,000 - assessed 48% tax \$400,00 - net to Boro approximately \$13,000. Cost to Boro for maintaining streets, lights, snow removal, garbage removal, whatever services you provide would be \$114-117 per person. Let's be much greater in terms of taxes for proposed development. I would say it would be a loss to Boro.

John W. What about school situation with single family homes?

Paul: With 32 homes you would get 20 students. If maximum of 40 with the condos requires hiring of one teacher, 20 students with single home would require one teacher. You would end up with same cost for 20 as 40. Revenue considerably less with 32 homes than with condos.

John W. - You mean with 32-35 homes 3 BR you would only get 20 students?

Paul: Today you have smaller families. You would get preschool and college kids. You find all kinds of family groups: Two working parents, singles If there were two children per home you would still end up with 40 same as with condo but more revenue from condos.

Actually school is no problem on dollar revenue.

I don't want to get into engineering questions, but I foresee no problems. Your site plan requires applicant to pay for improvements. Your engineer's report covers this area. I will say in the summer you have increased population even without this proposed development. I don't feel it would cause any more problem.

I spoke to CAFRA today. I get the impression they would rather see a Marina in there. My opinion is you don't need another marina. CAFRA's policies to

preserve wetlands, want cluster development but want marinas. With Master Plan you felt there was no need for marinas. I'm sure you would go to open spaces rather than marinas but you chose PUD. With CAFRA these are suggested policies, they are not demanding. I raise this point for your information and the applicant's also.

Applicant's demographic study reports 2 people per unit. I did one analysis and came up with 2.28 persons per unit which is not a great increase over their 2. So 2.28 for 105 units come up with 240 persons if 100% occupied. In the winter may be only 65% occupied. Obviously you are having to have more people in Summer, because of the nature of the area. 1-2 bedrooms and dens or family rooms- these will be for relatives coming down for summer. So in Summer you may have 300 people. This is no different than anywhere else in area. The additional use of water, sewer, etc by these people is small compared to hoards that come into Manasquan for the beach, Osprey etc. Those things are here. We are not talking about pristin 5 acre community rolling hills of Bernardsville, where all of a sudden somebody wants to come up with 10 acre condominiums. We are talking about a section of the boro which is very dense now. You know yourself along the beach there are two houses on one lot. Somehow people cope in summer; find parking places; you find a spot in waterCondo has their own recreational facilities.

As far as traffic, I called State and Monmouth County and there are no other traffic counts. The survey done by applicant shows 2500% increase in summer. The cars that will be coming in and out of proposed site will not be a problem. The problem I think, frankly, exists under the zone now. The 35 single homes will not be a problem. They will have same characteristics and trips. But under the zone you can have 2-3 stores - 9000 sq. foot shops, parking for 30 cars, if not more. If the stores are active uses, available in summer also, laundry, bait and tackle, bakery you will have people in and out all the time making left and right turns onto Brielle. In terms of use the single control in and single control out is better as planned by developer.

On Brielle you have to sneak in. That could happen on this site if you had 2-3 entrances to commercial businesses. In the winter, Sept. 15-through May 1st very quiet. Just three month period is going to be active. But you already have busy and active 3 months and it will be forever. It is not going to go away. I sound like I am working for the applicant, but the point is I do not think the proposed uses would have any detrimental impact. I feel the project makes good sense in planning not only for the piece of land but also for the Boro. From revenue point of view we just can't let these numbers escape. Even the taxpayers shouldn't let these numbers escape. If this is the magnitude something like could produce, imagine what magnitude PUD could produce if it happens. I feel the project as proposed offers special consideration by you members of the Planning Board and those members of the Council. It offers broader range of house type that we spoke about during Master Plan update. It helps by being the first stage in upgrading that area of the boro.

Rezoning doesn't do anything. It costs boro some money for getting something printed, a couple of meetings and a public hearing. Nothing is going to be built until after the result.

The applicant comes back with plans. Could be a two year development review of any documents by the board before they would even consider approving it. There are certain guide lines and requirements under the law. There are certain stages. Environmental Dept would require certain documents. CAFRA is going to be a lot of cost for the applicant and take a lot of time for all its review.

Given the nature of this piece of property, I don't believe it will have any negative effects on real estate - it will have positive effect and I am not a realtor. It will effect real estate value not only for those home close by but for those on Perrine Blvd. Whenever I am brought into a situation I think it is great to have a real estate agent's opinion on value of proposals.

I think something like this compared to backdoors of 31-32 squeezed in box homes like on Marlin, is more pleasing view to look out; more open spaces to see; no clothelines with bathing suits. You won't see things you see elsewhere in beach area, which I think conventional development would produce. You will see positive visual effect on the horizon and increased land value. People will want to live there just to look at this thing.

My feelings, knowing Manasquan and your opportunities are very strong for this proposal. I am not riding the fence. I am leaving it up to you. I have given you my professional opinion as a Planner for eighteen years doing work in New Jersey for many municipalities; even municipalities that have turned this applicant down. I think that for your situation, given this piece of property, zone request, condition that exist, everything we have discussed, in my opinion no negative effect even if he went for variance. It would be the best interest of the boro to change zone because this would be first step in changing image of this rundown portion of the boro.

(At this point Board member J. Bolton asked questions concerning types of buildings to be erected. He had been absent from previous meetings and Paul gave brief description of what buildings consisted of, explaining what condominiums are.)

Paul concluded his presentation.

Minutes of Mansquan Planning Board Special Meeting held Thursday Jan. 29, 1981
8:00 PM. Members Present. Mr. Newman, Tassini, Donovan, Winterstella, Bolton, Ianelli
and Mrs. Danish. Mr. Conrad absent. Attorney J. Pandolfe and Secretary Ms. Frauenheim
present.

Chairman R. Newman opened meeting at 8:05 PM and presented a plaque to past
Chairman Dr. Tassini for his many years of spending many hours to the Mansquan
Planning Board.

Mr. Newman opened the meeting and gave the audience a little background on the
request of applicant, Schride Associates for a zone change on Brielle Road
Block 136 Lot 1-2 and informed them this was the third meeting with the
applicant. Applicant has presented his concept of how to develop the property
if the Board and Mayor & Council approved a zone change. The Board has heard
from Schrides building consultant, architect, engineer and marketing analysis.

The Board had requested their engineer and consultant to view the applicant's
request and present their comments, views, etc. to the Board.

Mr. Newman read a report from the Board's Engineer, William Farrell concerning
his review of the effect of the proposed development on the existing public
facilities, including water, sewer, roadways and floodplain. Proposed construction
of a sanitary sewerage pump station with a force main under Watson Creek to the
to the existing pump station on Perrine Blvd. appears acceptable. A more detailed
analysis is required to evaluate the concept of providing a gravity sewer connection
to the sewer in Brielle Road for use during period other than summer months.
He sees no problem of overtaxing existing system. Mr. Farrell's summation was that
if a zone change were to be considered, the Zoning Ordinance must be amended to
provide design criteria to control proposed type of development. Based on the information
received to date, it appears the proposed use of the site is reasonable if properly
controlled by an amended ordinance.

Mr. Newman advised that the Board would go into Executive Session to hear their
consultant's report. After Mr. Szymanski's report, the meeting would be open to
the public for their questions.

Mr. Szymanski reviewed reported submitted by the applicant, read minutes of
the Board's meetings and did an analysis of the entire boro surrounding the 10
acres in question. Mr. Szymanski felt that the Planned Development Concept as
proposed by the applicant lends itself to the property in question. He presented
comparison between Condominium and single family homes. Condominium supplies own
garbage pick up, snow removal and street and light maintenance. The tax rates
would be beneficial to the community; there would be no impact on school.

After Mr. Szymanski's presentation, Mr. Newman moved for motion to move out of
Executive Session. Motion made and carried. Questions concerning influx of people
affecting traffic, water, sewer. Why was area zoned R-1 under New Master Plan
2 years ago - why need to change now. Most members of the audience expressed
opinion they would prefer single-family homes rather than multiple dwellings. Were
concerned with flooding conditions on Brielle Road; expressed concern over what
might happen if development were started and sales stopped - would be left with un-
finished buildings. Questions and opinions of builder's qualification and developer's
integrity and reputation were introduced by the audience. Mr. Newman had to remind
audience that the board's main concern was how the change in zoning would affect
the Boro and the issue at hand was not what type of buildings would be erected,
would height buildings, etc. This would come under the Site Plan Requirements of
the Boro which the Board has complete control of. However; at the present time the
Board is most concerned with the concept that is being presented and would like
to evaluate all the expertise information being presented, and will not be influenced
by personality conflicts. They would appreciate any comments, opinions etc from

from the audience concerning the proposed development but would request they refrain from derogatory remarks concerning any of the personalities present.

The board heard all questions and comments presented by the audience and thanked them for their sincere interest in the community. Motion made and carried to move into executive session.

Mr. Ianelli mentioned that the Board is here for a rezoning request not for decision on the kind of buildings to be constructed.

Mr. Pandolfe advised Board that they can:

1. Deny application
2. Grant and recommend an ordinance be written for submission to Mayor & Council that zone be changed.
3. Board can decide either at this meeting or at their regularly scheduled February meeting.

The board has been presented with lot evidence from you representatives and from the applicant's representatives. You must consider is the concept they are presenting better than the concept that exists. Take into consideration all evidence presented. Mr. Newman asked board members if they were prepared at this time to make a decision or if they would like to mull over everything that has been presented, and defer decision to next meeting. Mr. Newman asked applicant's attorney Mr. Giordano if he would like to say anything further in his client's behalf.

Mr. Giordano advised that they have presented a very carefully designed concept and would remind the Board that this unique piece of property is quite different from the properties now zoned PUD. PUD calls for other than residential, i.e. multiple, marinas, motels, commercial, etc. The Boro's site plan is the crucial point. We would adhere to whatever the requirements are. We want to upgrade the area and are greatly concerned with the safety of the residents during emergency situations. We would design a project for safety. The condominium would have a Condominium Association who sets rules, regulations for the home owners. If they felt a High Wheel Emergency Vehicle was essential to insure safety to the homeowners, they would so require same. New State Laws requires developers to disclose all facets of flooding conditions, traffic, etc. to the owner. Structure, safety, etc. are within the Board's province to control through your Boro's Site Plan. and would be hopeful the Board would recommend a zone change to Mayor & Council.

Mr. Donovan made motion to hold final decision until next meeting in February, seconded by Mr. Winterstella, all members approved.

Meeting adjourned at 11:30 PM.

Sue Frauenheim

Next Meeting Tues. Feb. 3, 1981

Testimony of Paul Szymanski, Consultant for the Borough of Manasquan's Planning Board, given at a Special Planning Board Meeting Held on Thursday January 29, 1981 at 8:00 PM in Borough Hall.

I have been requested by the Manasquan Planning Board to review applicant's request for a zone change on property in question on Brielle Road. I have done a thorough analysis and review of the rezone request by the applicant; also reviewed the material applicant has submitted to the board the past two meetings; I have done an analysis on my own and also contacted the basic source of the material.

I am able to make a presentation to the board tonite in terms of the question before you and the implications relative to the Planning Process in Manasquan and zoning ordinance. I can either proceed with the presentation or answer questions on your part.

There are two things to keep in mind. While the applicant is requesting a zone change and has prepared, for illustrative purposes, renderings on just how these 10.3 acres might be developed, you might have questions on type of buildings, layout, trees, etc. but I think the first question is relative to the concept and land use principles as it relates to the Boro of Manasquan. The pictures are the thinking of the applicant relative to the zone.

I have a map I would like to present which shows the property in question and surrounding areas. It is an irregularly shaped piece of land known as Glimmer Glass, 10.3 acres currently zoned R-1 Residential which requires 7000 sq.foot for single family homes. But that is not the only zone. The first 100' along Birelle Road is zoned B-2 which is for retail stores; laundry, marine type commerical uses. The green area on the island is deemed Wet Lands identified on the Master Plan as Conservation Zone. Applicant's request is in effect that the Board consider rezone from current zone to a planned development zone. Under Municipal Land Use there are a few options, but applicant has requested Planned Unit Development.

(At this point Mr. Newman, Chairman of Manasquan Planning Board asked Mr. Szymanski if the developer wanted to build single family homes, how many could be built.) Mr. Szymanski's reply: Well you have 10.3 acres to start with, but considering wetlands, roads to be built, etc. you would end up with approximately 7 acres buildable land and maybe 40-50 lots 7000 sq.foot each. From road area would still be zoned B-2 and 2-3 commercial stores built. Because of irregularity of land and dimensions, I would think 35 homes could be built. This would meet building and zoning requirements. Under the ordinance requirements are not very demanding. 7000 sq. foot, however only requires 50' wide lot, 10' apart, leaving 5' side yards. So in effect 35 homes would be, frankly, jammed into the property and without any open spaces. Anyone who would develop, would have to maximum development. The point is that you play straight arithmetic with 10 acres; take away one acre for the commercial zone; take away 1-2 acres for roads; take away wetlands, consider irregular shaped property, you would only end up with 7000 sq. ft lots, and could only develop 35 maximum lots to meet requirements of ordinance

I don't mind answering questions but I have prepared comprehensive analysis and if I can go right through would save time.

Minutes of Mansquan Planning Board Meeting held Tuesday Feb. 3, 1981. Members present: Messrs. Newman, Tassini, Bolton, Donovan, Ianelli, Donovan and Mrs. Danish. Absent were Messrs. Stanley and Conrad. In attendance Boro attorney, J. Pandolfe and secretary S. Frauenheim

Mr. Newman opened meeting at 8:00 PM. Minutes of the January 6, 1981 meeting were accepted by Members. Secretary advised the minutes of the Special Meeting held on January 29th were not completed at this time.

Mr. Newman acquainted the audience with the request of Schride Associates for a zone change on Brielle Road as it pertains to their property Block 136 Lot 1-2 and that the Board has heard and read reports of the applicant's representatives as well as the Manasquan Planning Board expertise. Mr. Newman opened Meeting to Public.

Question as to just how many meetings applicant had with CAFRA directed to Mr. Giordano, who advised they had an initial meeting to present their proposal and have since had subsequent meetings. We would adhere to all their conditions. Question asked if applicant had alternative plan to develop property if their rezone request was denied. We have a broad plan for approximately 49 single family homes.

Question asked why has applicant come before Planning Board - shouldn't he go before Zoning Board. Mr. Donovan advised the audience that the applicant had requested an Informal Discussion to get the opinion from the Planning Board as to their proposed development, and request for zone change. Applicant has made knowledge that he plans to develop 105 units. If a zone change was made, this does not mean he could build 105 units. Applicant would have to come before the Planning Board with a site plan. Planning Board can tell applicant you only can have 60 units or any other things we would want to stipulate under our Site Plan Ordinance.

At this point, Mr. Brennan, Schride Associates, asked to speak to the Board and members of the audience. He advised them that he wanted to develop that particular piece of property for something it is best suited for. We would like the Board to accept a concept not a change as to specifics. I see this development as the momentum against the type of beach front dwelling that currently exist on Brielle Road. This development would hopefully get other people to develop properties up along the beach. We are proposing a substantial commitment - \$12 Million and the Planning Board will have tremendous opportunities to review them. What presented is a concept. We would work with the Board in the development of something that is good and will benefit the whole town. We are trying to show that the concept makes sense.

Mr. Bolton asked Mr. Brennan if by increasing the density 10 per acre would this have an adverse effect on the PUD which calls for 6 per acre. Mr. Brennan advised the Board has control over that, even if you approve what we are asking, a zone change, you control what we build. You can tell me what we have to do or we don't get Board approval of site plan. Would have to comply with your requirements.

Question asked by audience to Mr. Brennan that rumor has it if ^{board} % did not grant approval for this zone change Mr. Brennan would put up low income houses. Mr. Newman reminded audience this was not issue at hand and Mr. Brennan did not have to answer. Mr. Brennan elected to answer and assured audience he never has, past or present, considered low income houses. Rumors follow all developers and are 99% untrue.

Audience asked questions concerning DEP, wetlands, etc., were advised that development would adhere to all requirements.

Questions again arose re flooding conditions on Brielle Road and audience again reminded that applicant's proposal would not add to flooding. At this point, Mayor Donovan acquainted audience with the fact that flooding has been a problem for many years. The Boro is currently working with Dept. of Transportation concerning the reconstruction of Brielle Road. Our application for aid is still there and is still alive. At this point Mr. Girodano, applicant's attorney advised that at one of the earlier meetings he pointed out that the whole project they are proposing would have substantial economical benefits to the town. These would be \$100,000 plus homes, self-contained, self-supporting. The tax rates would be helpful in getting the road reconstructed. This is not a high-rise will not be heavy congestion traffic wise. Summer problems and flooding are there. We would not add to it. We would have our own high wheel equipment to help the whole community. Give us the opportunity to present site plan

Chairman called for meeting to go into Executive Session. After reviewing all reports presented, Chairman asked members for comments. John Winterstella made motion to recommend to Mayor & Council that property in question be rezoned Planned Unit Residential not to exceed 8.5 units per acre. Jerry Ianelli seconded motion. Members discussed what impact this 8.5 per acre would have on the PUD zoned area which calls for 6 units per acre. Motion Again presented to recommend change. Members voted 4 against 3 yes. Dr. Tassini made motion that we do not recommend change in zone to Mayor & Council, seconded by Mr. Donovan. Members voted. Members voted 6, 1 abstain.

Mr. Lee Morton was in for informal discussion with Board regarding development of nine lots on Morris Ave. Currently unpaved, no sidewalks, no sewers, no water mains. Mr. Morton wanted to know if he would be responsible for both sides of street.

Mayor moved that Planning Board attorney and Boro attorney be directed to investigate exactly who would be responsible for improvements. Seconded by Dr. Tassini.

John Winterstella brought up question of businesses on Pearce and Parker in residential zone and also brought up property on Potter that was changed back to Public Open Space and resolution was passed but Official Map should be changed to show this.

Due to lateness it was decided to put these last two items on agenda for March. Motion made by Mayor, Seconded by Winterstella.

Motion to close meeting made by Ianelli, seconded by Newman.

Next Meeting Tuesday March 3, 1981

Sue Frauenheim

minutes

Minutes of the Manasquan Planning Board Meeting Tuesday March 9, 1981. Members present: Dr. Tassini, Messrs. Donovan, Stanley, Conrad, Winterstella, Iannelli, Bolton and Mrs. Danish; Attorney J. Pandolfe and Secretary Sue Frauenheim. Absent Chairman R. Newman.

Secretary brought to the attention of the Board that she had made an error in the minutes of the Jan. 29, 1981 Special Meeting and in the minutes of the regular monthly meeting held February 3, 1981. The error was made with reference to the Lot and Block of the property owned by T. Brenna, Schride Associates who had an information discussion with the Board concerning the development of this property. The Correct Lot Number should be 1 and 2 and the Correct Block 136. Secretary had corrected the copies of the minutes that were posted on the bulletin board in Boro Hall as well as corrected original copies of the minutes.

Dr. Tassin questioned the word "billed" in Paragraph 5, page 2 of the January 29, 1981 minutes. The correct word should be "presented" and secretary was directed to correct all copies. Motion then made to accept minutes of January 29, 1981 and February 3, 1981 with above noted corrections. Motion carried and all members in favor.

Discussion held on Minor Subdivision Application of James J. Campbell, purchaser of Lots 10 and 11A Block 44D McGreevey Drive. Mr. Campbell's lawyer presented as Exhibits A, copy of the contract of sale between James Campbell and owners, Richard & Elizabeth Hueber dated October 15, 1980 and a letter of extension of contract. Present Lot #10 approx. measures 69' across and Lot 11A- 34' approximately. Applicant requested subdivision so each lot would measure 51' to allow buildable lots. Mr. Pandolfe advised Board subdivision as presented conforms to 50x100 requirement of R-2 zone and he saw no reason for denying applicant's request but suggested applicant notify the Township of Wall since property borders on Wall Township and also to notify Monmouth County Planning Board. Mr. Winterstella made motion to approve subdivision with above conditions; seconded by Mrs. Danish. All members concurred.

Mr. Winterstella introduced Mr. Moore, owner of Car Condition located on Lot 49, Block 63, Pearce Ave. Mr. Moore had posed a question to Mr. Winterstella early in the week regarding this property be zoned R-2 while across the street was zoned B-1. Mr. Moore requested the Board to consider the re-zoning of this property since it has operated as a business for many many years. Mr. Pandolfe advised board that if Mr. Moore rented or sold his present Car-Conditioning business, the new rentee or owner would have to keep the same business or apply for a Use Variance and any application for a use variance would have to be approved because of hardship. Mr. Winterstella made a motion that the Board recommend that Mayor and Council rezone Lot 49, Block 63 to B-1, seconded by Mrs. Danish; all members concurred. Mr. Moore was advised that a letter will be written to Mayor and Council requesting change and if zone is changed, a new ordinance would be introduced at public meetings.

Dr. Tassini presented bill from Paul Szymanski for his professional services rendered in connection with the Schirde Associates request for rezoning of Lots 1 and 2, Block 136, Brielle Road in the amount of \$720.89. Mr. Pandolfe had discussion with Boro Attorney Ken Fitzsimmons and the intent is that we could pass the bill along to Schride Associates along with Wm. Farrell's Engineering fee. Mr. Iannelli said Schride was only before the Board with Informal Discussion not site plan review. Mr. Donovan made motion to send bills to Schride attorney, J. Girodano for payment, seconded by Mr. Danish. Passed by vote.

Jerry Iannelli requested that perhaps Jay Pandolfe and Boro attorney, Ken Fitzsimmons could rewrite the ordinance governing fees for minor, major subdivisions, site plan review, informal discussions, etc. and spell it out specifically - if experts needed to review, applicant pays. Motion made to authorize Planning Board attorney to get together with Boro attorney and look into question of fees. Motion seconded and passed.

Secretary brought to Board's attention that the Official Map of the Borough of Manasquan should show the change in zone for the property located at Northwest Corner of Potter and Cedar Aves to Parks & Open Spaces. She was advised by Mr. Szymanski that it is not necessary to change all zoning books, maps, etc. but it is required that the Official Map of the Borough show correct zoning. Secretary will write letter to Mayor & Council.

Concerning informal discussion of Lee Morton on February 3, 1981 regarding nine lots on Morris Ave., Mr. Pandolfe advised the Board:

1. Area contains nine lots. One side of Morris Ave. can be developed, part of the other side can not - zoned Conservation.
2. Mr. Morton wanted to know exactly what improvements he would be responsible for if he developed the nine lots.; curbs and sidewalks on both sides, water main, sewer lines, resurfacing of road.
3. Under our Major subdivision ordinance, the Board has the authority:
 - a. require curbs, sidewalks on one side or both sides or none
 - b. ordinance says if no other land in the area gets special benefits, the developer bears all costs of improvements. If Planning Board decides that lands in the area will also benefit from the major subdivision approval, than the cost would pro-rated and developer pays only part. The town would incur rest of cost and pass it on by assessment. If surrounding land is not buildable, and no benefits derived, developer would bear costs.
 - c. Street has 2" water line but if nine houses go in then might have to put a main in. Developer does not want to pay cost of whole main. Developer has letter from Mr. Wooley that says the boro would bear the cost. Jay advised the letter is old and property originally subdivided under Law of 1896. He would have to find out how binding this letter is.

Mr. Donovan advised Board developer could not put in a sewer line. Developer would have to go to South Monmouth Regional Sewer Authority and he would have to bear full cost of connecting to Regional Sewer.

Mr. Morton was not at the meeting.

Mr. Donovan made a motion to increase Secretary's salary \$75 per year, seconded by Mrs. Danish. All members voted approval.

Dr. Tassini brought to Board attention an advertisement by So. Mon. Mult. Service for sale of a 2-family house located at 327 E. Virginia Ave., Lots 22/23 Block 128. This house is a one family house with a rented room. Turned over to J. Iannelli who will contact realtor to correct listing.

Motion made at 9:15 PM by Mr. Stanley to close meeting, seconded by Mr. Winterstella, all members in agreement.

Minutes of the July 7, 1981 meeting of the Manasquan Planning Board. All members present except Messrs. Winterstella and Ianelli.

Workshop meeting at 7:30 to discuss Site Plan Application of Mr. & Mrs. K. Hartranft for addition to building located at 161 Main Street (Ralph's Market.) and subdivision Lot 17 Block 65. Attorney Jay Pandolfe advised Board that applicant meets all zoning requirements. With reference to the garage that exists on the property in question, Mr. Pandolfe advises that we can not make him move an existing non-conformity. There is no reason the board could deny sub-division but applicant has to come in with site plan when he develops newly formed lot created by sub-division.

Meeting to called order at 8:00 PM by Chairman Newman. Minutes of the June 2nd Planning Board meeting were approved by all members.

Mr. J. DePlessi, attorney for applicant presented subdivision and site plan for property located at 161 Main Street, Lot 17 Block 65 and advised the applicant wished to add an apartment over one-half of the building to be occupied by Mr. & Mrs. Hartranft and family; and to subdivide lot into two lots - rear lot to be developed in the future. Mr. DePlessi submitted as evidence letter from the Borough of Manasquan to Mr. K. Hartranft's father (owner of property) stipulating that the owner not be assessed for curbs and sidewalks since the owner had deeded property on the then Squan Plaza over to the Borough. Letter dated February 11, 1957. He also presented copy of the deed in which the property was turned over to the Boro. In 1956 Mr. Hartranft Sr. deeded property 70 x 170 feet located on what is now Abe Vorhees Drive, to the Borough. Mr. Pandolfe advised this could be subject to interpretation. It could mean that the Hartranfts could be subject to any assessments for construction on Abe Vorhees Plaza itself. Mr. Pandolfe will be in touch with Boro Attorney Kenneth Fitzsimmons regarding this agreement. Mr. Newman made a motion to approve subdivision and site plan with following conditions. (Motion seconded by Mr. Donovan and approved by all members):

- 1) Building of apartment subject to approval of Code Enforcement Official.
- 2) Subdivision granted subject to a) proposed 10' right of way be either increased or decreased in accord with recommendation of fire inspection official of Boro. If changed in size, an appropriate subdivision map shall be prepared showing the new subdivision as changed by fire inspection official's recommendation. b) subdivided lot shall be leveled and graded and loose stone shall be installed, c) blacktop area directly behind 161 Main St. be redone up to subdivision line and appropriate fire zones marked on blacktop area in accord with fire inspection official. d) applicant eliminate driveway on public portion in front of property between Bertucci and Hartranft property and install curbing in line with existing curbing over said drive and install sidewalks over existing driveway. f) all sidewalks in front of 161 Main be replaced where necessary, cracked or uneven. g) applicant will install lights on rear of buildings to illuminate back parking area. h) construct fence on easterly side of property from Main St. intersection south to proposed subdivision line and westerly along proposed subdivision line to the westerly line of property..
- i) applicant submit final site plan for approval within time limits provided by board.
- j) applicant install curbs and sidewalks and driveway entrance on Abe Vorhees Drive in event Boro Attorney determines the Boro is not responsible for installation of same under prior agreements between Boro and applicant's predecessor in title. In event attorney determines The Boro is responsible for improvements, applicant shall not have to install same.

Mr. Newman presented bill received from Planning Board attorney, J. Pandolfe for fees from January 1, through June for \$1100. Motion made, seconded and approved to pay same.

Motion made by E. Stanley to end meeting at 9:00 PM, seconded and approved by all.

Nex meeting Tuesday August 4, 1981 8:00 PM.

Sue Frauenheim

file

Minutes of the Manasquan Planning Board Meeting Tuesday June 2, 1981
Members Present: Messrs. Newman, Donovan, Stanley, Winterstella and Ianelli.

Meeting called to order by Mr. Newman at 8:02 PM. Motion made, seconded and approved to accept minutes from the March 9, 1981 meeting.

Mr. Stanley advised the Board Members that he had attended a meeting in Spring Lake with adjacent Borough officials concerning the possibility of salt water intrusion into our water supplies. He said the Englishtown Aquifer has no early warning system. Said we should have a warning system so we will know when there will be salt water intrusion. Mayor advised that there was no program in effect however, Rutgers has an on-going study of salt-water intrusion in all Monmouth County Aquifers. Mr. Newman asked what Manasquan could do about this. Mayor advised it is up to the county to develop a program which would include a warning system, but we should participate in the development of the Manasquan River Basin.

Application submitted by Mr. & Mrs. Hartranft, 161 Main St., Lot 17, Block 65 for addition of an apartment over portion of existing store. Applicant was not in attendance due to misunderstanding of meeting date. Plans submitted by applicant were building plans only. Secretary requested to contact applicant and request they submit more complete and detailed site plans. Board felt a fire zone should be included, parking facilities, and perhaps closing off the Main St. entrance to driveway between this building and Maria's restaurant. Secretary will schedule hearing for next meeting.

Mr. Ianelli advised that Wight Agency had been advertising for sale 350 E. Va. Ave. as a two-family house. He requested they discontinue as this was misadvertising. Wight Agency will comply.

Motion made, seconded and approved to end meeting at 9:15 PM as no further business to discuss.

Sue Frauenheim
Secretary

Next Meeting 7/7/81

Minutes of the August 4, 1981 Meeting of the Manasquan Planning Board held in Borough Hall. In attendance Messrs. Newman, Donovan, Stanley, Conrad, Iannelli Bolton and Dr. Tassini and Mrs. Danish; Planning Board Secretary and Planning Board attorney.

Meeting called to order at 8:05 PM by Chairman, Mr. Newman. Motion made, seconded and approved to accept minutes from July 7, 1981 Planning Board Meeting.

Mr. Newman read letter received from Mr. F. Bertucci, owner of property located next door to Mr. Hartranft of 161 Main Street, trading as Ralph's Market. Mr. Bertucci was questioning the Board's decision to approve Mr. Hartranft's site plan with condition that the driveway located between the two buildings be eliminated and curbing and sidewalks installed on the Main Street entrance. Mr. Bertucci owns half of this driveway. He also questions the board's recommendation that the Hartranft's fence the property down the driveway on easterly side of their property.

Mr. Bertucci advises that he uses the driveway as entrance to his property and now that the rear portion (formerly owned by Alconquin Theater) has been sold, he is afraid he will be land locked. Board advised that the new owner of the rear property would have to come to the Board for any improvements and Board has alternative to recommend that an easement be put in for owner of front property to have entrance and exit to his property, for his own use as well as for first aid and fire department to use. Mr. Pandolfe will be in touch with the Boro Attorney to find out all legal aspects, such as the fact that Mr. Bertucci and former owners have been using the Abe Vorhees entrance and exit drives for many years and this may have legally constituted an easement; also if there is legal problem re garbage trucks entering and exiting. The Board does not want to create any hardships for Mr. Bertucci and secretary will write to Hartranft attorney advising the board is looking into these matters.

Mr. Miller, Fire Inspector, advised the board that he felt the 10' right-away located on Hartanft property should be enlarged to 12' and Board concurred with the recommendation. Secretary will advise Hartranft's lawyer of this change and request maps, etc. show same.

Mr. Miller also questioned Board's decision to make Hartranft erect fence in alleyway and down property line. Advised Board that fences are hazardous to fire and first aid. (This will be discussed with Boro attorney)

No other business, meeting was adjourned at 9:30 PM.

Sue Frauenheim,
Secretary

Next Meeting Tues. 9/1/81

Minutes of the September 1, 1981 meeting of the Manasquan Planning Board. Members in attendance: Messrs. Donova, Newman, Stanley, Conrad, Winterstella, Tassini, Ianelli and Mrs. Danish; Planning Board attorney, J. Pandolfe, and secretary S. Frauenheim.

Meeting called to order at 8:00 PM by Chairman Newman. Secretary was advised to make correction in minutes of August 4 meeting pertaining to the Board having alternative to recommend an easement be included in any development of property behind Maria's restaurant to enable Maria's to have entrance and exit to property. Secretary had typed that the Board would insist an easement be included. Secretary will make correction.

Board heard application of Mr. Thomas Schwier, 313 Trenton Blvd., Sea Girt for Minor Sub-division of Lot 1 Block 58A located on Highway 71. Mr. Schwier intends to sell small sliver of his lot to Dumphey-Smith to enable Dumphey-Smith to square off his property. Attorney advised sub-division conforms to zoning requirements. Motion made by Mr. Stanley to approve subdivision, seconded by Mrs. Danish. All members in agreement.

Chairman Newman read letter he received from Boro Attorney, Mr. K. Fitzsimmons concerning George Hartranft's application for subdivision and site plan approval of Lot 17, Block 65. Mr. Fitzsimmons was asked to look into a 1955 agreement between Mr. Hartranft and the Boro wherein Mr. Hartranft donated property on Squan Plaza to the Boro with the condition that the Hartranfts not be assessed for any installation of curbs, sidewalks or improvements on their property bordering Squan Plaza. In Mr. Fitzsimmons opinion, it would be improper to require Mr. Hartranft to install a curb and sidewalk along the southerly line of his property. Mayor made motion that the Board rescind condition that applicant install improvements on southerly end of property, as per condition J of Resolution 8-1981. Seconded by Mr. Stanley. All members voted approval.

Chairman Newman also read portion of letter from Boro Attorney pertaining to condition E of Hartranft Resolution 8-1981 concerning elimination of the driveway on the public portion in front of the property between Bertucci and Hartranft property and install curbing in line with existing curbing over said driveway. Mr. Fitzsimmons' opinion is that the Board can enforce this condition. Board discussed the Fire Chief's recommendation that drive be kept open as it used by emergency vehicles. Mayor Donovan made motion that Board allow driveway to remain as drive and Board request Mayor & Council to restrict use of drive for emergency vehicles. Seconded by Mr. Stanley, all members in agreement. Applicant to repair broken apron of drive.

Concerning the Condition H wherein applicant to construct fence on easterly side of building from Main St. Intersection southerly to proposed, motion made to eliminate fence down driveway, seconded and approved.

Mayor Donovan made a motion that the Planning Board Attorney write to the Boro Attorney to have him further pursue the wording in documents wherein property was donated to Boro on Squan Plaza with condition the property owner would not be assessed for any improvements. Motion seconded by Mr. Stanley, all members in agreement. Secretary

Mr. Ianelli brought up possibility of error on Zoning Map pertaining to Lot 25, Block 35 Osborn Ave. The Master Plan and the Tax Map show this property to have a frontage of 128' and the zoning map 98'. There is also some discrepancy as to part of the property being zoned industrial and part residential. Mr. Ianelli advised that Mr. Osborn had been in to see Construction Code Official for a building permit and was given a temporary permit. After discussion, motion was made to write to the Construction Official and have him proceed with the issuance of a building permit. Motion seconded and approved. Motion also made to put this matter on the agenda for the October meeting and for the Board to recommend to Mayor & Council that this error on the zoning map be corrected.

Chairman Newman advised Board that the Monmouth County Planning Board were holding their annual dinner for Planning Boards on October 5,1981 at the Squire's Pub in West Long Branch and tickets were \$15.00 per person. Mayor Donovan advised members that these dinners are very informative and helpful and he would like to see members attend. Mayor made a motion that cost of tickets be taken out of Planning Board Budget, seconded by Dr.Tassini.All members in agreement. Members were asked to let the Secretary know who would be attending.

All old business attended to,Chairman opened the meeting for new business. Mr.A. Bowers,Vice-President of the Manasquan Preservation Association requested permission to read a letter addressed to the Manasquan Planning Board from the Association. Letter referred to the preservation of Fishermans Cove and suggested the most important step is for the Borough to acquire those portions which are now privately owned. They also suggested that Mayor & Council be urged to appoint a committee to include members of the governing body, the planning board and general public to investigate the acquisition of the land and funding of the purchase. Mr.Newman thanked Mr.Bowers for his presentation and advised that the Planning Board will give consideration to their request. Secretary noted that subject will be put on Agenda for the October meeting of the Planning Board.

No further business, motion made by Mr.Stanley,seconded by Mr.Ianelli for adjournment.

Sue Frauenheim,Secretary
Manasquan Planning Board

Next meeting Oct.6,1981

Minutes of Work Session of Manasquan Planning Board held Oct.22,1981 at 7:30 PM in Boro Hall. All members with exception of William Conrad in attendance.

Minutes of Oct.6,1981 meeting read.Motion made and carried to approve minutes.

Mr. T.Schwier of Sea Girt gave a presentation of his proposed development of property on Route 71,north of Stockton Lake Blvd.,bordering R. R. He plans to put up storage warehouses - not for public use - for use by businesses in Manasquan. Presented architectural rendering showing only one entrance and exit driveway (combined driveway); one story buildings. He advised Board he will apply for stream encroachment permit from state. Hours open will be from 8:00 AM; 5:00 PM. After Mr.Schwier's presentation,Mr.Paul Szymanski, Plan.Bd.Consultant reported his comments on the proposed site plan.Would like to see the driveway on Route 71 reasonably flat; sufficient turnaround area; landscaping, etc. Mr.Schwier will go ahead with site plans and apply for formal siteplan hearing for December meeting.

Mr. Veeder presented new site plans. Board advised they would like curbs around perimeter of property involved.Mr.Szymanski, Board Consulant presented his comments and suggestions re shade trees, drainage,curbs, sidewalks, etc. Mr.Newman read comments of Boro Engineer, Wm.Farrel re connecting sewers to First Ave, drainage from rear yards.

Board reviewed all comments. Motion made to require curbing around perimenter (were not already curbed).Motion seconded and carried; requested applicant to submit plans to shade tree commission for their review of planting of trees.

Applicant will obtain necessary easements, shade tree commission comments.Board attorney will contact Engineer for alternate route for sewer line. Application to be carried over to November 5,1981 meeting.

Mr.Gross,representing Schride Associates propsed development of 39 lots major subdivision on Brielle Road, Lots 1 & 2, Block 126. Mr.Newman submitted copies of Boro Engineer's comments to each Board Member concerning:

- 1)special floor hazard area - with elevation of 8' mean seal level.Matter should be further addressed by applicant on future submissions.
- 2)Applicant should provide soil reports with recommendations from a soils engineer prior to designing improvements necessary.
- 3)Regarding sanitary sewer a report and calculations should be provided concerning adequacy of Brielle Road System.
- 4) information should be provided concerning effect on fire flow in beach area during time of peak water demand.Plat should show location of main.
- 5)plat should show CONservation areas.
- 6) Board should consider desirability of that porition of subdivision adjacent to Brielle Road where prpopsed dock and parking area located.
- 7)Regarding intersections,recommend applicant eliminate one intersection.
- 8) width of Brielle Road (Fish Ave.)should be shown to assure additional width requirements if necessary do not interfere with lots fronting roadway.
- 9)Lots fronting Brielle Road should be buffered
- 10)stabilization of shore line should be considered through installation of approp. shore protection measures.

Paul Szymanski,Board Consultant presented his comments.Zoned Area B-2 does not permit residential and Zone change would have to be handled through governing body,and Master Plan ammended which requires Public Hearings.

- 2) Entrance should be redésigned to show only one entrance.
- 3)Houses on Brielle Road should face side road rather than Brielle
- 4)need Cafra to review wetlands portion and also DEP
- 5)proposed dock and parking would need CAFRA approval
- 6)deed restrictions need fo insure no development of wetland properties.

Board reviewed all comments. Will ask Boro engineer to review flooding possibilities and applicant installing improvements relative to flooding problem.

Mr. Gross will come in for Site Plan Application for December meeting.

No further business, meeting adjourned.

Sue Frauenheim

next meeting Thursday Nov. 5, 1981 7:30 PM Agenda:

- 1) Minor Subdivision - Lot 14, 15, Block 22 Church St. David & Mary Messick
(see attached plat)
- 2) Continuation of Veeder Major Subdivision Salmon Avenue.

Draft of Minutes of the Oct. 6, 1981 Meeting of the Manasquan Planning Board held in Borough Hall at 8:00 PM. Members present were Messrs. Newman, Stanley, Donovan, Conrad, Bolton, Ianelli, Planning Board Attorney J. Pandolfe, and Board Secretary S. Frauenheim. Also in attendance Boro Engineer, W. Farrel.

Minutes of the Sept. 1, 1981 meeting were reviewed and motion made and seconded to approve minutes. All members in agreement.

Mr. Dave Veeder, Marlin Ave. presented his Major Subdivision Lots 1 & 2 Blocks 183B/184 on Salmon, 16 lots for the building of 16 single family homes. He presented as evidence Exhibits A, B, C - the three types of homes he will build. He presented as evidence Exhibit D, list of property owners within 200' notified by Cert. Mail of application; Exhibit E, his Affidavit of Publication announcing the hearing of his application; Exhibit F statement of taxes paid on property; Exhibit G Letter of Intent; Exhibit H letter of authorization from American Timber Co., owner of land, authorizing application. Planning Board Attorney advised the board that Mr. Veeder's application conforms to all zoning requirements. Mr. Veeder introduced Mr. Birdsall, engineer to answer board questions concerning sewers, water, drainage. Mr. Birdsall advised there would be very little impact on water system. Mr. Farrel had discussed this with the Superintendent of Water Works of Manasquan, and their review indicates that the water and sewer would be acceptable to the Boro. Pompano line is at capacity and applicant has redirected flow to First Avenue and this should not present any problem. Mr. Farrel asked applicant if an easement has been received from the owners of the other properties bordering project. Mr. Veeder advised he had spoken to American Timber Co. however he will get letter in writing.

Mr. Farrel pointed out to the board that they should consider question of curbs and sidewalks on Third Ave. side of project; they are provided on Salmon but not on 3rd. Primary concern is lot drainage. Grades along rear line have slight pitch or fall and you may have problems with this type of grading. Engineer would recommend under-drain system be installed. Mr. Farrel discussed hydrants with Boro Water Works Superintendent and they are satisfactory.

Mr. Veeder advised Board he has an agreement with owner of land, Mr. Carl Yard, for 10 year lease, after which home owner negotiates with land owner.

Mr. Newman advised Mr. Veeder hearing will continue at which time he can offer additional testimony and Board will offer its own expertise. Mr. Donovan made a motion to move into Executive Session, seconded by Mr. Bolton. All members in agreement. Mr. Stanley made a motion to hold Special Work Session Thursday Oct. 22, 1981 at 7:30 PM., seconded by Mr. Donovan. All members in agreement. Secretary to send notice to papers. Because Planning Board's next regularly scheduled meeting is for Tuesday Nov. 3rd and this is Election Day, Mr. Stanley made a motion to hold November meeting on Thursday Nov. 5, 1981 at 8:00 PM, seconded by Mr. Donovan. All members in agreement. Members voted to have Consultant, Paul Szymanski at workshop meeting on Oct. 22nd and Boro Engineer, Mr. Farrel. Secretary will send letters. Mr. Donovan made motion to go back to regular meeting, seconded by Mr. Bolton, all members in agreement.

Mr. T. Schwier of Sea Girt next on agenda for informal site plan discussion for the construction of two buildings on Lot Block Highway 71. He would like to construct concrete block buildings for purposes of renting storage spaces to business people of Manasquan. Front of buildings to face Highway 71, loading zones would be in rear (facing R.R. tracks. Elevation is low, will not be totally exposed to Highway 71. One building would be 2-stories but because of elevation from highway would look like one story. Buildings would be strictly cold storage and have only electric, no heat. Nothing flammable would be allowed to be stored. Would be buffer zone, landscaped. No loading docks, double door (not overhead) garage doors having colonial look. If Board requires sprinkler, they will install. Traffic would be minimal. Building cover only 25% of land. Mr. Farrel brought up one hundred year flood plain and possible water problem with drainage. Mr. Schwier to obtain further info.

made a motion to go into Executive Session, seconded by Mr. Stanley. Mr. Donovan made motion for the Manasquan Preservation Committee to set up a meeting between their Expertise, Members of Mayor & Council, Members of Board of Adjustment, Environmental, Manasquan Planning Board and their Expertise to review PUD. Susan Ruane, member of Manasquan Preservation Committee will set up a meeting. Motion seconded by Mr. Stanley

Concerning the error in the Zoning Map pertaining to Lot 25, Block 35 Osborn Ave. showing frontage as 98' whereas Tax Map shows frontage as 128', motion made by Mr. Newman to write to Boro Attorney request he draft an amendment to the Zoning Map, seconded by Mr. Donovan.

No other business, Mr. Stanley made motion to close meeting at 10:20PM, seconded by Mr. Ianelli.

Question brought up about entrance and exiting from project and the problem Boro encounters with people traveling South on Route 71 and making left hand turns into business on east side of Rt. 71. Motion made by Mr. Donovan to continue this discussion at Oct. 22nd worksession, seconded by Mr. Conrad.

Mr. Michael Gross of firm Giordano, Halleran and Crahay next on agenda for informal discussion. Mr. Gross representing Schride Associates, owners of Lots 1 & 2, Block 126, Brielle Road, presented proposed plan for major subdivision of property into 39 buildable lots - single family units. Wetland portion possible fishing pier. Because of value of site houses would have to be in the \$100,000 bracket, but no set plans at this time. Applicant also inquired as to changing that portion of property zoned B2 into R-1 and was advised Planning Board could hear variance request when they heard subdivision application. Mr. Gross advised they would apply to state for approval for drainage. Jay Pandolfe advised Board that part of condition for approval would be to use Zoned B2 area for residential use only. Planning Board could recommend B-1 zoned R-1 - has authority to do this.

Mr. Gross advised preliminary plans are to build 5-6 different models, more 2-story homes. Mr. Birdsall advised he did preliminary review of water and sewer impace. Would be less sever than previously submitted plans for condominiums. Mr. Gross advised they wanted informal discussion to ascertain how receptive the board would be and if they would want curbs, sidewalks, etc. before developer went ahead with formal application. Mr. Stanley suggested Board hold this over to Oct. 22nd worksession and have Consultant P. Szymanski present and also requested Boro Engineer to present his views. Motion seconded Mr. Ianelli and approved by all members. Secretary to submit preliminary plat to consultant and engineer for their comments on Oct. 22nd.

Mr. Newman read letter received from Mayor & Council requesting Board to review PUD zone. Mr. Pandolfe explained to the audience that a request for zone change has to be reviewed by Planning Board according to state statutes. Mayor and Council must refer request to Planning Board. Planning Board would review and make their recommendations to Mayor & Council and Mayor & Council takes whatever action is decided upon. Mr. Newman advised audience that the Planning Board worked at least 2½ years on Master Plan, had many, many public hearings before the Plan was completed. He advised the audience of a letter received by the Planning Board from the Monmouth County Planning Board praising Manasquan for their Master Plan and especially for the PUD zone. Mr. Newman advised the Board is open for any comments or suggestions concerning Master Plan.

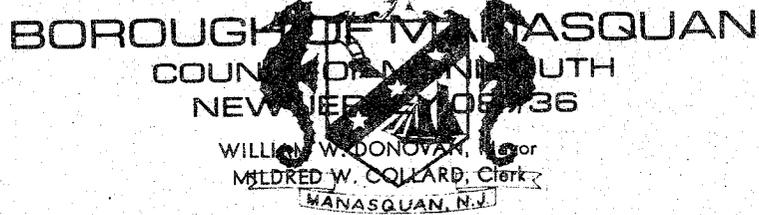
Mrs. Hemphill, member of Manasquan Preservation Association addressed the Board and advised that they were not aware of the impact of the Master Plan but they do not feel that this was the wisest thing to do. She acknowledged the Board put a lot of time and study into the Plan and feels the questions the Manasquan Preservation Committee have presented as alternatives should be examined and that there were groups that will advise without costing the Boro a lot of money.

Mrs. Ridley praised the Board for their work, having been a pst member she realizes the time they denote. She expressed concern that in the future each time an issue is developed that the findings of the Board are thrown aside. Mr. Eastman advised the Board of a Feasibility Study of PUD done by Monmouth County Park Systems in Feb. 1981 concerning the use of the site for public /preservation/recreation by the Boro of Manasquan, Monmouth County or State of New Jersey. Also mentioned was the fact that there are monies available to the Boro to go to Green Acres. At this time Mr. Donovan

BOROUGH HALL, 15 TAYLOR AVENUE
POST OFFICE BOX 199

Incorporated December 30, 1887

201 - 223-0544



October 13, 1981

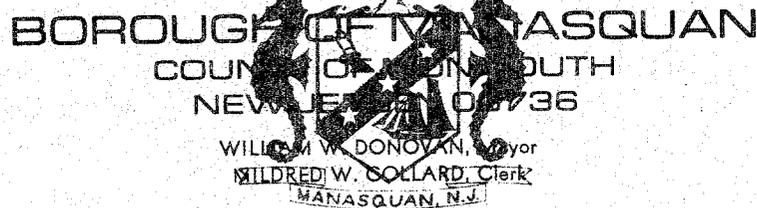
Coast Star

Manasquan Planning Board would like a notice to appear in the Oct. 15 & Oct 22nd issue of Coast Star advising of a Special Work Session to be held on Thursday Oct. 22, 1981, at 7:30 PM

We would also like a notice to the effect that the regularly scheduled meeting of November 3rd has been cancelled due to Election Day. November meeting will be held Thursday Nov. 5, 1981 at 8:00 PM in Boro Hall

Thank you,

Lue Traubman



Oct. 14, 1981

Mr. Paul Szymanski
49 Woodland Drive
E. Windsor, N.J. 08520

Dear Paul:

The Manasquan Planning Board is having a Special Workshop Meeting on Thursday Oct. 22, 1981 at 7:30PM in Brough Hall, and would like you to attend.

The agenda for discussion is a major subdivision (informal application only) from Schride Associates to subdivide the property on Brielle Road (approx. 10 acres) into 39 lots for single family homes. At the Planning Board's Regular Meeting Oct. 6th Schride representatives came in for an informal discussion, they had no site plans for the homes, just subdivision plat. Homes would be in \$100,000 bracket but they were not sure of design, etc. The Board asked them for more detailed information.

Also on the agenda is a Major Subdivision Application from Dave Veeder for 18 lots on Salmon. He will be building single family lots.

T. Schwier of Sea Girt is contemplating building warehouse storage buildings on Route 71 north of Stockton Lake Blvd. He anticipates renting to Manasquan businesses only. Not for storage of home furnishings.

Planning Board has received a letter from Mayor and Council to review PUD Zone. A request was received from the Manasquan Preservation Committee to change this zone to Conservation.

Hope to see you on the 22nd of October, with your comments and suggestions.

Very truly yours,


Sue Frauenheim
Secretary Planning Board

6th Annual League Conference Atlantic City Nov. 18, 1981 - 9:30 AM
Legal Aspects of Planning & Zoning - Consulting Period for Planning & Zoning Board members, as well as other Municipal Officials, to discuss special problems with some of our leading professionals and experienced lay planners.

Welcome by James G. Gilbert, President N.J. Federation Planning Officials. Member of Englewood Planning Board

Introduction: Helyn N. Beer, Executive Director, NJFPO.

Presiding: Harry A. Maslow, T4as. NJFPO, Chairman Federation Program
Maslow, Miller, Holzman & Associates, Berkeley Heights

Moderator: William M. Cox, Municipal Attorney, Green, Hardyston, Lafayette & Stillwater, Federation General Counsel

Guest Speaker: Honorable Martin L. Haines, Judge, New Jersey Superior Court
Mount Holly "Responsibility & Personal Liability of Board Members" - A Court's Point of View

Panel Members: Fred G. Stickel, III, Attorney, Various Municipal Planning & Zoning Boards, Federation Association Counsel, Co-Chairman League Legislative Committee.

Daniel Bernstein, Attorney, Zoning Board, Berkeley Heights, Federation Associate Counsel

Harold Feinberg, Attorney, Asbury Park, Federation Associate Counsel

William Sutphin, Attorney, Princeton, Federation Associate Counsel

Robert F. Rogers, Attorney, Planning Board, Mt. Laurel, Federation Associate Counsel.

Judge Haines spoke above Civil Rights Act and how it affects us; the responsibility and liability of board members. Judge Haines cited various cases in front of the court now and urged all municipalities to have their attorneys review:

- a. All policies written and unwritten
- b. All procedures
- c. All administrative decisions should be redocumented

Judge advised that policy can be unconstitutional and you are liable. Have your attorney or legal department examine policies and procedures at least once a year. There are more Civil Right Cases pending in Federal Courts since enactment of Sec. 1983 of Civil Rights Act in 1978. Presently over 12,397 cases.

Q. Can attorney fees be imposed on complaining party?
A. Yes, they can be awarded to municipality.

Q. How far can a Board go for improvements before its considered "blackmail"?
A. No black and white answer. Board can set rules on roads - its public property. Look at increased traffic and what is existing on the road at present time - In any case it is incumbent on the municipality to have the engineer/planner go over case and make recommendations.

Q. May an ordinance be enacted in flood area for home occupancy use in non-conforming lot.

A. Site plan review is to cover those area not covered by subdivision or other municipal procedures. One procedure should be for flood; conditional use for home occupancy; non-conforming requires variance.

Q. Who pays for lawyer if zone or decision by board is unconstitutional?
A. Municipal ordinance should state what is going to be provided.

Q. Can an applicant submit into evidence a letter without writer present to be questioned by Board of Adjustment?

A. Do not believe the board can accept such a letter. The letter writer should be available for questioning by the Board. The letter does not have to be read either. If the Planning Board writes a letter to the Board of Adjustment giving their views, comments, etc., they should attend the meeting in case members of Board of Adjustment want to ask questions. Same thing goes for petitions, DO NOT ACCEPT PETITIONS either if no one is available for questioning.

Q. What legal affect does the 3 yr. preliminary and 2 yr approval for site/sub-division have. Is approval still valid if nothing has been ammended?

A. 3 year period can be extended by making application for preliminary extension.

Q. If you do not require curbs and after the time period pass an ordinance requiring same, is applicant protected by the old ordinance?

A. Statute states improvements that are protected. If period runs for preliminary approval and you haven't changed your ordinance, he still has approval. If new ordinance passed regarding improvements and he hasn't come in for final yet, ^{he has to} ~~he has to~~ _{New ordinance}

Q. Could you have an ordinance which limits period of approval?

A. No this is provided by statute.

Q. If time periods run out does he come in for another preliminary approval. Statue reads unless final approval is obtained in time period, he has to reapply for preliminary.

Q. Does Planning Board have power to appeal a determination of the Board of Adjustment to the Mayor.

A. Appellate Court indicated a Planning Board had done this and the Board of Adjustment sued governing body of the town.

Q. Use Variance, Board meets once a month and need majority vote. Two of three members did not return as members after first of year, does the one remaining constitute majority?

A. Technically you would need 2 out of 3 in order to properly pass. Statute says only those that voted can vote on resolution. You have to get resolution out in 35 days.

... One panelist said hold application over til new reappointment made.

... Another said might need legislature to the effect the person sitting in on application stay seated till appliation reviewed and passed or refused

Q. If Board member owns property within 200' of applicant should he or she be excused.

Note: Several different opinions were voiced:

1. ~~One panelist said yes~~ Question asked what if he doesn't want to be? Should the Board Exclude Him? If he refuses to leave you can force him to go into audience. If he still refuses, Suspend hearing.
2. Another panelist said he can go into audience and state his position.
3. Another panelist said he should not be in the room.

Q. Can an Advisory Member of Planning serve as a Member of Zoning or Board of Adjustment.

A. Yes

Q. Townhouses permitted with density of 6 per acre and applicant wants 8 per acre is it C or D Variance? Do you go to Board of Adjustment or Planning Board?

A. Density relates to the condition of the land. With be D Var. Use - goes to Adjustment.

Q. Can Board of Adjustment refuse to take jurisdiction?

A. Board must have a hearing to determine scope of project - cannot ignore it.

Q. Applicant wants to expand building. Building does not set back far enough nonconforming. Applicant wants to add 2nd floor and window dormer. Does applicant need variance?

A. If original building is non-conforming and you wish to put up conforming addition, no variance is needed.

Q. Should Board of Adjustment refer Use Var./Site to Planning Board? Board of Adjustment does not have Engineer or Consultant - applicant has an engineer?

A. Use Variance is legislated by Governing Board. Land Use Act requires hearings before two different Boards. Board Adjustment should circulate variance to Planning Board, Boro Engineer, Police. Get their reports. You don't need personal appearances.

Draft of minutes Manasquan Planning Board Meeting Dec.1,1981 held at Boro Hall. No recording or stenographic equipment operating. These minutes were taken by the Board Secretary Sue Frauenheim. Members in attendance were: Messrs.Tassini, Donovan, Stanley, Bolton, Ianelli and Mrs.Danish. Absent were Messrs.Winterstella, Newman and Conrad. Board Secretary and Attorney also present.

Meeting opened at 8:00 PM by Dr.Tassini,Vice Chairman. Mr.Pandolfe advised applicants and audience that no recording equipment was operating nor was a stenographer available. Applicants can waive requirements by submitting a letter or may ask for postponement. Applicant Tom Schiwer's attorney advised the Board they will waive requirement.

Mr.Frank Badach,attorney for Tom Schier,presented applicant's proposed Site Plan for construction of 37 storage units on two building lots #1 Block 58A and Lot 1 Block 56 Highway 71. Mr.Badach presented as Exhibit A Site Plan Plat dated November 16,1981 showing one driveway for entrance and exit with a 20" level area before curb line to allow unobstructed view of Highway 71, grading. Advised Board applicant applying to Freehold Soil & Conservation as well as to the Dept. of Transportation for curb opening.

Mr.Birdsall presented as Exhibit B Report on Drainage and Flood Elevation in Watson's Creek. Plat and Report were forwarded to Boro Engineer for his comments. However the Engineer was on vacation and his comments will be forthcoming.

At this point Mr.Pandolfe advised he would like Fire Inspector to review plat also. Secretary will forward copy to Mr.Ken Miller.

Mr.Schwier advised Board that at this point he has not yet decided on the type of construction for the buildings. They have taken into consideration block construction and looking into half block and half metal. He had no rendering as yet. If he decided to go stucco/metal 5' would be stucco and remainder metal. Looking into possibility of metal holding up better under vibrations from trains.. Mr.Pandolfe advised Mr.Schier that building plans are intricate part of site plan and that the Board may not have any objections to the land use but would like to see building construction. He asked Mr.Schwier if he had any anticipated time for starting construction and Mr.Schwier said possibly April 1st.

Motion made to move into executive session.

Mr.Pandolfe advised Board the application is in order, applicant has given property owners notices and has presented part of preliminary site plan. Mr.Pandolfe would like plans submitted to Mr.Farrel, Mr.Miller, Fire Inspector; Shade Tree Commission and to Paul Szymanski, for their review and comments. Mayor Donovan said approval should be contingent on applicant getting permit on stream encroachment.

Board moved out of Executive Session into Regular Meeting. Question asked by one of members if any of the bldg. would be built on filled land and applicant replied no. Mr.Schwier advised Board of an existing building on property which presently used by ConRail and that N.J. Transit would be sending someone down to investigate just what building is used for and either have it removed. Mr.Schwier advised building is serviced by J. Central and Mr.Schwier would be willing to grant ConRail an easement; Mr.Schwier would make building more attractive by plantings.

Site Plan Application of Mr.Schwier will be continued in January 5th meeting at which time Mr.Schier will have building plans and Board should have comments from Engineer, Consultants and other expertise.

An informational discussion held with Mr.McGuire representing Mr. Zane owner of Lots 2, 2A and 8 Block 163, 102 Ocean Ave, for proposed subdivision of these lots into three lots. Lots would conform to required square feet but would not have sufficient frontage.

Continuation of draft minutes from Manasquan Planning Board Meeting Dec.1,1981

Propose three lots abutting would use one common driveway. Board felt property calls for just two lots which would be conforming to all zoning requirements.

Mr.Pandolfe submitted his bill for services rendered in Sept.,Oct.,November and December. Motion made to approve payment.All in agreement.

Concerning the discrepancy in tax map and zoning mpas regarding Osborn Ave. property,Mr.Pandolfe advised Mr.Fitzsimmons was ill and he will have discussions with him in time for January meeting.

Mr.Donovan made a motion that secretary write to Mayor & Council asking for an amendment to the time period allowed to submit subdivisions.He felt two week period was not sufficient time to process application. All members in agreement .
Secretary will write letter.

No other business, meeting adjourned at 9:45 PM.

Sue Frauenheim,
Secretary

Next Meeting Tuesday January 5,1982.

Minutes of Manasquan Planning Board Monthly Meeting November 5, 1981. Members present Messrs. Newman, Winterstella, Bolton, Ianelli and Mrs. Danish. Absent were Dr. Tassin, Mr. Donovan and Messrs. Conrad and Stanley. Also present Planning Board Attorney J. Pandolfe and Secretary Sue Frauenheim

Meeting called to order at 8:00 PM by Chairman Newman. Minutes of Oct. 22nd 1981 Workshop approved.

Mr. D. Veeder continuation of Major Sub-Division & Site Plan Application for Portion Block 184B Lot 1 and portion of Block 184D Lot located in R-3 zone on Salmon Avenue. Mr. Veeder brought in revised plat plans showing sewer line out to Timber and tied into 1st Ave. Motion made to approve preliminary application, seconded by Mr. Ianelli with following conditions:

1. Applicant adhere to all applicable federal, state, county & municipal laws or ordinances.
2. Taxes be certified as paid in full as of date of this resolution.
3. No certificate of occupancy issued for any dwelling constructed on the major subdivision until all improvements are completed and working, all sewer and water systems are in place and ready for use except for final blacktop coating of roadway.
4. Applicant to file deed from American Timber, owner of property conveying to Boro drainage easement over those 3 lots on which easement is shown on final plan submitted for approval.
5. Every lease of lot in proposed subdivision shall contain language subject to approval of Manasquan Planning Board attorney which prohibits the impairment or obstruction of drainage areas indicated on final plat.
6. Applicant shall, prior to start of any development, post performance bonds satisfactory to attorney for Boro of Manasquan.
7. Applicant shall post maintenance guarantee bond satisfactory to Boro Attorney.
8. Improvements installed by applicant shall comply with plats approved and signed by Manasquan Planning Board, drawn by Birdsall Corp., dated Sept. 17, 1981, revised October 6, 16th, 20th and November 2, 1981.
9. Shrubs and trees shall be planted in accordance with recommendation of Manasquan Shade Tree Commission.

Minor Subdivision application of William and Candiss Lynch Lots 14 and 15 Block 22 Church Street. Portion of lot 14, Block 22 owned by David and Mary Messick of approximate size of 31'x44' is located at rear of property owned by Wm. and Candiss Lynch. If property is conveyed to Lynchs' and subdivision granted the lot lines will conform and Lot 14, Block will will no longer be an irregularly shaped lot. Subdivision conforms to zoning and is properly classified as minor. Motion made and carried to grant approval.

Bill received from Paul Szymanski \$161 for Veeder Subdivision; \$161 for Schride Associates Informal Discussion; \$131 for Schwier Site Plan discussion and \$49.38 for PUD Preservation Area Review. Motion made to submit to Mr. Veeder that portion of bill for his payment to the Boro. Motion made to approve \$49.38 portion involving Pud; however wish to further discuss responsibilities of other applicants for payment.

Review of Michal Geiger's application to Dept. Env. PROTECTION FOR PERMIT to continue existing bulkhead and install two catwalks with mooring plies on Lots 12 and 13, Block 134, Glimmerglass. Members requested copies of application and map be given each one so they can look over property in question. Secretary will send copies.

Further discussion of property on Osborn Ave. which shows different measurements on a zone map than that in Tax Map. Letter received from Mr. Fitzimmons, Boro attorney turned over to J. Pandolfe for further review.

No further business, meeting ended 9:30 PM. Next meeting Tues. Dec. 1, 1981.

Sue Frauenheim