

JOHN L. WINTERSTELLA
Mayor

MARGARET M. MONSELL
Municipal Clerk

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MANASQUAN PLANNING BOARD
JANUARY 8, 1991 MEETING

The January 8, 1991 work session of the Manasquan Planning Board was called to order at 7:30 p.m. by Manasquan Planning Board Chairman Jerry Iannelli. The work session and regular meeting were held in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan NJ.

An informal hearing was conducted per the request of Roger Clapp, attorney, on behalf of his clients Judith Curley and Michael O'Halleron, brother and sister owners of 18-18½ Wyckoff Road. Mr. Clapp stated that his clients wished to apply for a minor subdivision, and, after a discertation about the case, stated that he felt the benefits of such a subdivision outweigh the detriments. Mr. Clapp commented that he wanted to get the Board's reaction to a possible subdivision.

Mr. Iannelli stated that he felt it was a Beers-McLean situation. Board Attorney Geoffrey Cramer stated that he would recommend Mr. Clapp wait and see whether a message is handed down from court regarding the Beers-McLean cases. Mr. Cramer added that the Board was not saying no to the possibility, but that it did not want to prejudice the companion cases.

An informal hearing was conducted regarding a request from Louis Gray of the Awning Factory to place an awning in front of his shop at 187 Parker Avenue (Beachtree Associates complex). After discussion, the Board elected to have Mr. Cramer prepare a resolution allowing Mr. Albert P. Ratz, Jr., Manasquan Construction Official, to issue a permit to install an awning.

There being no further work session business, Chairman Iannelli called the regular meeting to order at 8 p.m. He stated that the meeting was conducted under the Open Public Meetings Act and had been published according to law.

ROLL CALL : Present - Board Members Jerry Iannelli, Evelyn Wagner, Kevin Thompson, Patricia Dunne and Willian Schmeling.

Absent - Mayor John Winterstella, Board Members Ruth Danish, Edward Stanley, Thomas Diamond, William Ruf.

The Board entered into its reorganization activities for 1991.

Resolution 2-1991 was read naming Geoffrey Cramer of Gilroy, Cramer and McLaughlin as board attorney and John Pandolfe as special counsel to the Planning Board. A motion was made and seconded to approve the resolution; motion carried by the following vote: "Yes" Board Members Iannelli, Wagner, Thompson, Dunne, Schmeling. "No" none.

Board Attorney Geoffrey Cramer read Resolution 1-1991 (naming of chairman and vice chairman). Mr. Thompson nominated Jerry Iannelli as chairman and Edward Stanley as vice chairman. The nominations were seconded by Mrs. Wagner and the resolution with Mr. Iannelli as chairman and Mr. Stanley as vice chairman was carried by the following vote: "Yes" Board Members Iannelli, Wagner, Thompson, Dunne and Schemling. "No" none.

The Board Attorney then read Resolution 3-1991, which listed the meeting dates for 1991 and the first date in 1992. The resolution established that the Board would meet the first Tuesday of the month unless there was a holiday; in case of a holiday, the meeting would be held the following (second) Tuesday. Meetings will be held in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey; work sessions will start at 7:30 p.m. followed by the regular meeting at 8 p.m. A motion was made and seconded to approve the resolution; the motion was carried by the following vote: "Yes" Board Members Iannelli, Wagner, Thompson, Dunne and Schmeling. "No" none.

Resolution 4-1991 was read designating The Coast Star as the official newspaper of the Board and The Asbury Park Press and The Herald as secondary newspapers for publication of Board matters. A motion was made and seconded to approve the resolution; motion carried by the following vote: "Yes" Board Members Iannelli, Wagner, Thompson, Dunne and Schmeling.

Resolution 5-1991 was read naming Sharon Bogie as Board Secretary. A motion was made and seconded to approve the resolution; motion carried by the following vote: "Yes" Board Members Iannelli, Wagner, Thompson, Dunne and Schmeling. "No" none.

Mr. Cramer read Resolution 6-1991 naming the board's professionals, including Mr. William Farrell of T-M Associates as engineer and Mr. Paul Szymanski as planner. The Board discussed the resolution and moved to table the portion naming the planner while voting to approve the portion naming Mr. Farrell as engineer; the motion was seconded and carried by

the following vote: "Yes" Board Members Iannelli, Wagner, Thompson, Dunne and Schemling. "No" none.

RESOLUTION 17-90 - AAMCO Transmission - amendment to resolution as to construct a sign - Beachtree Associates - Parker Avenue - the Board Attorney read the favorable resolution. A motion was made by Mrs. Dunne and seconded by Mrs. Wagner to memorialize the resolution; the motion was carried by the following vote: "Yes" Board Members Iannelli, Wagner and Dunne. "No" none. "Abstain" Board Members Thompson and Schmeling.

The Board then continued to discuss the request by Louis Gray, the Awning Shop, Beachtree Associates complex, to place an awning on his premises. The Board once again agreed to have the Board Attorney write up a resolution allowing Mr. Albert P. Ratz, Jr., CO, to issue a building permit for the awning. The motion was made, seconded and carried by the following vote: "Yes" Board Members Iannelli, Wagner, Thompson, Dunne and Schmeling. "No" none.

Under old and new business, the Board Secretary noted that it was time to renew the Board's membership in the New Jersey Federation of Planning Officials; she noted that if both development boards joined there would be a more economical fee. A motion was made, seconded and carried unanimously to renew the Board's membership.

Board Member Dunne noted that the Manasquan Environmental Commission is attempting to have a natural resources inventory map secured for the Borough of Manasquan. As part of the process, she explained, a letter was needed from another board and or/municipal group supprting the Environmental Commission's efforts. After discussion, the members of the Planning Board agreed unanimously to have a letter prepared supporting the acquisition of such a map.

There being no further matters for discussion, a motion was made, seconded and unanimously carried for adjournment at 8:35 p.m.

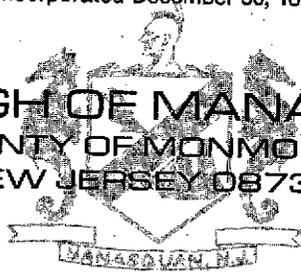
Respectfully submitted,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk



January 2, 1991

Dear Board Member,

Enclosed please find a draft of the minutes of the December 4, 1990 meeting of the Manasquan Planning Board. Please consider the following agenda for the January 8, 1991 meeting:

MANASQUAN PLANNING BOARD
JANUARY 8, 1991 AGENDA

7:30 p.m. - Work session

1. Informal session - L. Gray - amendment to Beachtree Associates resolution - Parker Avenue - installation of awning.

8 p.m. - Reorganization session
Reading of reorganization resolutions and swearing in of members.

Regular session

1. Resolution 17-90 - resolution amendment - Beachtree Associates - re: Aamco sign
2. Master Plan session with Paul Szymanski, planner.
3. Old Business

New Business

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 1/3/91

BOROUGH HALL, 15 TAYLOR AVENUE
POST OFFICE BOX 199

Incorporated December 30, 1887

(201) 223-0544

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk



MANASQUAN PLANNING BOARD
ADDENDUM TO JANUARY 8, 1991 AGENDA

7:30 p.m. - Work Session

Informal hearing - Roger Clapp- re: minor
subdivision.

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 1/4/91

JOHN L. WINTERSTELLA
Mayor

MARGARET M. MONSELL
Municipal Clerk

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MANASQUAN PLANNING BOARD

FEBRUARY 5, 1991 REGULAR MEETING MINUTES

The Manasquan Planning Board held its work session and regular meeting on February 5, 1991 in Manasquan Borough Hall, 15 Taylor Avenue.

Manasquan Planning Board Chairman Jerry Iannelli called the work session to order at 7:30 p.m. He stated that there was an informal hearing on the agenda regarding the use permit for Motorworks. He also welcomed Mr. Terance Kelleher, new council representative to the board.

Informal Hearing - MOTORWORKS - Beachtree Associates complex - 87 Parker Avenue - Chairman Iannelli noted that this (the Beachtree complex) was a unique case in that it was a non-conforming industrial use in a business zone.

Mr. Iannelli recognized Nancy Wright of Bathgate, Wegener, Wouters and Neumann, attorney for the applicant. Ms. Wright in turn introduced Mr. William Zerbe of Ocean MOTORWORKS; Mr. Zerbe was sworn in by Board Attorney Geoffrey Cramer. It was noted that Mr. Zerbe is a resident of Sea Girt, NJ.

The Board, Board Attorney, applicant and applicant's attorney discussed the request for a use permit. Topics noted included the number of employees (perhaps three and Mr. Zerbe himself, he noted), hours of operation (8:30 a.m. - 5:30 p.m. six days a week), the operation itself (MOTORWORKS, it was noted, would be an installation center for remanufactured engines. The operation would consist of the removal of the old engine and placement of the remanufactured engine in the vehicle. Mr. Zerbe also explained the differences between "rebuilt" and "remanufactured" engines, stating that every moving part is replaced in a remanufactured engine. All the work on remanufacturing the engine would be done at a different locale, such as Philadelphia; MOTORWORKS obtains the engines and installs them in the car on premises and then sends the removed engine out to be remanufactured. Mr. Zerbe stated he would like to do approximately five such installations in a week, starting out with two or three. He stated that "you tend to want to keep the automobiles in the building when they are done", which is "typical" in a lot of high expense automobile businesses. He did state he could see having three to four customer vehicles on the lot in addition to employee cars) and the background of MOTORWORKS (approximately 24 franchises in the New Jersey-

Pennsylvania-Delaware- Virginia -Connecticut area, including locations in Keyport, Red Bank, Cherry Hill, Trenton and Belmar, NJ).

Mr. Zerbe also noted the existence of Aamco Transmission and Superior Auto Body in the complex and noted their uses. He also stated that the two former tenants in the area which would house MOTORWORKS were businesses involved with auto detailing or body work-type activities.

Answering questions from the Board Attorney, Mr. Zerbe stated he would be starting with three lifts with room for a fourth and commented that, after figuring area for business office, etc., there would still be room left for eight vehicles inside.

Board Attorney Geoffrey Cramer asked if the Board felt a review by the fire inspector was necessary; the Board felt that the applicant would need to comply with the findings of the fire inspector as noted during his regular inspections.

Also discussed was what would happen if cars were left abandoned on the premises. Mr. Zerbe stated that payment and towing arrangements (if necessary) are made with the client prior to the vehicle being brought in.

A motion was made and seconded to have the Board Attorney prepare a favorable resolution. The motion was carried by the following vote: "Yes" Mayor Winterstella, Board Members Iannelli, Danish, Stanley, Kelleher, Thompson, Dunne and Wagner. "No" None. "Abstain" Board Member Schmeling.

At the request of the applicant's attorney, Mr. Iannelli explained about signs on the premises and related criteria.

The Board Chairman then noted the agenda of the regular meeting. There being no further business in the work session, a brief recess was called before going into the regular session.

Board Chairman Iannelli called the regular meeting of the Manasquan Planning Board to order at 8 p.m. He stated that the meeting was an Open Public Meeting and had been published according to law.

Roll Call: Present - Mayor Winterstella, Board Members Jerry Iannelli, Ruth Danish, Edward Stanley, Terance Kelleher, Kevin Thompson, Patricia Dunne, William Schmeling, Evelyn Wagner.

Absent - Board Members William Ruf, Thomas Diamond.

Resolution 7-91 - Louis Gray - The Awning Factory - application to place awning on premises - 87 Parker Avenue - The Board Attorney read the favorable resolution. A motion was made by Board Member Schmeling to memorialize the resolution; the motion was seconded and carried by the following vote: "Yes" Board Members Iannelli, Thompson, Dunne, Schmeling, Wagner. "No" none. "Abstain" Mayor Winterstella, Board Members Danish, Stanley, Kelleher.

Application - amendment to minor subdivision - Joseph and Virginia Tischio - 83 Second Avenue - The Board Chairman recognized Mr. Kevin Thomas, attorney for the applicant.

Mr. Thomas related his position on the application, stating that his clients would not be waiving any time limits and that the Tischios had cooperated with the Borough throughout the project. Mr. Thomas also stated that the Manasquan Zoning Board of Adjustment had given the case back to the Planning Board so the Planning Board could determine findings under its ancillary powers.

Mr. Thomas related that the Planning Board had granted the Tischios a two lot minor subdivision under Resolution 7-1990, which was granted in December 1989. In turn, he explained, they purchased a 53' x 21' parcel from Mr. Francis Warren, their neighbor, so they could have a conforming lot. The addition of the approximately 1,100 square feet to the Tischios' property brought the lot area to 2727 square feet, noted Mr. Thomas; the minimum lot area in the R-5 zone where the property is located, he further commented, is 2700 square feet. The addition, however, did not alleviate the side (north), front or rear setback violations, Mr. Thomas added. Mr. Thomas stated that the Tischios had gone to the borough asking if the construction proposed would need any variances and they were told that none were needed.

Mr. Thomas, after stating that he felt the application for variances "should be given the benefit of the (subdivision) application" and noting that the Board had found two beneficial aspects of the minor subdivision, commented "The Board should do what should have been done at the time (of the minor subdivision)" in regards to the variances requested. Mr. Thomas stated that had the borough told his client that variances were needed, he would have applied for the needed variances at that time.

Mr. Thomas then introduced Mr. Joseph Tischio, 233 Rankin Avenue, Cranford, NJ, owner of the subject property. Mr. Tischio was sworn in by the Board Attorney, who marked for evidence a copy of the subdivision plot.

Mr. Tischio stated he decided to subdivide the property after discussions with Mr. Francis Warren starting in 1984-85. The agreement of sale was reached in 1988, he testified. Mr. Tischio stated that Mr. Walter Warren was present on behalf of his brother, who currently resides in Arizona. Mr. Tischio stated that the agreement included provisions for the cost of the land and that Mr. Tischio would absorb any fees incurred in subdivision process and costs for alterations made as part of the subdivision (fencing, curb cuts).

Mr. Tischio stated that he had gone to Mr. Albert P. Ratz, Jr, CO, "a couple of times over the years" to discuss things that needed to be done in regards to the project and it was stated that variances would not be needed. Mr. Tischio stated that he understood there were existing violations but as long as what he was building was conforming and that two off street parking spaces were provided, he did not need variances. He stated that based on what he was told he "made the commitment" and went for the subdivision.

Under questioning from Mr. Thomas, Mr. Tischio stated that if he had known variances would have been needed, he would have requested them when he applied for the subdivision.

The Board heard testimony regarding the conditions which were placed on the minor subdivision by the board under Resolution 7-1990, including curb cuts and plantings. Mr. Tischio stated that all the conditions in the resolution had been met.

Plans and renderings prepared by Mr. Richard Grasso, architect, were identified by Mr. Tischio submitted for the board's consideration.

Mr. Tischio stated that in addition to having plans drawn up he secured Mr. Thomas' services to draw up a contract and enlisted the services of Superior Building Company, Howell (William Osmun, builder). He stated that a down payment was made with the building firm for construction of the house. A copy of the contract with the builder was marked for the file.

After the plans were drawn up and permit secured, the builder proceeded to demolish the portion of the house which was to

be renovated; building permit #13447 (copy marked for file) was secured for the demolition, stated Mr. Tischio. After the demolition, the builder went on to build the foundation for the new structure.

On January 10, 1991, Mr. Tischio testified a letter was written by Mr. Ratz stating that he received a letter from Richard Maguire, Esq, on behalf of his client, Mr. Robert Zanes. The letter from Mr. Maguire stated, among other things, concerns about Section 107-82a -4 regarding non-conformities. Mr. Kenneth Fitzsimmons, borough attorney, agreed with Mr. Maguire's position that variances were needed and the Tischios were ordered to stop building on the non-conforming parts.

Mrs. Dunne asked Mr. Thomas if he was aware that the planner, Mr. Paul Szymanski, had recommended during the minor subdivision hearing that an agreement be signed to eliminate/decrease the front and side yard setback violations. Mr. Thomas stated that the context in which this was brought up was that if plans were drawn up by Mr. Tischio, he would agree that no additional variances would be needed in those plans. Variances are not necessary for the non-conformities that predated zoning, he stated, but that if any other non-conformities were added, variances would be required.

Mr. Thomas also addressed Mr. Fitzsimmons' interpretation of the zoning code. Mr. Thomas said that Mr. Fitzsimmons's interpretation stated that if you intend to enlarge, alter or repair a non-conforming structure, one must seek a variance even if the construction has nothing to do with the non-conformity.

Mr. Richard Grasso, a licensed architect with offices at 2519 Route 35, Manasquan, NJ, was sworn in to offer testimony.

Mr. Grasso explained that they were taking the existing house, which was approximately 550 square foot, and putting an addition on the first floor (approximately 450 square feet) as well as adding a second floor (approximately 700 square feet). The alterations would provide the home with 1600 square feet of space, stated Mr. Grasso. There would be one bedroom on the first floor and two bedrooms on the second floor.

Mr. Grasso also noted the characteristics of the neighborhood, which he stated was residential and features houses of approximately 1100-2200 square feet. He stated it was a specific

goal to make the structure match the general character of the neighborhood.

The Board Chairman opened the floor to questions from the public. Mr. Noel Hood, 161 Beachfront, asked how far it would be from the edge of the projected garage to the edge of the property line (10 feet, Mr. Grasso stated) and asked about the projected overhang.

Chairman Iannelli asked for comments from the Board and then from the public.

Mr. Robert Zanes, Ocean Avenue, stated that he brought the issue to the attention of the building inspector and that his (Mr. Zanes') concern was with the ordinance and its interpretation. Mr. Zanes asked the Board to give exclusion from parking provisions in order to deal with the wall on the property.

Several family members, friends and neighbors spoke in favor of the application.

After public commentary, a motion was made, seconded and carried unanimously to enter into executive session. Mayor Winterstella spoke in favor of the application. Mr. Schmeling questioned the overhang and stated that as long as it does not hang over too far, he did not see a problem. It was noted that such a condition could be put into the resolution.

Coming out of executive session, a motion was made by Mr. Stanley to have the Board Attorney prepare a favorable resolution with stipulations regarding the overhang; the motion was seconded by Mayor Winterstella and carried by the following vote: "Yes" Mayor Winterstella, Board Members Iannelli, Danish, Stanley, Kelleher, Thompson, Dunne, Schemling and Wagner; "No" none.

A motion was then made, seconded and unanimously carried to have Construction Official Albert P. Ratz Jr. lift the stop work order.

There being no further applications on the agenda, Chairman Iannelli recognized Mr. Paul Szymanski, planner, for his Master Plan presentation.

Mr. Szymanski discussed the five commercial zones in Manasquan, including the business commercial, highway commercial (Route 71), resort commercial, central business district and marine

commerical. He then discussed the possibility of consolidating some of the districts.

Mr. Szymanski also distributed a memo on the beachfront residential zone.

The Board then entered into old and new business, including a discussion on a proposed borough ordinance regarding curb cuts.

There being no further matters on the agenda, a motion was made, seconded and unanimously carried to adjourn at 10:39 p.m.

Respectfully submitted,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

February 1, 1991

Dear Board Member,

Enclosed please find a draft of the minutes of the January 8, 1991 meeting of the Manasquan Planning Board. Please consider the following agenda for the February 5, 1991 meeting:

MANASQUAN PLANNING BOARD
FEBRUARY 5, 1991

7:30 p.m. - Work Session

8 p.m. - Regular session

1. Approval of 1/8/91 minutes
2. Resolution 7-1991 - Louis Gray - amendment to Beachtree Associates resolution re: awning - Parker Ave.
3. Application - Joseph and Virginia Tischio - 83 Second Avenue - amend Manasquan Planning Board Resolution 7-1990 (minor subdivision)
4. Master Plan presentation with Paul Szymanski, planner.
5. Old Business
6. New Business
 1. Review draft of prospective ordinance re: curb cuts.

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated in Manasquan 2/1/91

BOROUGH HALL, 15 TAYLOR AVENUE
POST OFFICE BOX 199

Incorporated December 30, 1887

(201) 223-0544

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

MANASQUAN PLANNING BOARD
ADDENDUM TO AGENDA
FEBRUARY 5, 1991 MEETING

Work Session -

7:30 p.m. - Informal Hearing - MOTORWORKS - conditional
use permit - 87 Parker Avenue (Beachtree
Associates complex)

Yours truly,

Sharon Bogie

Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 2/1/91

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

MANASQUAN PLANNING BOARD
MARCH 5, 1991 REGULAR MEETING MINUTES

The Manasquan Planning Board held its work session and regular meeting on March 5, 1991 in Manasquan Borough Hall, 15 Taylor Avenue.

Manasquan Planning Board Chairman Jerry Iannelli called the work session to order at 7:30 p.m.

Mr. Iannelli stated that the Board would entertain discussion on two informals during its work session.

INFORMAL HEARING - site plan - Nicholas and Associates - Union and Marcellus Avenues - Mr. Iannelli recognized Robert A. Fourniadis, attorney, and Nicholas Paslowsky of Nicholas and Associates, property owner. It had been noted that Mr. Fourniadis and Mr. Paslowski had appeared before the Board in an informal capacity at the May 1990 meeting to discuss the concept of a site plan which would allow the construction of a 2,400 square foot office building on property located at Block 77, Lot 56.01; an office building already exists at Block 77, Lot 55.01.

The issue of parking in the area was discussed, with Mr. Paslowski and Mr. Fourniadis stating that 14 parking spaces would be required and that their proposed site plan sets forth 10 parking spaces. It was explained that if they were required to put in all 14 spaces, parking would need to be established in the back and front of the proposed building, which the applicant felt was not preferred because of aesthetics, among other aspects. A new concept with a building similiar in design to the other building on the property and showing 10 parking spaces was submitted for the Board's consideration; variances (from parking requirements), setbacks and buffering were noted. Offsite parking was also discussed; it was stated that there were three suitable offsite spots on Marcellus Avenue.

Information was offered regarding the project, including discussion of the proposed general office uses. Mr. Cramer had asked about the subdivision which had been granted on the property in 1987 to Mr. and Mrs. William Wight.

Mr. Szymanski made comments on the concept. It was noted Mr. Szymanski had prepared a memo regarding the project at the time of the first informal hearing. He stated there were several issues to be addressed and stated he was "surprised" that office

uses had been established in the building without site plan approval (because of the change of use from residential). He also stated that he felt "too much" might be trying to be done to the property and expressed concerns about offsite parking moving into the neighboring residential areas. Mr. Cramer suggested that if they come back for a site plan on the second building, they should also include the first building; Mr. Fournaidis, Mr. Paslowski and the planner agreed, with Mr. Szymanski adding that the comprehensiveness of the site plan should be reviewed

INFORMAL HEARING - construction of sign and use permit - Reyles' Auto - Beachtree Associates Complex - Parker Avenue - The Board Chairman recognized Mr. John Reyles, owner of Reyles' Auto; Thomas O'Brien, attorney for the applicant; and Mr. Patterson, head of operations (manager) for Reyles' Auto.

Mr. O'Brien stated that his client wished to obtain a use permit so he could conduct his auto care business in the complex and that Mr. Reyle would like to construct a freestanding sign.

Mr. Patterson detailed the operations of Reyles' Auto, stating that there was no long term storage of cars on the premises. He stated that there was one other employee at the establishment, which does general auto repairs on mostly European and exotic cars and is currently located at 206 E. Main Street, Manasquan NJ. Mr. Patterson offered the board information on the hours of operation, storage of vehicles and equipment, waste disposal arrangements and type of work (no body work) done on the cars serviced.

Mr. Reyles offered further information and requested that he be allowed to erect a freestanding sign on the property. He stated it would be difficult to bring attention to his business without such a sign.

Mr. Szymanski commented on the signs located on the property, including noting the provisions made for signs in prior Beachtree resolutions, and possibilities which may be considered, including a directory type sign listing all the businesses located in the complex.

It was once again noted that because of restrictions put forth in prior resolutions freestanding signs were not permitted on the property.

The Board agreed to approve the use permit but did not approve the freestanding sign.

There being no further matters for the work session, Chairman Iannelli called the regular meeting to order at 8 p.m. He stated that it was an open public meeting held in accordance with the Open Public Meetings Act and published according to law.

ROLL CALL: Present - Board Members Jerry Iannelli, Ruth Danish, Edward Stanley, Thomas Diamond, Terance Kelleher, Kevin Thompson, Patricia Dunne, William Schmeling and Evelyn Wagner.

Absent - Mayor John Winterstella, Board Member William Ruf.

Also present at the meeting were Board Attorney Geoffrey Cramer and Paul Szymanski, Planner.

A motion was made, seconded and unanimously carried to approve the minutes of the February 5, 1991 meeting as submitted by the Board Secretary.

RESOLUTION 8-1991 - MOTORWORKS - Beachtree Associates Complex - Parker Avenue - use permit - The Board Attorney read the resolution granting MOTORWORKS a use permit for their business located in the Beachtree Associates complex. A motion was made by Board Member Stanley to memorialize the resolution; motion seconded and carried by the following vote: "Yes" Board Members Iannelli, Wagner, Danish, Stanley, Kelleher, Thompson, Dunne. "No" none. "Abstain" Board Members Diamond and Schmeling.

RESOLUTION 9-1991 - Joseph and Virginia Tischio - 83 Second Avenue - amendment to minor subdivision - the Board Attorney read the resolution granting Mr. and Mrs. Tischio an amendment to their minor subdivision (granting of variances under the Board's ancillary powers). A motion was made by Board Member Kelleher to memorialize the resolution; motion seconded by Mr. Stanley and carried by the following vote: "Yes" Board Members Iannelli, Danish, Stanley, Kelleher, Thompson, Dunne, Schmeling and Wagner. "No" none. "Abstain" Board Member Diamond.

APPLICATION - John Martin - 38 Main Street - request for extension of time limits to perfect a minor subdivision - The Board Chairman recognized Mr. Andrew P. Vecchione, attorney for Mr. Martin. Mr. Vecchione related the request for an extension of time in which his client could file his minor

subdivision with the county. The subdivision had gone over the 190 day limit, it was noted.

After discussion, a motion was made by Mr. Stanley to grant the applicant a 30 day extension; the motion was seconded and carried by the following vote: "Yes" Board Members Iannelli, Danish, Stanley, Diamond, Kelleher, Thompson, Dunne, Schmeling and Wagner. "No" none.

A five minute recess was called; meeting then reconvened to finish the evening's business.

In other business, Board Member Diamond was administered the oath of office as a regular member of the Manasquan Planning Board and a prospective Borough ordinance regarding curb cuts was discussed.

MASTER PLAN PRESENTATION - Chairman Iannelli turned the meeting over to Paul Szymanski, planner, for the continuation of his Master Plan presentation.

After a review of some prior issues, Mr. Szymanski discussed the Housing Plan element which would be submitted to the Council On Affordable Housing and become part of the Master Plan. He stated that the borough had an obligation for new construction as well as rehabilitation. He noted that there were certain requirements for developments in regards to size and lack of environmental constraints.

Mr. Szymanski called the board's attention to a map showing various wetlands, tidal and flood zones in Manasquan.

Mrs. Dunne stated she felt the conservation area around Glimmer Glass should be reflected on maps. Mr. Szymanski stated that conservation areas and open spaces would be shown on the Master Plan.

Mr. Szymanski distributed a memo on the beachfront residential area and zone standards (dated March 5, 1991). The memo addressed development, subdivision and minimum standards recommended for the area. The recommendations and information provided in the memo were discussed by Mr. Szymanski and the Board.

The Board asked Mr. Szymanski for a time frame in which the Master Plan would be completed. He stated that it could take a couple of more meetings. He also said that in a few weeks

the new census figures will be out and the new numbers could be incorporated into the Master Plan.

Beachfront area subdivision possibilities and preservation of open space were also discussed.

It was noted for the record that Mr. Thomas Birckhead, Beachfront; Mr. Noel Hood, Beachfront; and Mr. Robert Zanes, Ocean Avenue, were in attendance.

Mr. Birckhead asked Mr. Szymanski about subdivisions in the beach area.

Mr. Zanes asked if the board would be creating a list or drawings showing guidelines for development in the beachfront area.

OLD AND NEW BUSINESS - The Board Secretary brought up correspondence for action and vouchers to be signed.

Board Chairman Iannelli announced his resignation as chairman effective with the March 5, 1991 meeting. Mr. Iannelli stated he would still continue as a Board Member and it was agreed that a new chairman would be named at the next meeting.

The Board discussed payment of outstanding bills due Mr. Szymanski.

There being no further matters for discussion, a motion was made, seconded and unanimously carried to adjourn at 10:51 p.m.

Respectfully submitted,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

February 28, 1991

Dear Board Member,

Enclosed please find a draft of the minutes of the February 5, 1991 meeting of the Manasquan Planning Board. Please consider the following agenda for the March 5, 1991 meeting:

MANASQUAN PLANNING BOARD
MARCH 5, 1991

7:30 p.m. - Work session

1. Informal Hearing - site plan - Nicholas and Associates - Union and Marcellus Avenues

8 p.m. - Regular session

1. Resolution 8-1991 - MOTORWORKS - Beachtree complex - 87 Parker Avenue- use permit.
2. Resolution 9-1991 - Joseph and Virginia Tischio - 83 Second Ave. - amendment to minor subdivision.
3. Application - J. Martin - 38 Main Street request for extension of time limits to perfect a minor subdivision.
4. Master Plan presentation with Paul Szymanski, planner.
5. Old Business
New Business

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 2/28/91

BOROUGH HALL, 15 TAYLOR AVENUE
POST OFFICE BOX 199

Incorporated December 30, 1887

(201) 223-0544

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

MANASQUAN PLANNING BOARD
ADDENDUM TO AGENDA - MARCH 5, 1991 MEETING

7:30 p.m. - Work Session

2. Informal session - Reyles' Auto - Beachtree complex - Parker Avenue - discussion of sign.

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 3/5/91

JOHN L. WINTERSTELLA
Mayor

MARGARET M. MONSELL
Municipal Clerk

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MANASQUAN PLANNING BOARD
APRIL 2, 1991

The Manasquan Planning Board held their work session and regular meeting in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, NJ, on April 2, 1991.

Mr. Edward Stanley, acting chairman, called the work session to order at 7:30 p.m.

Roll Call (work session) : Present - Mayor John Winterstella, Board Members Jerry Iannelli, Ruth Danish, Edward Stanley, Thomas Diamond, Terance Kelleher, Kevin Thompson, Patricia Dunne, William Schmeling, Evelyn Wagner.

Absent - Board Member William Ruf.

During the work session, the Board discussed a request from attorney George Wright on behalf of his clients Sean and Kimberly Coffey, Union Avenue. The Coffeys had submitted an application for major subdivision approximately two years and had requested a continuance while permits and other necessary materials from the Department of Environmental Protection were secured. Mr. Wright has now indicated that his clients are ready to continue with their application.

A brief recap of the case was offered by Board Attorney Geoffrey Cramer and options were discussed. After discussion, the Board stated that they felt a new application might be in order because of the time which had elapsed since the application had been started. It was noted that there were several factors to consider, including a change of personnel on the board since the initial hearing and the possibility that different homeowners could be in the affected area. It was also stated that Mr. Wright should renotice all affected homeowners within 200 feet, republish the notice in the newspaper and have his applicant's engineer come back to reoffer testimony. In addition the applicants would be responsible to place money in an escrow account to cover the professional review fees, however, the Board would waive the requirement to file a new application or application fee. The Board Attorney stated he would prepare a letter detailing the board's findings.

At the suggestion of the Board Attorney, the Board then discussed the formation of an ad-hoc committee to nominate a chairman

for the Planning Board. Board Members Diamond, Iannelli and Dunne were named to the committee; it was stated that the committee would state its findings at the May 7, 1991 meeting.

The new state ethics law, which calls for the disclosure of certain financial information and real property ownership from board members, was discussed. Mayor Winterstella explained the law. He felt it would be best for a small town like Manasquan to have a form for the disclosure, but he was still unsure as to how the Borough will stipulate compliance.

There being no further work session business, Mr. Stanley called the regular portion of the meeting to order at 8 p.m.

Mr. Stanley stated that the meeting was an open public meeting held in accordance with the Open Public Meetings Act and published according to law.

ROLL CALL: (regular session) Present - Mayor John Winterstella, Board Members Jerry Iannelli, Ruth Danish, Edward Stanley, Thomas Diamond, Terance Kelleher, Kevin Thompson, Patricia Dunne, William Schmeling and Evelyn Wagner.

Absent: Board Member William Ruf.

Also in attendance were Board Attorney Geoffrey Cramer, Planner Paul Szymanski and the Board Secretary.

RESOLUTION 10-91: Reyle's Auto - Parker Avenue - use permit-
The Board Attorney read the resolution granting the use permit for Reyle's Auto. A motion was made and seconded to memorialize the resolution; motion carried by the following vote: "Yes" Board Members Iannelli, Danish, Stanley, Diamond, Kelleher, Thompson, Dunne, Schmeling and Wagner. "No" none. "Abstain" Mayor Winterstella.

Paul Szymanski, planner, continued his Master Plan presentation. Mr. Szymanski provided board members with a memo and discussed draft maps which would be added to the land use element. The first map discussed showed the areas bordering Manasquan and how their zoning was contiguous to the zoning in the Manasquan areas they border. The other map showed the state development plan in regards to Manasquan.

Mayor Winterstella asked Mr. Szymanski whether he could provide some Master Plan maps and information for display at Squan Pride Day. Mr. Szymanski stated he would provide some maps and information for display at the board's table.

Mr. Szymanski addressed a memo which was forwarded to him regarding standards in relation to Route 71.

The Board approved the paying of vouchers and the Secretary brought correspondence to the board's attention.

There being no further business on the agenda, a motion was made, seconded and carried unanimously to adjourn the meeting at 8:37 p.m.

Respectfully submitted,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

March 28, 1991

Dear Board Member,

Enclosed please find a draft of the minutes of the March 5, 1991 meeting of the Manasquan Planning Board. Please consider the following agenda for the April 2, 1991 meeting:

MANASQUAN PLANNING BOARD
APRIL 2, 1991

7:30 p.m. - Work session

1. Coffey subdivision application - Board Members to review prior materials (Geoffrey Cramer update).

8 p.m. - Regular session

1. Minutes of the March 5, 1991 meeting
2. Discussion and possible action regarding election of board officers.
3. Resolution 10-1991 - Reyles' Auto - Parker Avenue - Beachtree Associates complex - use permit
4. Master Plan session with Paul Szymanski
5. Old Business
New Business

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 3/28/91

JOHN L. WINTERSTELLA
Mayor

MARGARET M. MONSELL
Municipal Clerk

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736



MANASQUAN PLANNING BOARD
MEETING MINUTES
MAY 7, 1991

The Manasquan Planning Board held their regular meeting, on May 7, 1991, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, NJ.

The work session was called to order at 7:30 p.m. by Vice Chairman Edward Stanley as acting chairman.

ROLL CALL (Work Session) - Present: Mayor John Winterstella, Board Members Jerry Iannelli, Ruth Danish, Edward Stanley, Thomas Diamond, Patricia Dunne, William Schmeling, Evelyn Wagner and John Trengrove.

Absent : Board Members Terance Kelleher and Kevin Thompson.

The Board discussed the evening's agenda, including the hearing on the Coffey major subdivision application on Union Avenue, and were introduced to John Trengrove, recently named as alternate to the Board. It was also noted that the subcommittee formed to recommend a nominee for the chairmanship of the board recommended Mr. Schmeling to fill the vacancy.

The regular meeting of the Manasquan Planning Board was called to order at 8 p.m. by Mr. Stanley. Mr. Stanley stated that this was an open public meeting held in accordance with the Open Public Meetings Act and published according to law.

ROLL CALL - Present: Mayor John Winterstella, Board Members Jerry Iannelli, Ruth Danish, Edward Stanley, Thomas Diamond, Kevin Thompson, Patricia Dunne, William Schmeling, Evelyn Wagner and John Trengrove.

Absent: Board Member Terance Kelleher.

Also in attendance were Board Attorney Geoffrey Cramer, Planner Paul Szymanski and Secretary Sharon Bogie.

The Planning Board's nominating subcommittee had Mr. Iannelli make its report on the nomination of a board chairman. Mr. Iannelli stated that the subcommittee recommended William Schmeling as chairman. There being no further nominations,

a motion was made, seconded and carried to name Mr. Schmeling board chairman. Mr. Schmeling began to preside over the meeting.

Mr. John Trengrove was sworn in as an alternate member of the Manasquan Planning Board. It had been noted that Board Member William Ruf had resigned. The Board welcomed Mr. Trengrove and noted Mr. Ruf's contributions to the Board over his years of service. The Board agreed to have a resolution honoring Mr. Ruf prepared for the next meeting.

APPLICATION - Shaun and Kimberly Coffey - Union Avenue - major subdivision - the Board and Board Attorney Geoffrey Cramer recognized George Wright, attorney for the applicants.

The board then began to hear the application, which requests a six lot major subdivision of property at the corner of Morris and Union Avenues. The property is located in Conservation, R-2 and Commercial zones and is approximately 73,807 square feet (1.694 acres) in size. The applicant had applied to the Planning Board in 1989 for a six lot major subdivision but needed to secure approvals (waterfront development permit) from the Department of Environmental Protection before the Board could continue with the case.

Mr. Schmeling advised the applicant and his professionals that there was a question over plans which had been submitted; according to the DEP permit, a seven lot subdivision map prepared by D & L Technical Services and dated December 5, 1990 had been submitted, whereas a six lot subdivision map dated February 25, 1991 had been submitted to the board. Both the engineer and planner stated in their memos that a copy of the December 5, 1990 map should be submitted to the Board. Mr. Wright stated he would have a witness which would testify in regards to the situation.

After giving a brief history of the case, Mr Wright called LeRoy C. Stroby, licensed land surveyor on the project, to testify. Mr. Stroby was sworn in by the Board Attorney.

Mr. Stroby testified that he prepared the plans which were submitted to the state and that the plans which had been submitted to the state were identical to those submitted to the board. The plans, dated February 25, 1991, were marked as A-1 by the Board Attorney.

Mr. Stroby proceeded to give an overview of the application. He stated that one would have the existing home at the corner

of Morris and Union Avenues, one would have the existing two-story frame structure (presently an accessory building/garage) and the other four would be vacant lots.

Mr. Stroby and Mr. Wright then addressed the memos prepared by Paul Szymanski, planner (dated May 3, 1991 and marked A-2) and William Farrell, Jr., engineer (dated May 7, 1991 and marked A-3).

Also marked as evidence was the Coastal Permit Application approval letter from the New Jersey Department of Environmental Protection dated December 12, 1990, which was identified by Mr. Stroby for the record.

Mr. Stroby went down the items in Mr. Szymanski's memo, noting that his description of the current subdivision proposal was according to the map. (Figures offered in the memo show proposed lot 1.05 with the existing house as 15,275.8 square feet and four vacant lots with square footages of 6726 square feet, 6250 square feet, 6250 square feet and 6940 square feet. The sixth lot, which will have the existing accessory garage structure, is proposed as an irregular shaped lot fronting on Morris Avenue; this lot also has areas designated as conservation).

Mr. Szymanski's memo once again brought up the issue of the maps presented to the state vs. the maps submitted to the board, expressing that the Board would wish to determine the "consistency" between the two. Mr. Stroby, confirming that plans were for a six lot subdivision, stated he could not understand why the DEP would believe it was a seven lot subdivision unless they felt the conservation easement area in the back of lot 1.10 was a lot. Mr. Stroby stated copies of the December 1990 plans would be forthcoming.

Mr. Stroby also addressed Mr. Szymanski's comments on the wetlands line. He stated that the DEP requested a 50 foot transitional, non-developable area after the wetlands line was established, but that "to the best of my knowledge the Supreme Court shot that down, stating it was illegal to regulate uplands areas." It was stated that this matter would need further research by the Board's counsel.

It was noted that applications have been filed with the New Jersey Department of Transportation regarding access permits for the two proposed lots which would front onto Union Avenue (Route 71). It was also noted that they have not been received as of May 7, 1991.

The applicant's attorney agreed that his client would agree to plant any shade trees suggested by the Shade Tree Commission and replace/repair any curbs along Union Avenue as indicated by the Borough Engineer.

Mr. Wright stated that Mr. Coffey would respond to questions regarding any other properties owned by Mr. Coffey in the area.

Board Dunne questioned the notifications sent out regarding the hearing; it was noted that all persons and agencies, including flood agencies, listed on the certified lists were noticed.

After Mr. Wright and Mr. Strobby addressed Mr. Szymanski's memo, Mr. Szymanski made several comments, including opinions on the aesthetics of the area. He also stated that he recommended that front yard setbacks for homes built on lots 1.07 and 1.06 be increased.

Mr. Wright and Mr. Strobby then discussed Mr. Farrell's memo. Referring to Mr. Farrell's comments that the conservation easement be extended along the easterly side of lot 1.10 (for the record Mr. Schmeling noted it should be 1.10 instead of 10.01) approximately 10 feet from the driveway (all the way out to Morris Avenue) and that the portion of lot 1.10, lot 2, lot 92 and lot 90 (all block 72 and owned by the Coffeys) should be included in the conservation easement, it was stated that Mr. Strobby spoke to Mr. Coffey about the comments and they saw "no problem" meeting this request. It was also stated that the fence on the property would not be removed.

The topic of sewer laterals and lines was also discussed. It was stated by Mr. Strobby that to the best of his knowledge notice of the easement had already gone to the sewerage authority.

The floor was then open to the public to ask questions of Mr. Strobby. Marilyn Perro, 142 Union Avenue, asked whether any structure could be built in the conservation easement and whether Mr. Coffey actually owned the conservation easement; she was told no, none could be erected and that according to deeds, Mr. Coffey did own the easement. She also asked if variances had been granted for the pool which was on the premises; she was asked to hold that question for Mr. Coffey.

William F. McHeffey, engineer, was then called upon to offer testimony. He also addressed the memos prepared by Mr. Szymanski

and Mr. Farrell and offered testimony regarding the curbs in the area. He stated that they propose to add curbing on the applicant's side of Union Avenue. He also stated he would be replacing curbing on the applicant's side of Morris Avenue. and noted there is already curbing up to the manhole on Morris Avenue.

Mr. McHeffey also stated they would comply with Mr. Farrell's requests that the proposed finish floor elevations of all proposed homes will be 10 feet and that the applicant shall pave the length of Morris Avenue up to Union Avenue.

Mayor Winterstella asked for clarification of where curbing exists and where it is proposed along Morris and Union Avenues. Questions were also asked about which sewerage lines which were being tapped and where they would run; it was noted that approvals would be needed.

Mr. Cramer brought up the topic of the riprap channel and asked what the size of that area would be. Mr. McHeffie stated it was more of a concrete ditch; a guardrail would wrap around the pitch so the curb could not be hopped, he explained. Mr. Szymanski also made comments on the riprap channel.

Mrs. Perro asked whether the pool on the premises (east side of lot 1.05/edge of 1.08) extends into the setback line of the principal structure. Mrs. Perro was told it needed to be 10 feet from the street line.

Mr. Stroby was brought back up to testify regarding soil erosion and sediment control. He discussed the requirement for a silt fence along the wetlands end of the property and landscaping/plantings in the area. Mr. Szymanski stated that he thought the state would probably want anything in the conservation easement to be "replanted/revegetated in keeping with their standards.

Board Member Iannelli asked if a condition could be placed in the resolution stating that all sediment and erosion controls be maintained until permanent protection is guaranteed in the area. Gutters and downspouts were also noted.

Mr. Stroby stated that a complete set of drawings such as those exhibited to the Board were submitted to Freehold Soil Conservation and a set of drawings with projected house footprints was submitted to the state.

Discussion was also conducted regarding the ingress/egress from the property onto Union Avenue.

The Board then requested a five minutes recess. After the meeting was reconvened, Mr. McHeffie added testimony on anticipated water levels (including runoff from the various lots and drainages patterns in the area).

Shaun Coffey, property owner, was then sworn in to offer testimony.

Mr. Coffey stated that the state did not require any donation of lands (mitigation) as a condition for the waterfront development permit.

Mr. Coffey testified about the history of the conservation easement, stating that he wished to donate that land to the borough. He stated that he did not own the property below that which had been noted by the borough engineer; he stated that it was a quick claim title which did not go through. He stated that he wished to subdivide his property and place all the lots up for sale as is; Mr. Coffey stated he would not be building the homes.

Mr. Coffey, the Board and professionals discussed lot 1.10 and the debris on the particular lot. Mr. Coffey stated that at one time the dirt was located in the conservation easement. He stated that the debris will not stay on the lot and that he was required to remove it from the conservation easement by the state. Mr. Coffey also stated the open ditch (riprap area) was built by Stuart Marketing across the street (Morris Avenue) from the Coffey property. Mr. Coffey stated that he believed this was required by the Manasquan Planning Board and Freehold Soil Conservation to have sediment settle there before going into the wetlands area.

Repavement was also discussed. The area from Union Avenue to the manhole on Morris Avenue (lot 1.09) had been dug up and repatches several times, Mr. Coffey stated. Mr. Coffey stated he agreed to repave this area.

Board Member Iannelli questioned the wall on the property. Mr. Coffey stated that the wall had been built prior to the construction of the riprap and goes all the way down to the end of the property.

The Board, professionals and applicant discussed the donation

of the conservation easement. Mr. Coffey, on questioning from Board Member Iannelli, stated there was no wetlands mitigation to the state in regards to this subdivision.

Mr. Iannelli also asked questions regarding a garage apartment on the property. Mr. Coffey said he would be going for the proper permits to make the apartment habitable, but that it was presently not a living quarters.

In response to questions regarding other property he may own in the area, Mr. Coffey stated that contrary to the tax map, he does not own any lands other than the piece of property he has clear title to and he would be willing to donate any right to any lots down below the conservation easement (in back of lot 1.10). He stated that the people he brought the questioned lands from had bought them at a tax sale, but they did not foreclose on the tax note.

Board Member Dunne asked whether a wetlands delineation study had been completed on the property.

Mayor Winterstella asked, in regards to lot 1.10, how will you protect the area without a buffer. He stated he was concerned with a drop-off in elevation and it was possible that a buffer would be necessary to protect the area.

Mr. Szymanski stated that if the borough was interested in having the land as a donation, it might be appropriate to have lot line extending from Morris Avenue to the conservation easement. Mayor Winterstella stated he did not think the borough had an interest in acquiring the easement.

Debris and dumped materials on the property were once again discussed.

The floor was once again open to the public. Mrs. Perro noted debris and materials east of prospective lot 1.03 and offered pictures for the Board's consideration. The photos were marked as evidence.

Mr. Coffey stated that he had "no problem" with removing the mounds of dirt and debris as a condition of the subdivision.

Mr. Szymanski introduced the topic of the carriage house on the property. It was stated that presently the structure was just an accessory building, but that it would be converted to a dwelling unit should the subdivision be granted. It was also

noted that that structure's setbacks were those of an accessory building (six feet off the property line). Mr. Coffey stated that there had been interest from people wishing to purchase the carriage house and that the people offering were "not looking to expand."

During the public questioning, Robert Zanes, Ocean Avenue, asked if there was an officer in the borough who would look at the debris and determine what should or shouldn't be removed. He also asked whether there was an overview of the environmentally sensitive sites in the area and their value to the borough.

Jane Randolph, 140 Union Avenue, stated that when her lot, which lies next to the Coffey lot, was subdivided and developed, the Department of Environmental Protection came in to help determine lines along the easement. She also noted the sewer lines in the area.

Mayor Winterstella asked if the Monmouth County Sewerage Authority had been contacted.

A motion was made, seconded and carried to close the public hearing. A motion was then made, seconded and carried unanimously to continue the hearing at the June 4, 1991 meeting.

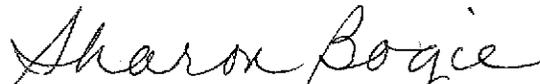
Mr. Schmeling asked for a motion regarding the minutes of the April 2, 1991 meeting. A motion was made, seconded and carried to approve the minutes as submitted by the Board Secretary.

Correspondance and vouchers were noted by the Board secretary.

The Board and Mr. Szymanski also agreed to table continued discussion of the Master Plan until the June 4, 1991 meeting.

A motion was then made, seconded and carried to adjourn the meeting at 10:25 p.m.

Respectfully submitted,



Sharon Bogie, secretary
Manasquan Planning Board

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

May 2, 1991

Dear Board Member,

Enclosed please find a copy of the draft of the minutes for the April 2, 1991 meeting of the Manasquan Planning Board. Please consider the following agenda for the May 7, 1991 meeting:

MANASQUAN PLANNING BOARD AGENDA
MAY 7, 1991

7:30 p.m. - Work session

8 p.m. - Regular session

1. Approval of 4/2/91 minutes
2. Application - Shaun and Kimberly Coffey - Union Avenue - major subdivision.
3. Master Plan session with Paul Szymanski (Tentative)
4. Old Business
 - a. Report from nominating committee re: chairman
5. New Business
 - a. Correspondance

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 5/2/91

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk



MANASQUAN PLANNING BOARD
JUNE 4, 1991 MEETING MINUTES

The Manasquan Planning Board held its work session and regular meeting on June 14, 1991 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey. The meeting was held in the courtroom as primaries were being held in the council chambers.

Manasquan Planning Board Chairman William Schmeling called the work session to order at 7:30 p.m.

Roll Call for work session : Present - Board Members Jerry Iannelli, Ruth Danish, Edward Stanley, Thomas Diamond, Kevin Thompson, Patricia Dunne, William Schmeling and John Trengrove. Absent - Mayor John Winterstella, Board Members Terance Kelleher and Evelyn Wagner.

Topics during the work session included state ethics law compliance and the evening's agenda.

The Board discussed a rough draft of a resolution regarding the Coffey application. Additional conditions were noted and were scheduled for discussion during the regular portion of the meeting.

The chairman then called the regular session to order at 8 p.m. He stated that the meeting was an Open Public Meeting held in accordance with the Open Public Meetings Act and published according to law.

Roll Call: Present - Mayor John Winterstella, Board Members Jerry Iannelli, Ruth Danish, Edward Stanley, Thomas Diamond, Kevin Thompson, Patricia Dunne, William Schmeling, John Trengrove. (Record shows Mayor Winterstella excused himself from the meeting later in the evening).

Absent - Board Members Terance Kelleher, Evelyn Wagner.

Geoffrey Cramer, board attorney, Paul Szymanski, planner, and the Board Secretary were also in attendance.

A motion was made by Mr. Diamond to approve the minutes as

submitted by the Board Secretary. The motion was seconded by Mr. Iannelli and carried by unanimous vote.

APPLICATION - Shaun and Kimberly Coffey - 136 Union Avenue - major subdivision (cont.) - The Board Attorney recognized George Wright, attorney for the applicants. Mr. Wright addressed Mr. Szymanski's memo of June 4, 1991, which noted revisions on the plans for the project (re: wetlands transition area, street trees and guard rail around the open rip-rap channel) and made further comments (re: removal of dead trees on lots 1.06 and 1.07, clean-up of the conservation/transition area and dealing with the fuel odors on the property). Mr. Wright stated they had no problems with the comments set forth in the memo.

There were no public comments on the application. Mr. Schmeling then opened the floor to any questions the Board may have on the new plans or Mr. Szymanski's memo.

It was noted that fuel odors had been detected at the site. Mr. Wright indicated that he and his client only found out about the odor that day. The possibility that there had been some spillage when the tank on the property had been moved was discussed and the applicant stated that anything there would be cleaned up. Mr. Stanley stated he would like that in a memo form to Mr. Coffey. It was agreed that it (clean up of the spillage) would be a provision of the resolution.

Mr. Iannelli also stated that Mr. Szymanski recommended that the projected houses fronting on Union Avenue be moved back five additional foot (which would bring it to 30 foot setback) to make it aesthetically comparable to the home next door. It would also allow for a "better k-turn" out onto Route 71.

After further discussion, the Board voted unanimously to enter into executive session to discuss the application. The Board discussed the application and then unanimously voted to come out of executive session. A motion was made by Mr. Stanley, seconded by Mr. Iannelli, to approve the application (memorialization at the July 2, 1991 meeting) with the following stipulations, in addition to those already noted in Mr. Cramer's rough draft resolution: 1. extension of conservation line to include transition area; 2. 30 foot setback for projected houses fronting on Union Avenue; and 3. clean up of fuel spillage on property. The Board carried the motion by the following vote: "Yes" Mayor Winterstella, Board Members Iannelli, Danish, Stanley, Diamond, Thompson, Dunne, Schmeling, Trengrove. "No" none.

It was also noted that comments would be gathered from the Fire Official on the project.

APPLICATION - Nicholas and Associates - 106 Union Avenue - site plan with variance for parking - The Board Attorney recognized Robert Fournaidis, attorney for the applicant. Mr. Fournaidis introduced Nicholas Paslawsky, applicant. It was also noted that Henry Ney of Abbington-Ney Associates and Charles W. Gilligan, engineer on the project, were also in attendance.

The applicant, Board and professionals commenced the hearing on the application, which requested permission to construct a 2100 square foot office building. A 2100 square foot office building presently exists on the property and, it was related, the combined 4200 square feet would require 14 parking spaces (per the requirements of Section 107-36 of the Code of the Borough of Manasquan). Mr. Fournaidis stated that the applicant wished to construct an office building which would basically be a mirror image to the existing building facing Union Avenue. It was noted that under the plans submitted, 11 parking spaces were requested rather than the required amount under the code.

Mr. Paslawsky offered some background on the property. He stated he purchased the subject property in 1987 and at that time it was a two-family residential structure in a C (Office Commercial) zone. It was renovated to a commercial office building designed for 10 individual offices on two floors (the attic is locked and used for storage, he stated). He noted that the offices were rented as office suites with such tenants as a nurses' registry and an advertising group.

Mr. Paslawsky stated that alternate parking configurations had been explored, but not were preferable because of such factors as tree removal and traffic egress onto Route 71. In addition it would not achieve the "mirror image" which he seeks.

A letter from Mr. William Baille, 114 Union Avenue, indicating that he was in favor of the project was submitted. It was noted that the letter could not be considered as evidence because Mr. Baille was not in attendance and thus could not be cross examined.

It was noted that there were no retail uses in the existing building. Mr. Paslawsky was questioned by the Board as to what type of uses and how many offices he projected for the proposed building. It was also noted that a fire system was installed in the existing building and that building permits had been

secured at the time of the conversion (a question had been asked about why a site plan had not been established at that time because it was a change of use from residential to commercial; he stated that had he been told a site plan was needed, he would have gone before the Board at that time. Mr. Cramer noted that the existing building was included in this site plan presentation and could be considered).

Mr. Szymanski asked about the population of the buildings, comparing the existing building to the proposed building and discussing how many professionals are in the building now as compared to how many there could be.

Upon questioning, Mr. Paslawsky stated that approximately one more business could be put in the existing building. Mr. Szymanski also noted that the plans indicated that two rental suites per floor. Mr. Paslawsky stated ideally he would like to rent the entire building to one business, and as a secondary preference, one tenant (business) per floor.

Parking requirements under Manasquan ordinance were discussed; Mr. Szymanski noted the requirements could change if certain types of professionals came into the building, citing the example of a doctor. Mr. Szymanski stated that the issue of limiting the types of uses in the building should be addressed by the Board. He stated that, for example, a traveling salesman who was not on premises at all times would have a different impact than a professional with a high degree of parking.

Mr. Cramer asked Mr. Paslawsky what type of experiences he has had with the parking and the present building. Mr. Paslawsky stated that the parking has been sufficient.

Mr. Ney, traffic expert/engineer, was sworn in to offer testimony. Mr. Ney stated he did a parking study and then discussed the parking patterns on the site. His findings were submitted to the Board for their consideration. He also noted he had referred to three sources regarding parking requirements and stated that based on this research, there would be a maximum parking demand of 12 to 17 spaces. He stated that if the uses continue as they are today, the parking would probably never get up to that maximum ratio and, noting offsite parking areas, would not interfere with neighboring residential areas. Mr. Ney stated that he felt the uses were consistent with uses in the downtown area.

Mr. Trengrove inquired about handicapped parking. Options for this requirement were discussed.

The Board asked Mr. Ney about specific uses and their possible impact on the parking situation. Mr. Szymanski also expressed his concern over the parking and traffic situations in the area.

The Board also asked about hours and days of operation for the businesses in the existing structure and projections for the planned structure.

The Board then discussed options in regards to possibly limiting the types of professionals in the building, ie: physicians, attorneys and other professionals which may need parking.

Project Engineer Charles Gilligan was brought forward to offer testimony.

The Board discussed the plans prepared by Mr. Gilligan. The plans were marked for the file.

Mr. Gilligan briefly described the plan noting it indicated location of utilities and access. He stated that the footprint of the projected building was consistent with the existing building (in relation to size). He also discussed the sizes of the parking spaces on the site, stating that they were basically 8 foot 9 inches (9 feet minimum) and that there was space for 11 parking spots including one for a compact car. Mr. Gilligan also noted that the site included a fire lane which Mr. Paslawsky had established. If 2 handicapped spaces were required, commented Mr. Gilligan, the applicant "might be hardpressed" to find room for 11 spaces.

Lighting on the premises was also discussed. Mr. Isnelli expressed concern that the light could affect surrounding neighboring areas. Shields for the lights and the types of fixtures were discussed.

Comments on Mr. Farrell's memo were noted./ A projected access was also discussed regarding the sidewalk on his property.

The Board asked Mr. Gilligan questions about constructing a fence between the building and residential area. Mr. Szymanski had noted in his memo that a buffer fence should be considered.

Garbage disposal and recycling arrangements were discussed by the Board and the applicant.

Signs on the property were noted and discussed. It was stated

that a lighting and landscaping plan would be submitted for the Board's consideration.

The applicant indicated he would be willing to come back to the Board for use interpretations / permits on the individual uses in the building.

The Board discussed options on how the uses/ population of the building could be determined and /or restricted and whether it could be done as part of the resolution.

The Board voted unanimously to close the public hearing and enter into executive session to discuss the application. After discussion they voted unanimously to come out of executive session.

The motion was made by Mr. Stanley to approve the application (memorialization at the July 2, 1991 meeting) with stipulations regarding the uses and conditional on comments from the borough's traffic Officer, John Garrity. The motion was seconded and carried by the following vote: "Yes" Board Members Iannelli, Danish, Stanley, Diamond, Thompson, Dunne, Schmeling, Trengrove. "No" none.

OLD AND NEW BUSINESS : Correspondance was addressed and vouchers were signed at the Board's direction.

There being no further matters for discussion, a motion was made, seconded and unanimously carried to adjourn at 10:24 p.m.

Respectfully submitted,


Sharon Bogie, Secretary
Manasquan Planning Board

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

May 30, 1991

Dear Board Member,

Enclosed please find a copy of the draft of the minutes for the May 7, 1991 meeting of the Manasquan Planning Board. Please consider the following agenda for the June 4, 1991 meeting:

MANASQUAN PLANNING BOARD

MEETING AGENDA

JUNE 4, 1991

MANASQUAN BOROUGH HALL-15 TAYLOR AVENUE, MANASQUAN NJ

7:30 p.m. - Work session

8 p.m. - Regular session

1. Approval of 5/7/91 minutes
2. Application - (cont) - S. & K. Coffey - Union Avenue - major subdivision
3. Application - Nicholas and Associates - Union Avenue - site plan approval
4. Master Plan session with Paul Szymanski, planner
5. Old Business
6. New Business

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 5/30/91

JOHN L. WINTERSTELLA
Mayor

MARGARET M. MONSELL
Municipal Clerk

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MANASQUAN PLANNING BOARD
JULY 2, 1991
MEETING MINUTES

The Manasquan Planning Board held their regular meeting on July 2, 1991 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

The Board entered into a work session at 7:30 p.m. Board Chairman William Schmeling called the work session to order and asked for a roll call.

ROLL CALL: (Work session) Present - Board Members Jerry Iannelli, Ruth Danish, Terance Kelleher, Patricia Dunne, William Schmeling and Evelyn Wagner.

Absent - Mayor Winterstella, Board Members Edward Stanley, Thomas Diamond, Kevin Thompson and John Trengrove. (Record shows Mr. Trengrove arrived at 7:50 p.m.)

The Board unanimously approved a resolution honoring William Ruf for his years of service with the Planning Board.

INFORMAL HEARING - use permit - James Turner - 109 Taylor Avenue - Mr. James Turner appeared before the Board to discuss a use permit for his property at 109 Taylor Avenue. Testimony was offered that the premises was an auto care store and that it was requested a change of use be granted so that a Chinese food take out restaurant could be established.

The Board discussed the request, including parking aspects and plans for the other half of the building (it was stated that the restaurant would only take up half the building).

A motion was then made by Mr Iannelli to approve the use permit; motion seconded and carried by the following vote: "Yes" Board Members Jerry Iannelli, Ruth Danish, Terance Kelleher, Patricia Dunne, William Schmeling and Evelyn Wagner. "No" none.

The Board then discussed the evening's agenda, past cases and future cases.

There being no further matters on the work session agenda, the Board Chairman called the regular meeting to order at 8 p.m.

ROLL CALL: (regular session) Present - Board Members Jerry Iannelli, Ruth Danish, Terance Kelleher, Patricia Dunne, William Schmeling, Evelyn Wagner, John Trengrove.

Absent - Mayor John Winterstella, Board Members Edward Stanley, Thomas Diamond, Kevin Thompson.
(Record shows Mayor Winterstella arrived after roll call)

Also in attendance were Geoffrey Cramer, board attorney; Paul Szymanski, planner; and the Board Secretary.

Mr. Schmeling then asked for a motion regarding the minutes of the June 4, 1991 meeting. Mr. Iannelli made a motion to approve the minutes as submitted; motion seconded and carried by the following vote: "Yes" Board Members Iannelli, Danish, Kelleher, Dunne, Schmeling, Wagner, Trengrove. "No" none.

RESOLUTION 11-1991 - Sean and Kimberly Coffey - 106 Union Avenue - major subdivision - Mr. Cramer read the favorable resolution granting a major subdivision to the applicants. A motion was made and seconded to memorialize the resolution. Motion carried by the following vote: "Yes" Board Members Iannelli, Danish, Schmeling, Dunne, Trengrove. "No" none. "Abstain" Mayor Winterstella, Board Members Kelleher and Wagner.

RESOLUTION 12-1991 - Nicholas and Associates - site plan - 136 Union Avenue - Mr. Cramer read the favorable resolution granting site plan approval to the applicant. The presence of Nicholas Paslawsky, applicant, and Robert Fournaidis, applicant's attorney, was noted.

The Board discussed conditions of the resolution, particularly the restriction of certain uses. The inclusion of real estate agencies among those restricted uses was discussed. Mr. Fournaidis asked what process would be used so that his client could come back to have various uses in the building approved as tenants came in. The Board explained the procedure of seeking relief. After further discussion it was decided leave real estate offices among the restricted uses that would have to be approved by the Board.

Mr. Fournaidis noted that the number of parking spaces projected was incorrect. He stated that there would be 10 parking spaces provided instead of the 11 indicated in the resolution. Mr. Fournaidis also asked whether the resolution could also be

amended to incorporate the procedure for approval on certain uses. Mr. Cramer stated that this could be done.

The landscaping and lighting plan submitted was discussed by Mr. Szymanski, who noted a few recommendations.

The Board's requested amendments were noted and a motion was made by Board Member Iannelli to memorialize the resolution with amendments (number of parking spaces from 11 to 10, types of restricted uses include real estate and require revised site plan approval, compliance to certain recommendations made by Mr. Szymanski in his two memos). Motion seconded by Board Member Dunne and carried by the following vote: "Yes" Board Members Iannelli, Danish, Schmeling, Dunne, Trengrove. "No" none. "Abstain" Mayor Winterstella, Board Members Kelleher, Wagner.

The Board called for a brief recess and then reconvened.

MASTER PLAN SESSION - Mr. Schmeling then opened the floor for Mr. Szymanski to continue his Master Plan presentation.

Mr. Szymanski displayed several maps and distributed a memo dated July 2, 1991 (Master Plan/Zoning Ordinance Update) which included a draft of the zoning schedule (both residential and non-residential zones). He indicated that the rest of the Master Plan package could be ready for the August meeting. The Board and Mr. Szymanski agreed that a date for the public hearing on the Master Plan could be discussed at that time.

The Board and Mr. Szymanski discussed changes in the Master Plan under consideration. Mr. Szymanski referred to the PUD and conservation zone, stating that the PUD under the Master Plan will become Conservation. He then stated that the conservation zone, under the present Master Plan, was defined as those areas which are designated wetlands. Mr. Szymanski added that there are some public facility (parking, etc.) on this PUD area; thus, the conservation zone, although still environmentally sensitive, could be amended to allow certain public activities.

Mr. Szymanski also addressed the R-4 zone and the other areas along the beach. He stated that some commercial uses would be allowed in the area with different standards than residential. The projected minimum lot area differences between the R-4 and R-5 zones were also addressed. Mr. Szymanski emphasized that the R-5 zone would not be eliminated and would be in the same areas as it is now. He also stated that those areas presently

designated B-2 (resort business) would remain a business zone but would probably "be called something else." Zoning for the parking lots near the Drawbridge Restaurant was also discussed.

Mr. Szymanski then began to discuss previous determinations made by the Board regarding multi-family areas, certain industrial zoned properties (part of the Sea Girt National Guard Camp) which would now be designated public and certain B-1 areas which would be changed to a Highway Commercial (B-3) zone.

Suggestions for additional parking, including acquisition of property for parking, were discussed. Mr. Szymanski also discussed the designations of parking in the Master Plan.

Once again, the scheduling of a public meeting was discussed. Mayor Winterstella stated he wished to have it no later than late August so summer residents could attend.

The Board also discussed the light industrial zone areas as well as alternate zoning options for those areas. Among the ideas put forth by Mr. Szymanski would be to change all to the Highway Commercial Zone. Specific cases were discussed as examples by Mr. Szymanski.

Mr. Szymanski also addressed his memo and projected zoning schedule. He and the Board discussed situations which may occur in the various zones in Manasquan and options which the Board may exercise in some zoning, subdivision, traffic and parking situations.

OLD AND NEW BUSINESS - Under old and new business, the Board discussed the payment of vouchers and correspondance. There being no further matters for discussion, a motion was made, seconded and unanimously carried to adjourn at 10:45 p.m.

Respectfully submitted,

Sharon Bogie

Sharon Bogie, Secretary
Manasquan Planning Board

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk



June 27, 1991

Dear Board Member,

Enclosed please find a draft of the minutes of the June 4, 1991 meeting of the Manasquan Planning Board. Please consider the following agenda for the July 2, 1991 meeting:

MANASQUAN PLANNING BOARD
JULY 2, 1991

7:30 p.m. - Work Session

1. Use permit - J. Turner - 99 Taylor Avenue
2. Discussion of August agenda

8 p.m. - Regular Session

1. Approval of June 6, 1991 minutes
2. Resolution 11 - 91 - S. & K. Coffey - 136 Union Avenue - major subdivision.
3. Resolution 12-91 - Nicholas and Associates 106 Union Avenue - site plan.
4. Master Plan presentation with Paul Szymanski, planner.
5. Old business
New business

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 6/27/91

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

MANASQUAN PLANNING BOARD
MEETING MINUTES
AUGUST 6, 1991

The Manasquan Planning Board held its regular meeting on August 6, 1991 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, NJ.

The work session was called to order at 7:30 p.m. by Vice Chairman Edward Stanley, acting as chairman in the absence of Chairman William Schmeling.

WORK SESSION ROLL CALL: Present- Mayor John Winterstella, Board Members Jerry Iannelli, Terance Kelleher, Ruth Danish, Edward Stanley, Thomas Diamond, Kevin Thompson, Patricia Dunne, Evelyn Wagner and John Trengrove.

Absent - William Schmeling.

INFORMAL HEARING - Holy Trinity Lutheran Church - Osborn Avenue - Mr. Stanley recognized Mr. Clifford Stack, member of the Holy Trinity Lutheran Church property committee. He stated that the church owns the property across from church and that they would like to demolish the present garage, build a new garage next to house (parsonage) and make the rest a parking lot. The lot would only basically be used on Sundays, he stated. The lot had already been subdivided, it had been noted. The garage would be used for the parsonage. Mr. Iannelli stated that the garage would come under the jurisdiction of the Construction Official. No grading would be done, only paving; however, Mr. Stack stated. some landscaping could be done. A depressed curb would also be installed. Mayor Winterstella stated that he would like to see the drainage directed away from neighbors; it was stated that it would be graded toward Main Street. Mr. Cramer stated that drainage and landscaping should be shown on the plans (Mr. Stack said he could make changes on the plans which were submitted for the Board's consideration) and commented that if they got the plans to the Board for the September meeting it could then be forwarded to the Borough Engineer and Planner for their comments.

Mayor Winterstella asked the Board to waive the requirement to have the professionals look the plans over as to defer expenses for the church. Mr. Cramer then asked Mr. Stack to forward the plans to the building department to review. Mr.

Iannelli also suggested that a review be secured from the borough's traffic officer.

INFORMAL HEARING - Robert Strenz/Beachtree Associates - Parker Avenue - Mr. Stanley recognized Mr. Robert Strenz, Beachtree Associates. Mr. Strenz asked to address the Board on the subject of signs on the property. Prior resolutions prohibited free standing signs on the property.

Mr. Strenz discussed projected signs which could be installed. He stated he wanted to install a sign which listed the tenants in the building. He discussed his tenants and their need for such a sign as a form of advertisement.

After further discussion, the Board Attorney recommended that Mr. Strenz return to the Board with a formal application to amend the previously granted site plan.

At 8 p.m., Mr. Stanley called the regular portion of the meeting to order. He stated that the meeting was an open public meeting held in accordance with the Open Public Meetings Act and published according to law.

ROLL CALL REGULAR SESSION: Present - Mayor John Winterstella, Board Members Jerry Iannelli, Terance Kelleher, Ruth Danish, Edward Stanley, Thomas Diamond, Kevin Thompson, Patricia Dunne, Evelyn Wagner and John Trengrove.

Absent - Board Member William Schmeling.

Also in attendance were the Board Attorney, Geoffrey Cramer, and the Board Secretary. Mr. Paul Szymanski, planner, was absent.

A motion was made, seconded and carried to approve the minutes of the July 2, 1991 Manasquan Planning Board meeting as submitted by the Board Secretary.

APPLICATION - Robert and Trudy Wood - 139-139 $\frac{1}{2}$ -139 $\frac{1}{4}$ Third Avenue - minor subdivision - The Board recognized Kevin Thomas, attorney for the applicants.

The Board, Board Attorney, applicant and applicant's attorney began to discuss the application, which seeks a minor subdivision of his property at Block 169.05, lot 58. The lot is located in an R-3 zone. Presently there are three single family

structures on the property , which is approximately two acres.

The projected subdivision, it was noted, would have two undersized (below the zoning requirement of 3400 square feet). A variance is also requested from Section 107-27 (schedule of limitations - rear and side yard setback requirements, minimum lot size and width requirements).

Mr. Cramer read the engineer's review for the record. Mr. Farrell recommended that access easements along the common driveway be provided to and approved by the Planning Board. He also stated that new curbs, sidewalks and driveway aprons be required for the full frontage of the property and that the applicant should repair the pavement along the curb improvement.

Mr. Cramer marked the plat, photos and memos from Paul Szymanski and Engineer William Farrell as evidence. He then swore in Mr. Robert Wood, owner of the subject property, to offer testimony.

Mr. Wood offered testimony on the character of the neighborhood (small lots with small bungalow-type, two and three bedroom structures, mostly owned and occupied by year-round or seasonal tenants). He then gave specifics for the individual houses on the subject property.

Mr. Wood stated that one house (139½ Third Avenue) is situated on Outlet Creek and faces the water. The center house (139¼ Third) faces Riddle Way and 139 faces Third Avenue. All are single family, one story stucco structures (approximately 750 square feet of living space) and each is separately served by utilities. He also discussed the parking situation on the property, including offstreet, driveway and garage parking situations for each house.

Mr. Wood stated he wanted to create the subdivision so that each house sat on its own lot. He stated he already had prospective buyers for two of the three properties.

The applicant and his attorney addressed Mr. Szymanski's memo, which presented two options regarding the subdivision. Mr. Wood stated he was opposed to option A, which would bring the number of lots down to two. Mr. Cramer stated that another option would be to go with Mr. Szymanski's Option B, which depicted three lots, and take the westerly line and push it over 10 feet so as to increase the size of the projected 139½ Third Avenue lot. Mr. Wood stated his was flexible in regards to the side lot lines for 139½ Third Avenue, noting that parking

could still be provided. Prospective easements were also discussed.

Board Members offered their opinions and asked questions of the applicant and his attorney about the application.

Mayor Winterstella asked about maintenance easements so that there could be ingress/egress of emergency vehicles. Mr. Wood stated he had no problem with such easements.

Mr. Cramer asked whether written contracts had been established with the prospective purchasers Mr. Wood had commented upon earlier; Mr. Wood stated there were no contracts at the present time.

Mrs. Dunne expressed concerns over the non-waterfront properties on the property and their sizes. She stated that she preferred the two lot subdivision. Mr. Wood stated he wished to encourage single family year-round ownership and commented that 95 percent of the homes in the neighborhood are occupied by families and year-rounders.

The record reflects that there was no public comment. A motion was then made to move into executive session to discuss the application. The motion was seconded and Mr. Stanley requested comments from the Board.

Mr. Cramer stated that before there was further discussion, the Board should note that copies of the Supreme Court decision regarding the Tomasso appeal were distributed to the Board members. He suggested that the Board read the decision before making any decision on the application. He also commented that the ramifications of the decision should be discussed. Mr. Cramer stated that the matter could be discussed in closed session at the end of the meeting.

Mr. Stanley moved that no decision on the application be made until discussion on the Supreme Court decision could be conducted in closed session. Mr. Stanley also stated he would like to address some questions to Mr. Szymanski at the September meeting.

A motion was made, seconded and carried to come out of closed session. The Board then asked the applicant and his attorney for any further information and comments.

In regards to Mr. Farrell's memo and its suggestions on new curbs, sidewalks and driveway openings for the full frontage

of the parcel, Mr. Thomas requested that a proviso be added that would say "as needed" (as determined by the borough engineer).

Mr. Thomas offered his analysis of the Tomasso decision. He commented that the Supreme Court decision, in his opinion, stated that a Board could impose requirements and determine if a subdivision can take place. He stated in this particular case (the Wood application), the benefits outweigh the detriments and that, after looking at the decision, the Board could conclude that the Wood subdivision "makes sense in the context of where Manasquan wants to go with its planning." He also noted that economics make it unfeasible to do anything but rent all three houses on the property, in its present unsubdivided state.

A motion was made to table the application until the next meeting; Mr. Thomas agreed to waive the time limit. A motion was made, seconded and carried to close the public hearing and table the application until September 3, 1991.

OLD AND NEW BUSINESS - The Board entered into discussion of old and new business.

The Board Secretary brought correspondence, literature, placement of items on the September 3, 1991 meeting agenda and vouchers to the Board's attention.

The Board tabled discussion of a letter from historian Wesley Banse about historical areas in the borough so that Mr. Szymanski could address the topic. In response to a letter from Mr. Douglas Schafer, the Board requested Mr. Schafer to attend the next meeting to discuss potential zoning changes on his property on Main Street (lumber yard / hardware store); the Board also requested comments from Mr. Szymanski.

The Board then went into closed session to discuss the Supreme Court decision on the Tomasso case. After coming out of closed session, a motion was made, seconded and carried unanimously to adjourn at 9:42 p.m.

Respectfully submitted,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

AFFIDAVIT

STATE OF NEW JERSEY)

SS:

County of Monmouth)

I, William E. Schmeling of full age, being duly sworn according to law, upon oath, deposes and says that:

1. I am a member of the Manasquan Planning Board, Manasquan, New Jersey.

2. I was absent for the regularly scheduled meeting held on

August 6, 1991.

3. I have listened to the complete mechanical recording of the meeting held on August 6, 1991 during which the hearing was held for: Robert S. Wood, Sr. Block 169.05, Lots 5B proposed subdivision

Subscribed and sworn to before me
this day of August, 1991.

William E. Schmeling

John T. Pandolfe, Jr.
John T. Pandolfe, Jr.
Attorney at Law of New Jersey

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk



July 30, 1991

Dear Board Member,

Enclosed please find a copy of the draft of the minutes for the July 2, 1991 meeting of the Manasquan Planning Board. Please consider the following agenda for the August 6, 1991 meeting:

MANASQUAN PLANNING BOARD

MEETING AGENDA

AUGUST 6, 1991

MANASQUAN BOROUGH HALL-15 TAYLOR AVENUE, MANASQUAN NJ

7:30 p.m. - Work Session

1. Informal hearing - Holy Trinity Lutheran Church
- 6 Osborn Avenue - parking lot
2. Informal hearing - R. Strentz - Beachtree
Associates - 187 Parker Avenue - signs.

8 p.m. - Regular Session

1. Motion regarding minutes of 7/2/91 meeting.
2. APPLICATION - R. & T. Wood - minor subdivision
- 139-139 $\frac{1}{2}$ -139 $\frac{1}{4}$ Third Avenue
3. Old Business

New Business

- a. Distribution of Master Plan materials (no
discussion anticipated)
- b. Collection of disclosure forms re: Ethics
Law. *
- c. Correspondance

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

* Enclosed please find disclosure form - Local Government Ethics
Law - please fill out and return at meeting.

Dated at Manasquan 7/30/91

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

MANASQUAN PLANNING BOARD
MEETING MINUTES
SEPTEMBER 3, 1991

The Manasquan Planning Board held its regular meeting on September 3, 1991 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

The work session was called to order at 7:30 p.m. by Board Chairman William Schmeling.

WORK SESSION ROLL CALL: Present - Mayor John Winterstella, Board Members Ruth Danish, Jerry Iannelli, William Schmeling, Edward Stanley, Kevin Thompson, Evelyn Wagner, John Trengrove.

Absent - Board Members Thomas Diamond, Patricia Dunne and Terance Kelleher.

INFORMAL HEARING - Smith minor subdivision - 55 Main Street - The Board recognized Thomas O'Brien, attorney for William and Lillian Smith, owners of the subject property, also known as Block 27, Lots 11B, 12B and 13. Mr. O'Brien stated that his clients would like to create a two lot minor subdivision; proposed new lot 13 would have 55 feet of frontage on Main Street while proposed new lot 12 would be a flag lot with 10 feet of frontage on Main Street. The existing two and a half story house would be on lot 13.

Mr. O'Brien discussed the request for the flag lot and noted a subdivision previously granted to John Martin, 38 Main Street; Mr. Martin's subdivision also created a flag lot. Mr. O'Brien also stated that he felt there would be adequate access to the rear property for emergency vehicles. Square footage for the flag lot and the character of the neighborhood was also discussed.

Mr. Paul Szymanski, planner, noted an upland wetlands situation may exist.

Mr. Cramer made suggestions about the prospective project and stated that a formal application should be submitted.

INFORMAL HEARING - Ocean Ventures, Inc. - Castaways Motel - Block 136, Lots 3-4 - The Board recognized John DeVincens, attorney for Ocean Ventures. Mr. DeVincens gave the board a

brief history of the property and attempts to renovate the motel/marina. He stated that the motel on the property has eight units, one manager's apartment unit. In addition, there is a marina. The property is in a B-2 zone.

It was stated that the owners wished to reduce the intensity of the use and aesthetically improve the site. Because of the number of units, however, it was considered non-conforming. Mr. DeVincens stated that there is no intention of increasing the foot plan of the building; he explained that the owners wished to raise the building above flood standards.

Mr. DeVincens stated that Mr. Lebowsky of Ocean Ventures was also in attendance.

Mr. DeVincens stated he was looking for direction on the project. Board jurisdiction was discussed and it was agreed that further consultation with Board Attorney Geoffrey Cramer would be necessary.

There being no further matters for discussion in the work session, Board Chairman Schmeling called the regular meeting to order at 8 p.m. Mr. Schmeling stated that this was an open public meeting held in accordance with the Open Public Meetings Act.

ROLL CALL (regular session) - Present - Mayor John Winterstella, Board Members Jerry Iannelli, William Schmeling, Edward Stanley, Kevin Thompson, Evelyn Wagner and John Trengrove.

Absent - Board Members Thomas Diamond, Patricia Dunne and Terance Kelleher.

Mr. Schmeling then asked for a motion regarding the minutes of the August 6, 1991 meeting. A motion was made, seconded and unanimously carried to approve the minutes as submitted by the Board Secretary.

APPLICATION (cont.) - Robert and Trudy Wood - minor subdivision - 139, 139 $\frac{1}{2}$ and 139 $\frac{1}{4}$ Third Avenue - The Board recognized Kevin Thomas, attorney for the applicants, and Mr. Robert Wood Sr., North Main Street, owner of the subject property.

Mayor Winterstella made a statement to the applicant and public that meetings had been held with a number of attorneys in regards to the Tomasso Supreme Court decision. Mayor Winterstella stated that he felt it would be appropriate that the Board meet in closed session before continuing the hearing on the case. A motion was made, seconded and carried to go into closed session.

After coming back in from the closed session, Mr. Schmeling asked the Board Secretary who would be eligible to vote. It was stated that Mr. Schmeling had listened to the tapes. It was noted that all Board members in attendance were eligible to vote on the Wood application.

Mr. Cramer read a letter for the record from William P. Farrell, Jr., engineer, dated August 29, 1991 in response to Mr. Cramer's letter of August 23, 1991. In Mr. Cramer's letter, Mr. Cramer stated that the Board requested Mr. Farrell make an inspection of the subject site and confirm the extent to which new curbing, sidewalks and driveway aprons should be provided over the front of the property. It was also requested that he give similar information on the affected area of Riddle Way. In the responding correspondence, marked as A-5, Mr. Farrell stated that the existing concrete curbing along Third Avenue and Riddle Way to approximately the northerly property line of prospective lot 58.02 is in fair condition, with a few areas that need "minor patching." He added that new curbing should be installed from the end of the existing curb to the end of the roadway near the bulkhead. Suggestions were made over the installation of the curb.

In the second part of the memo, Mr. Farrell commented that all off street parking (driveways) should have access by way of a concrete apron between the curb and the sidewalk. He explained that there is some minor repairs to be done at the already existing concrete apron at prospective lot 58.02 (Third Avenue). He also addressed the issue of the aprons which would be needed for driveways servicing the other two prospective lots.

In the third portion of the memo, Mr. Farrell addressed the sidewalk issue. He stated that the existing concrete sidewalk is in "reasonable" condition and provides full frontage on Third Avenue (also frontage on Riddle Way to the access to the house on prospective lot 58.01). He added that a section of the sidewalk in front of lot 58.03 is low and ponds water.

Mr. Thomas stated he had reviewed the memo with Mr. Wood and Mr. Wood saw no problem in complying with the recommendations.

In summing up, Mr. Thomas once again gave his interpretation of the Supreme Court decision regarding the Tomasso case and aspects of the Wood application. He stated that this subdivision would probably lend itself to single family ownership.

The Board then voted unanimously to move into executive session.

Mayor Winterstella discussed moving the lot lines and easements, proposing to move all the lot lines toward the ocean.

Mr. Szymanski commented that the proposed middle lot has only 50 percent of the required width in that zone. He stated it would be the smallest lot within that zone and it would substantially less than zoning requirements.

Mr. Szymanski recommended that the lines should be moved five feet east, which would give 10 feet between the buildings.

Mr. Trengrove also raised the parking issue and concerns in the area. Lot size concerns were also discussed by the Board members.

The maintenance easement situation was also discussed, with Mr. Thomas stating they will have the easements prepared for the next meeting.

A motion was made, seconded and unanimously carried to come out of executive session.

A motion was made by Mayor Winterstella to approve the application using "Option B" presented by Mr. Szymanski, moving the lot lines five feet towards the ocean and incorporating the engineer's suggestions. The motion was seconded and carried by the following vote: "Yes" Board Members Danish, Iannelli, Thompson, Winterstella, Wagner, Trengrove. "No" Board Members Schmeling and Stanley.

APPLICATION - amendment to site plan - Beachtree Associates - Parker Avenue - Mr. Robert Strenz and Mr. George Barenholtz of Beachtree Associates appeared before the Board to discuss signs on the property.

The Board and applicants discussed the signs already on the property and Mr. Barenholtz stated that Beachtree Associates "wants some flexibility in the placement of signs."

"It would not be hodge-podge," Mr. Barenholtz told the Board. "That wouldn't be to anyone's benefit."

It was stated for the record that Beachtree Associates is a limited partnership, not a corporation.

Pictures were submitted as evidence and the types of tenants and hours of operation in the building were discussed.

Mr. Iannelli stated that the Board must be careful of the signs on the site while Mr. Szymanski asked about where the potential

sign may be located.

The Board and applicants also discussed the background of uses in the building and how the Planning Board approves those uses. The applicants asked if there was some way of allowing the businesses to come into the building without such approvals, if they were uses similiar to those already there.

Mr. Szymanski stated that the Board should note the culmulative effects of this action and cited parking and off street loading facilities as examples. It was also noted that the zoning in the area could be changing with the Master Plan process currently underway.

Mr. Iannelli related that the building is unique in that it was light industrial surrounded by residential.

"We must be careful that it does not get out of control," Mr. Iannelli commented. "If we give carte blanche, too many non-conformities could get in there."

Mr. Schmeling stated that the Board members should look at the procedure set up under the original resolution.

Mr. Barenholtz agreed to split the application and work on the signs now and come back regarding the uses.

Mr. Barenholtz and Mr. Strenz brought forward Mr. Marty Scolnick, a potential tenant for the building. It was explained that Mr. Scolnick's business involved the wholesale sale of car alarms, stereos and the like to car dealers. It was stated that there is some retail but any painting goes out to be done.

The Board Chairman opened the floor to the public.

Mr. Robert Zanes, Ocean Avenue, stated he was concerned since the building is at a main entrance to the town and is unsightly. He suggested that the landlord build the signs to certain specifications and perhaps make the landlord responsible to control and allocate sign area to tenants.

After further discussion, including Mr. Trengrove suggesting timers for the lighted signs, the motion was made by Mayor Winterstella to permit backlit signs on Route 71 and a frontlit sign on the building at the corner of Blakey and Route 71 (not to exceed 70 square feet). Any signs on Blakey Avenue would be operated on a timer to be shut off at midnight. The signs would have to be of the same square footage or less. The motion was seconded by Mrs. Wagner and carried by the following vote: "Yes" Board Members Danish, Iannelli, Schmeling, Stanley,

Thompson, Winterstella, Wagner and Trengrove. "No" none.

Discussion was further conducted on Mr. Scolnick's case, with information being given on the business, hours of operation and number of employees. A motion was made by Mr. Iannelli, seconded by Mr. Stanley, to grant a conditional use pending submission of application and proper fees. Motion carried by the following vote: "Yes" Board Members Danish, Iannelli, Schmeling, Stanley, Thompson, Winterstella, Wagner and Trengrove. "No" none.

There being no further cases, the Board entered into discussion of old and new business.

The Board discussed the scheduling of the Master Plan public hearing, with Mr. Szymanski giving the Board a progress report. A motion was made, seconded and carried to tentatively plan the meeting for October 8, 1991, 7:30 p.m. in Manasquan Borough Hall. (Note: the meeting has now been scheduled for October 22, 1991)

Mr. Cramer then stated he had five resolutions voiding and rescinding prior approval granted to the "Beers-McLean" cases. Mr. Cramer read the following resolutions for the record: 13-91, David and Judith Shirley; 14-91, Robert Zanes; 15-91, Ira Schulman; 16-91, Raymond Sr., Dorothy and Raymond Tomasso Jr.; and 17-91, Ronald and Linda Urban. In each case, a motion was made by Mr. Iannelli to approve the resolution; in each case the motion was second and carried by the following vote: "Yes" Board Members Danish, Iannelli, Schmeling, Stanley, Thompson, Winterstella, Wagner and Trengrove.

A motion was made, seconded and unanimously carried to exchange meeting minutes with the Board of Adjustment.

The Board Secretary brought up vouchers and correspondance for the Board's consideration.

There being no further matters on the agenda, the motion was made, seconded and unanimously carried to adjourn at 10:30 p.m.

Respectfully submitted,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

August 29, 1991

Dear Planning Board Member,

Enclosed please find a copy of the draft of the minutes for the August 6, 1991 meeting of the Manasquan Planning Board. Please consider the following agenda for the September 3, 1991 meeting:

MANASQUAN PLANNING BOARD

MEETING AGENDA

SEPTEMBER 3, 1991

MANASQUAN BOROUGH HALL - 15 TAYLOR AVENUE, MANASQUAN NJ

7:30 p.m. - Work Session

1. Informal hearing - Smith minor subdivision- 55 Main Street
2. Informal hearing - Ocean Ventures - Castaways Motel - Block 136, Lots 3-4

8 p.m. - Regular Session

1. Motion re: minutes of August 6, 1991 meeting.
2. Application (cont.) - Robert and Trudy Wood - minor subdivision - 139-139 $\frac{1}{2}$ -139 $\frac{1}{4}$ Third Ave.
3. Application - amended site plan - Beachtree Associates - Parker Avenue. (signs)
4. Master Plan presentation (tentative)
5. Old Business
New Business

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 8/29/91

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

MANASQUAN PLANNING BOARD
REGULAR MEETING MINUTES

OCTOBER 1, 1991 - MANASQUAN BOROUGH HALL, MANASQUAN NJ

The Manasquan Planning Board held their work session and regular meeting on October 1, 1991 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, NJ.

The work session was called to order by Board Chairman William Schmeling at 7:30 p.m.

INFORMAL HEARING - Gammon Tech - 235 Parker Avenue - Mr. Schmeling recognized Jim Gammon, who represented his parents Howard M. and Claudia Gammon during the informal hearing.

Mr. Gammon discussed the reasons why a minor subdivision of the property, located on Route 71 (Parker Avenue; block 51, lots 11.03 and 13.01) was being considered. He addressed a letter composed from his father dated September 13, 1991 to the Board Chairman, which states that Gammon Tech has "outgrown thr facility and must move to larger quarters." It was noted that attempts to sell the entire parcel have not been successful. It was stated that they wished to subdivide the parcel into "smaller units for small businesses which conform to the zoning regulations." The memo also offered two proposals and asked the Board for direction.

Jim Gammon noted that Sea Girt Medical Clinic was interested in one of the projected parcels.

After further exchange of information, Board and Board Attorney indicated that a full site plan would be necessary.

In other work session matters, it was noted that Beachtree Associates, now represented by attorney Thomas O'Brien, requested a meeting slot to continue discussion of their application regarding 187 Parker Avenue (signs and uses). Mr. Cramer stated that the question to be raised is whether or not the Board wished to change the methodology of how uses are handled on the property. The matter was scheduled for the November 12, 1991 meeting.

There being no further items on the work session agenda, Mr. Schmeling called the regular meeting of the Manasquan Planning Board to order at 8 p.m. He stated that this was an open public meeting held in accordance with the Open Public Meetings Act and published according to law.

ROLL CALL - present: Board Members Thomas Diamond, Patricia Dunne, Jerry Iannelli, William Schmeling, Kevin Thompson, Evelyn Wagner and John Trengrove.

absent: Mayor John Winterstella, Board Members Ruth Danish, Terance Kelleher and Edward Stanley.

Also in attendance were Board Attorney Geoffrey Cramer, Planner Paul Szymanski and the Board Secretary.

A motion was made by Mr. Iannelli, seconded by Mr. Trengrove, to approve the minutes of the September 3, 1991 meeting as submitted by the Board Secretary; motion carried unanimously.

Mr. Schmeling noted that a Master Plan public hearing would be held Tuesday, October 22, 1991 in Manasquan Borough Hall.

RESOLUTION 18-91 - minor subdivision - Robert Sr. and Trudy Wood - Third Avenue - The Board voted to discuss memorialization of the Wood minor subdivision resolution before hearing cases.

It was noted that a memo dated September 27, 1991 from applicants' attorney Kevin Thomas addressed easements.

The resolution was read by Mr. Cramer. A motion was made and seconded to memorialize the resolution. Motion carried by the following vote: "Yes" Board Members Iannelli, Thompson, Wagner and Trengrove. "No" Board Member Schmeling. "Abstain" Board Members Diamond and Dunne.

APPLICATION - minor subdivision - Joseph and Ann Quirk - 162 Lake Avenue - The Board recognized Joseph and Ann Quirk, 860 Bradford Avenue, Westfield, New Jersey, owners of the subject properties. Also in attendance was Allen N. Chase, engineer on the projects. The Quirks and Mr. Chase were sworn in.

Discussion of the application commenced. Relief had been requested for a two lot minor subdivision on the property (Block 160, lots 6.01 and 7.01). Variances were requested because the property is undersized. It was also noted that when the Quirks purchased the property it consisted of two lots; the borough tax accessor later incorporated the two parcels into one. The applicants wish to subdivide with the lot lines as they existed and create two buildable lots. One lot would feature the house and garage while the other would be either

improved or sold, it was stated.

A letter dated October 1, 1991 from William Farrell, Jr., engineer for the borough, noted that the parcel is 12,106.6 square feet and is located in a R-1 zone. He stated that variances would be required for each projected lot since each lot would be 6053.3 square feet in a zone where 7000 square feet is required.

The issue of parking was also raised by Mr. Farrell, who noted that two off street parking places should be established for projected lot 6.01 before lot 7.01 is sold.

Mr. Farrell also stated a proposed three foot sanitary sewer easement on the common property line between the projected needed explanation; he stated that three feet is usually "inadequate for installation and maintenance. Ten foot minimum is preferred."

Another issue raised by Mr. Farrell regarded the right-of-way width on Lake Avenue. He also noted conditions which should be required by the Board regarding signatures, filing of maps/deeds and posting of a bond.

It was noted that parking was restricted on Lake Avenue, with parking allowed on the south side but not on the north side.

The applicants stated that the property is a rental property and that they presently live in Westfield.

After further discussion, the Board elected to table the application until the November 12, 1991 meeting pending submission of easement information, copy of the property deed and a copy of the resolution for the original subdivision.

Eugene Degnan, 169 Lake Avenue, described the summertime situation with tenants in residence. He expressed concerns about where parking would be established with the extra house. He stated that presently cars block his driveway.

There being no other public comment, a motion was made, seconded and unanimously carried to close the public hearing on the application for the evening.

Mr. Szymanski also noted that the applicant must justify Land Use Law when variances are requested. He commented on the character of the area (varying sized lots), the parking issue and the setback of the house on lot 7.01. He stated that the

house on lot 8.01 is almost on the lot line and he recommended that the house projected for lot 7.01 be built no closer than 10 feet to the house on lot 8.01. He also recommended a shrinking of the footprint.

The applicants waived their time limits under the Land Use Law.

APPLICATION - Preliminary site plan - Salvadore and Joyce Maraziti / John and Frances Drew - Algonquin Theater - 171 Main Street - Block 65, Lot 19.01 - The Board recognized Salvadore and Joyce Maraziti, 18 Fisk Avenue, Manasquan; and John and Frances Drew, 32 Inwood Place, Chatham, New Jersey, applicants. All were sworn in. The presence of Roseann Maraziti, counsel for the applicants was also noted.

Discussion then commenced on the application, which requested relief so that the applicants could renovate the Algonquin Theater building. Their plans called for the renovation of the theater, office space and apartments. The height of the building is $4\frac{1}{2}$ stories / 55 feet. The total site area is 37,840 square feet and the property is in a B-1 zone.

Mrs. Maraziti introduced each of the applicants, stating that she would give an overview of the project and their qualifications, Mrs. Drew would offer details on the concept, Mr. Drew would give specifics on the engineering and construction aspects of the project and Mr. Maraziti would make comments on the theater operations.

Mrs. Maraziti discussed her and her husband's involvement in the arts and the Drews' accomplishments in renovating and building. She noted that the Drews had renovated a home in Manasquan and a building in Chatham, among other projects. She added that the Drews received awards for their work in Chatham.

Mrs. Drew gave the background of the project, noting that they had an option to buy the property from GEM Associates which expires October 20, 1991. She said it was their wish to restore the building to its grandeur of 1938.

Mrs. Drew then explained the project, commenting that they saw it in three phases. Phase I, she explained, would be the restoration of the building fronting Main Street. It was noted that the theater lobby would be relocated to the Old Squan Plaza side of the building and the entire first floor of the Main Street building would be restored retail space. The second floor would be restored office and apartment space while the third floor would have restored apartment space.

Also in Phase I, she stated, the building exterior will be refurbished and other site work (including a garden-patio at the rear of the Main Street building) would be finished. Mrs. Drew gave a May 27, 1992 completion date for Phase I.

Phase II will consist of the restoration of the theater, which would feature movies and live performances. This phase, Mrs. Drew stated, would also include the formation of a group which would assess theater needs and create a time table for the establishment of a performing arts program (the group would be established in January 1991, it was noted). Renovation of the theater's exterior should be completed by June 1991, according to Mrs. Drew. The completion of the interior would depend on the study group's findings.

Phase III, explained Mrs. Drew, would deal with the construction of the new theater lobby and retail stores alongside the theater. This, explained Mrs. Drew, would create a pedestrian area which would link Main Street to Old Squan Plaza. The retail stores would also make the project financially viable, she added.

Mr. Drew gave even more specifics on the three phases, noting that removal of debris and repairs would make up much of the Phase I work. He stated that the plans calls for retaining of uses (a theater at street level, one two bedroom apartment and office space on the second floor and three single bedroom apartments on the third floor) which had been there before.

Mr. Maraziti then discussed the theater operations and renovation.. He stated that he pictured the Algonquin project as a cultural center with movies and live events. He stated that he had discussed the plans with local performers, including Father Alphonse Stephenson, who directs the St. Peter's- by-the Sea Orchestra and wrote a letter of support for the Algonquin project. Mr. Maraziti also called for the formation of a non-profit arts council in Manasquan which would raise funds for the project.

Mrs. Drew summed up by stating that if the Board approved the plans, they could close on November 21, 1991.

Mr. Cramer stated that the residential uses were being returned to, not intensified.

Board Members Iannelli and Wagner both spoke in favor of improving the property.

Mrs. Drew, upon questioning by the Board, stated that the time

table presented was based on past experience with such projects. She also noted that the roof is in good repair.

The applicants stated they would like to meet with Mayor Winterstella to form the Manasquan arts council and also start study group to assess the needs of the community.

Deed restrictions and the parking (required vs. proposed number of spaces) were also discussed.

A timetable for the submission of a formal site plan application was discussed. Mrs. Drew stated that she hoped some of the requirements could be waived. She explained that they were unable to get a contingency of approval and reminded the Board that their option would run out on October 20.

Mr. Drew stated that they wanted to continue an existing but suspended use. He explained that they needed enough of an approval to show them that their money would not be wasted, but he also realized that final approval could not be granted that evening. Mrs. Drew added that based on the contract with the seller and financial considerations, progress could be affected if they had to keep coming back before the Board.

Mr. Szymanski stated he felt the applicants were asking for "rubber stamp approval" on "too big a bite." He stated he saw the project as expansion and as causing impacts on the area. He suggested that a formal site plan be submitted for Phase I ; then the applicants could come back with Phases II and III.

Roseann Maraziti stated the Board has the discretion to waive certain requirements and stated that if they do not have assurances by October 20, they could not go forward.

Parking figures were noted for the record and a letter from the Code Enforcement Officer was submitted.

After further discussion on waivers, it was suggested that a special meeting be held before October 20. The applicants would have technical plans prepared and the engineers and professionals could meet to discuss the requested waivers.

The special meeting was scheduled for October 17, 1991 in Manasquan Borough Hall. Before that, it was decided, a "sit down (work session) meeting" with the applicants, borough officials and all the professionals would be conducted.

In the public portion of the meeting, Robert Zanes, Ocean Avenue,

commented on the Drews' prior projects and stated that the Board has a "responsibility" to the project.

Mr. Lee Weisert, music director at Manasquan High School, stated he was "pleased to know that the idea (of a cultural center) did not need to be defended." He then went on to tell the Board of a resident who left the town because it had changed so much.

The applicants were advised that a legal notice would need to be placed in the newspaper and people within 200 feet of the subject site would need to be notified of the special meeting.

OLD BUSINESS / NEW BUSINESS - There being no further cases on the agenda, the Board discussed old and new business. The Board Secretary submitted vouchers and correspondence to the Board. There being no other matters, the motion was made, seconded and unanimously carried to adjourn at 11:09 p.m.

Respectfully submitted,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

JOHN L. WINTERSTELLA
Mayor

MARGARET M. MONSELL
Municipal Clerk

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736



September 26, 1991

Dear Planning Board Member:

Enclosed please find a copy of the draft of the minutes for the September 3, 1991 meeting of the Manasquan Planning Board. Please consider the following agenda for the October 1, 1991 meeting:

MANASQUAN PLANNING BOARD

MEETING AGENDA

OCTOBER 1, 1991

MANASQUAN BOROUGH HALL, 15 TAYLOR AVENUE, MANASQUAN NJ

7:30 p.m. WORK SESSION

1. Informal hearing - Gammon Tech - 235 Parker Avenue

8 p.m. REGULAR SESSION

1. Motion re: September 3, 1991 minutes
2. Application - J. & A. Quirk - 162 Lake Avenue - minor subdivision
3. Application - Maraziti/Drew - Algonquin Theater - Main Street - preliminary site plan
4. Resolution 18-91- Wood minor subdivision - Third Avenue
5. Master Plan presentation (tentative)
6. Old Business
New Business

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 9/26/91

JOHN L. WINTERSTELLA
Mayor

MARGARET M. MONSELL
Municipal Clerk

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736



MANASQUAN PLANNING BOARD
SPECIAL MEETING MINUTES
CONTINUANCE OF SITE PLAN APPLICATION HEARING
ALGONQUIN THEATER PROJECT
OCTOBER 17, 1991 - MANASQUAN BOROUGH HALL, MANASQUAN NJ

The Manasquan Planning Board held a special meeting to continue its hearing into the site plan application of Salvadore and Joyce Maraziti, Fisk Avenue, Manasquan, and John and Frances Drew, Inwood Road, Chatham, regarding 171 Main Street (the Algonquin Theater complex). The meeting was held Thursday, October 17, 1991 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

William Schmeling, Planning Board Chairman, called the meeting to order at 7:30 p.m. He stated that it was an open public meeting held in accordance with the Open Public Meetings Act and had been published according to law.

ROLL CALL - present: Mayor John Winterstella, Board Members Ruth Danish, Thomas Diamond, Patricia Dunne, Jerry Iannelli, Terance Kelleher, William Schmeling, Edward Stanley, Kevin Thompson and Evelyn Wagner.

absent : Board Member John Trengrove.

Also in attendance were Board Attorney Geoffrey Cramer, Planner Paul Szymanski, Glenn Lines of T-M Engineering (borough engineers) and the Board Secretary.

APPLICATION - preliminary and final site plan approval (cont.) - Salvadore and Joyce Maraziti/John and Frances Drew - 171 Main Street (Algonquin Theater) - The Board recognized the applicants and their counsel Roseann Maraziti.

The Board Chairman stated that in deference to the Board Members present who were unable to attend the October 1 meeting and in consideration to the public, the applicants were willing to offer their entire presentation. The Board agreed that this would be appropriate and the applicants began their testimony.

The applicants requested relief so that renovations could be conducted on the Algonquin Theater building. The plans include renovation of the theater, office space and apartments.

Joyce Maraziti began the program with an overview of the project

and discussion of the applicants' qualifications to undertake such a project. She introduced her co-applicants Salvadore Maraziti, who would discuss the theater renovations; Frances Drew, who would offer information on the concept; and John Drew, who would discuss construction and engineering specifics. Mrs. Maraziti also brought forward Roseann Maraziti, who would present the applicants' legal arguments.

The new plans (dated October 10, 1991) submitted by the applicants were marked for the file.

Mrs. Maraziti, after noting the backgrounds of each of the applicants, including their backgrounds in the arts and renovation/construction projects, stated that their option to purchase the property would run out on October 20, 1991. She noted that the plans had been designed by Raymond Nadaskay.

Mrs. Drew then explained the three phases of the project. Phase I, she stated, will consist of the restoration of the apartment/office/store building which fronts on Main Street. She noted that the theater lobby/entrance would be relocated onto Old Squan Plaza. The first floor of the Main Street building will consist entirely of retail concerns, it was stated. The second floor will feature restored office space as well as restored apartment space, she continued, while the third floor would be entirely restored apartment space. Also in Phase I, the exterior of the building would be repaired/renovated and additional site work (including garden-patio at rear of building) would be completed. Mrs. Drew gave the following time table for Phase I: begin work December 1, 1991 and complete work by May 27, 1992 (which, Mrs. Drew noted, is the 54th anniversary of the original opening of the Algonquin Theater).

In Phase II, Mrs. Drew explained, the theater would be restored to accomodate movies and live performances. Included in this phase would be formation of a study group which would assess the needs of the community in regards to the theater. It was stated that the applicants expect to renovate the exterior of the theater by June 1992, but the date would depend on the findings of the study group.

Phase III would include the construction of the new theater lobby and retail stores alongside the theater. This would create a pedestrian walkway linking Main Street to Old Squan Plaza and make the project financially viable, stated Mrs. Drew.

Mr. Drew then addressed the Board on engineering and construction specifics, noting the work which needed to be done in each phase.

The timing of Phase II and Phase III will depend on the Arts Foundation and the people of Manasquan, it was stated.

Mr. Maraziti then addressed the Board about the operations of the theater. He stated it would be a cultural center for movies and live performances. He also asked for a meeting with Mayor Winterstella to discuss the formation of an arts council which would raise funds for the endeavor. Mr. Maraziti stated he was able to secure facilities to hold non-profit fundraising events for the project.

Ms. Maraziti then addressed the Board on waivers for certain site plan details (listed in the Code of the Borough of Manasquan). These included: inclusion of a key map; complete metes and bounds survey of the property, signed, sealed and certified by a licensed land surveyor; location of all existing streets and highways on or adjacent to property affected, including names, right-of-way width, pavement width, curb or curb width; location of existing high points, watercourses, depressions, ponds, marshes, wooded areas, underground streams, single trees not in wooded areas with a diameter of six or more inches as measured three feet above the base of the trunk and other significant existing features, including previous flood elevations of watercourses, marsh and wetland areas as determined by survey and by the state.

Other detail waivers requested included a topographical map; the topography of the site after development; all proposed streets with profiles indicating grading and cross sections showing width of roadway, location and width of sidewalk and specifications of the Borough of Manasquan; and proposed design and location of signs and outdoor lighting; the location, type and size of proposed culverts, storm sewers, sanitary sewers, fire protections, electric and telephone lines and poles, gas and underground heating systems, pipe lines and all other utilities both above and below ground, including the connection of such proposed facilities according to the standard specifications of the Borough of Manasquan.

Also, all means of vehicular access for ingress and egress to and from the site onto public streets, showing the size and location of driveways and curb cuts, including the possible organization of traffic channels, acceleration and deceleration lanes, additional width and any other advice necessary to prevent a difficult traffic situation (also all pedestrian walk ways and bike paths); the location and design of any off street parking areas or loading areas, showing size and location of bays, aisles and barriers; proposed screening and landscaping;

and landscaping and buffer plan.

A motion was made by Mayor Winterstella to waive the requested details; the motion was seconded by Mr. Thompson and carried by the following vote: "Yes" Board Members Danish, Diamond, Dunne, Iannelli, Kelleher, Schmeling, Stanley, Thompson, Winterstella and Wagner. "No" none.

The Board and applicants then entered into discussion regarding the parking variance requested. It had been noted that based on the plan submitted and calculations involving comparison of the former uses against the new uses, it was determined that 19 new parking spaces would be needed.

The Board and applicants referred to a parking study completed by Sergeant John Garrity, Traffic Safety Officer, which details the number of accidents, the parking situation and the driveway between Manasquan Florist and the Algonquin building. Sgt. Garrity stated that he could "offer no strong objections from a traffic safety stand point why approval of this application should not be granted." He also noted that the "major congestion on Main Street occurs during regular business hours" and he did not believe that the theater would be in operation during that time frame. He added that the parking spaces provided on site "would probably be adequate for the retail stores during those hours, and therefore they wouldn't further add to the congestion."

The applicants once again stated that without the retail stores the project would not be economically feasible.

Father Alphonse Stephenson, director of the St. Peter's by-the-Sea Orchestra, was sworn in by Mr. Cramer. Father Alphonse stated that he thought there is a great need for such a cultural center in the area. He noted how the audiences for his concerts have grown over the years and that they were close to selling out the Paramount Theater in Asbury Park for a performance of the music from "My Fair Lady."

Diane Fay, dance instructor, was sworn in to offer testimony as was Mr. Lee Weisert, Manasquan High School band director. Both expressed their support for the project.

Councilman Eden B. O'Hare, former manager of the Algonquin Theater, offered testimony, stating that it "breaks his heart to walk by and see the building" in its present state.

Wesley Banse, town historian, testified that he was "delighted"

that the Maraziti-Drew concerns came up with historically influenced architecture for the project.

Mr. Schmeling asked questions of the applicants regarding the formation of an arts council while Mr. Thompson wanted to see some commitment to the later phases. Mrs. Drew stated that the parking lot should be completed within three years, possibly at completion of Phase III.

Mr. Thompson stated that he supported the project but that he would like to make sure of the work being completed once it is started.

Mrs. Drew stated that they were looking to make the plan a success and that they have seen such projects work in New Jersey and in Colorado. Mr. and Mrs. Maraziti also noted the support of the community.

Mr. Cramer commented that it was possible that Phase III could precede Phase II; Mr. Drew stated that possibility is correct.

Mr. Iannelli also spoke in favor of the project.

In further response to Mr. Thompson's concerns, Mrs. Drew gave a time table, stating that "we could comfortably say" that all the matters detailed in Phase I, including the front building, landscaping and the garden patio as well as some of exterior of the theater, could be finished by next spring. She continued to state that the paving of the parking lot was not in Phase I, but she added that "it would be safe to say" that Phase I and /or Phase II, which includes all the parking lot and landscaping along the back, could be completed within a three year period. She indicated Phase III could also be finished in that time frame.

Mr. Cramer noted that in most cases a bond is required to assure the completion of certain on site improvements within a certain period of time. Mr. Lines explained some circumstances where a bond is required and explained to the applicants that the price of a bond is based on the improvement costs.

Mrs. Drew asked that the Board look at the applicants' track record, including their work in Manasquan and Chatham, before requiring a bond.

After a brief recess, the issue of posting a bond or letter of credit was discussed. After some discussion, the Board and applicants agreed that if the parking lot was not done within

three years, a bond would be posted in an amount appropriate to the improvements. If the parking lot is not paved within six years, the Board and applicants agreed, the bond would be used to cover those improvements.

Mr. Szymanski addressed his memo dated October 17, 1991. He noted that the existing building has a pre-existing sideyard non-conformity and that all new construction meets zoning bulk requirements.

It was noted by Mr. Szymanski that a design waiver would be needed for the size of the parking spaces. The plans, he commented, show spaces measuring 19' x 9' when the Ordinance requires spaces of 20' x 10'.

Mr. Szymanski also felt the fire official should review the plan in regards to fire lanes on the property.

Mr. Szymanski also commented that, regarding design view elevations, the south elevation shows an entry portico which is not shown on the site plan.

Mayor Winterstella moved to waive the parking space size requirement; motion seconded and unanimously carried.

The Board then entertained questions from the public.

Bill Renzack, Forked River, asked about signs on the property. Mr. Marziti stated there would be some signage on Main Street.

Donald Jaspan, 91 Main Street, owner of Jaspan's Hardware, corner of Main and South Streets, asked how many seats would be in the theater. It was noted that there were 750 seats in the old theater. Mrs. Drew stated that the details were not exact. Mr. Jaspan also asked about what would happen if there was a conflict between an event occurring in the Plaza, such as a flea market, and theater activities.

Mrs. Drew detailed where the parking would be located, including private and off site parking. She also stated that theater activities will generally occur during hours when there is little retail use.

Michael Nacella, Brielle, also commented on the parking.

The Board then made comments. Mayor Winterstella noted the Master Plan in progress does include provisions for more parking. He also noted that unlike the GEM application (the Board had

previously approved a concept by GEM Associates to make the entire building offices) the basic hours of operation for the theater would not be during the work (9 a.m.- 5 p.m.) day.

Mr. Thompson once again expressed his support but noted he would like to see whatever is started finished.

Mr. Iannelli stated that the applicants are proposing to take "what is slowly becoming a tremendous eyesore in the middle of this town" and renovate it. He noted the investment they will be making and the "peculiar" (non-conforming) nature of the property.

"There is a hardship here and the Planning Board might permit such variances as may be reasonable within the general purpose and intent of the rules and regulations of the zoning." He stated it will improve the downtown area and was behind the effort "100 percent".

The floor was then open to comments from the public.

Mr. O'Hare commented that the parking situation in the area is the same as it was when the theater was in operation before.

"I think the whole point (is that) the whole town has to get behind this," Mr. O'Hare commented. "We're all going to have to chip in one way or another."

William Eastmund, 21 Marcellus Avenue, asked the Board to think about the alternative: "We would be left with a decaying building in the middle of town."

Bill Renzack, Forked River, who ran productions at the Arnold Theater in Point Pleasant Beach, spoke about the need to expose children to the arts.

Cecilia Rahner, 76 Ocean Avenue, expressed support for the project, stating "the culture of the society is the society." Later she noted the success of the Bradley Beach Cinema.

John Clapp, broker on the project, commented on the applicants' perseverance through the negotiations. He stated that in his view the building would be demolished if the project presented by the applicants was not approved.

Michael Spano, an acquaintance of the Marazitis and Drews for 12 years, spoke of them being qualified for such an undertaking.

Jeff Lovas of the Richard Wood Agency spoke about the project

and noted that parking was a problem with parking in the area.

Diane Fay noted that the jitney in the area could transport theater-goers to the Algonquin. She also showed letters and signatures of support which she had accumulated regarding the Algonquin project.

A motion was made, seconded and carried to enter into executive session. After brief discussion (including statement of options for the Board's action made by the Mr. Cramer) the motion was made, seconded and carried to come out of executive session.

Mr. Iannelli moved to approve the parking variance as well as preliminary and final site plan approval with waivers as presented by the applicants and conditional upon the parking lot being done within three years; if the parking lot is not completed within three years, a bond would be posted. The motion was seconded and carried by the following vote: "Yes" Board Members Danish, Diamond, Dunne, Iannelli, Kelleher, Schmeling, Thompson, Winterstella and Wagner. "No" none.

There being no further matters on the agenda, a motion was made, seconded and carried unanimously to adjourn at 10:15 p.m.

Respectfully submitted,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

BOROUGH HALL, 15 TAYLOR AVENUE
POST OFFICE BOX 199

Incorporated December 30, 1887

(908) 223-0544

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

MANASQUAN PLANNING BOARD
SPECIAL MEETING AGENDA
OCTOBER 17, 1991

MANASQUAN BOROUGH HALL, 15 TAYLOR AVENUE, MANASQUAN NJ

Dear Board Members:

Please consider the following agenda for the special meeting of Thursday, October 17, 1991:

7:30 p.m. - Special meeting

APPLICATION - (cont.) - Preliminary and Final site plan approval - Salvatore and Joyce Maraziti/John and Frances Drew - Algonquin Theater - 171 Main Street

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 10/11/91

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

MANASQUAN PLANNING BOARD

MASTER PLAN PUBLIC HEARING

OCTOBER 22, 1991 - MANASQUAN BOROUGH HALL, MANASQUAN NJ

The Manasquan Planning Board conducted a Master Plan Public Hearing on Tuesday, October 22, 1991 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan NJ.

The meeting was called to order at 7:30 p.m. by Planning Board Chairman William Schmeling. Mr. Schmeling introduced Paul F. Szymanski, planner.

The following Board Members were present: Mayor John Winterstella, Ruth Danish, Thomas Diamond, Jerry Iannelli, William Schmeling, Edward Stanley, Kevin Thompson, Evelyn Wagner and John Trengrove. Board Member Terance Kelleher was absent. Also in attendance was Board Attorney Geoffrey Cramer and the Board Secretary.

Mr. Schmeling gave the outline of the evening's activities, stating that there would be a presentation by Mr. Szymanski, followed by questions from the Board. The floor would then be opened to questions from the public and finally comments from the public on Mr. Szymanski's presentation. There would be a break after Mr. Szymanski's presentation.

Mr. Szymanski then began his presentation on the Master Plan, defining Master Plan. He started with an overview of its legalities and the preparation of document.

Mr. Szymanski stated that the Master Plan is prepared under the rules/regulations of the Municipal Land Use Law. It is defined as "a composite of one or more written or graphic proposals for the development of a municipality as set forth and adopted" under law. The Master Plan is prepared by the Planning Board of a municipality.

Mr. Szymanski noted a Master plan can have various elements and plans, including the land use element (mandatory), housing element (mandatory), circulation systems element/plan (including roadways, bikeways and pedestrian walkways), a utility service plan (including infrastructure- water, sewer and solid waste), community facilities element/plan (municipal and county facilities), conservation element, recreation element, and economic development plan, a historical preservation plan and recycling plan (mandatory). Some of these elements are mandatory, he explained, noting that Manasquan has not had a Master Plan with all those elements. The Master Plan Update

being prepared includes statements of goals and objectives, a land use plan element and a recycling plan elements. A housing element has been prepared but it was being held for further review, he explained.

Mr. Szymanski stated that Manasquan has had a Master Plan going back to the 1960s. In 1978 Manasquan adopted a Master Plan which included a Land Use statement. Manasquan then adopted a re-examination report in 1982. A second re-examination report was adopted in 1988 (a re-examination report is required every six years, he commented). After this re-examination the Board concluded there should be a Master Plan Update.

Commenting of the length of time it has taken to prepare the update (three years), Mr. Szymanski emphasized, "Planning should be considered a continuing process." He noted that had the update been finished even a year ago, factors like the American Timber major subdivision would not have been taken into account.

Mr. Szymanski then explained the process leading up to and involved with the Master Plan preparation, including review of and preparation of a map depicting land use in Manasquan. Comparisons of land use to zoning were conducted as was an assessment of the use variance granted by the Board of Adjustment. He once again stated that the zoning ordinance/map was not subject of this meeting, which concerned only the Land Use Plan element; "nothing we are doing tonight rezones any property" he clarified.

There was also review of environmental issues and fair housing issues (Mount Laurel requirements/Fair Housing Act).

The Borough itself is about one and a half square miles in area and has net land of about 688 acres, Mr. Szymanski stated. The borough's population rose from 5354 according to the 1980 census to 5369 in the 1990 census (determined by year-round population, he explained). Based on building permit information 100 new housing units were built between 1980 - 1990.

Mr. Szymanski stated that the Board will be taking or deferring action on the Land Use and Recycling Plan elements at this meeting. The Recycling Plan Element was prepared under Municipal Land Use Act requirements and county regulations. He gave a brief explanation of the recycling element.

Referring to the Master Plan and the Master Plan Update Map, Mr. Szymanski stated it had been prepared to take into account the basic build and character of the Borough of Manasquan and

its existing land uses. There are no major modifications indicated, he stated; he added that where there are opportunities for some modification/upgrading these changes would not affect the overall character of the Borough. It is also based to some degree on the Borough's physical characteristics, he commented. The plan includes where opportunities are available for development/redevelopment and addresses/includes some of the borough's housing needs, community facilities, natural resources and 1978 Master Plan policies.

The Land Use Plan also includes a statement of goals and objectives, Mr. Szymanski noted. He stated that there are specific goals in the Master Plan regarding the variety of land uses. In reference to residential areas, Mr. Szymanski stated that the Master Plan would seek to prevent "intrusion or expansion of incompatible areas", "encourage" new better quality resort or year round development, prevent obstruction of beach access/viewing and give recognition to the various types of housing in the Borough. He noted the PUD area. Regarding commercial areas, Mr. Szymanski stated the the plan recognizes the importance of the central business district and promotes development of residential units in the business district. He also noted that the commercial areas throughout town function in different ways and are thus noted in the land use plan. Upgrading the standards of office commercial development was also noted. Restriction of lands for industrial uses is a goal except where viable and compatible, Mr. Szymanski stated. Other goals include the enhancement/preservation of the public beach, conservation areas and open spaces and expansion/upgrading of parking areas.

Mr. Szymanski then addressed the Master Plan Update land use map. He stated that the areas were color coded as to the land use, including low and medium density residential, beachfront residential, business and industrial. He pointed out specific areas on the map and commented on their uses.

Mr. Szymanski discussed the possible lateral subdivision of beachfront properties. He gave a history of such subdivisions, touching on the Board's reluctance to grant these in the past and the Beers-McLean cases. He noted that the Board, as part of the Master Plan process, agreed that these type of subdivisions could now be considered but, he emphasized, they will need to meet certain criteria and conditions. The minimum lot width would be 30 feet and the minimum square footage would be 2100 square feet. He also noted that the First Avenue house will have the burden of the subdivision, including access.

Mr. Szymanski also noted the multi-family residential land use category/designation, stating that it was an attempt to offer redevelopment opportunities. Some commercial would be allowed. The minimum lot size would be a half an acre, which would require the assembling of several lots, he explained.

"It is not the intent for somebody on a 30 foot wide lot to come in and build a small multi-family dwelling," Mr. Szymanski stated, adding that developers would need to meet specific lot size requirements as well as provide certain amenities. Any such development would be subject to environmental factors.

The PUD/Fishermen's Cove area was also discussed. He stated it (the PUD designation) was established in the 1978 Master Plan and is being retained at this time. There was some discussion by the Board and at one point the Board had decided to make it all conservation, which is still shown as an option, Mr. Szymanski commented. The Board, however, determined for presentation to the public and adoption of the Master Plan, the PUD designation would be maintained. The PUD designation, he explained, requires that the plot be developed as part of a "comprehensive plan" for the entire area. Presently there are public and privately owned lands in the PUD area. The area's environmental factors need to be considered, he stated.

Mr. Szymanski explained the requirements and uses which could be involved with the PUD area.

Mr. Szymanski then went on to explain the business and commercial areas indicated on the map. He discussed parking and noted that the state had implemented a Highway Access Code, which involves not only how wide the road should be but how it should function in relation to driveways and development of properties which put traffic onto the roads.

Mr. Szymanski also discussed the possibility of allowing marina-type uses in the MC (marine commercial) area (by Drawbridge Restaurant). At this time this is not a permitted use.

After conclusion of Mr. Szymanski's presentation, the Board held a five minute recess.

After the recess, the floor was open to questions from the Board for Mr. Szymanski.

Mr. Diamond complimented Mr. Szymanski on his presentation.

Mr. Schmeling questioned Mr. Szymanski about industrial uses.

With no further questions from the Board, the floor was opened to questions from the public.

Lawrence Tynday, 173 Beachfront, asked what the impact would be with the beachfront subdivisions. Mr. Szymanski explained that those properties with less than 30' frontage could still be able to subdivide. He continued, stating that in his opinion there are no properties there which would not require a variance for such a subdivision. He commented that the Board, on his recommendation, had to establish a "reasonable minimum" and all felt 30 feet was reasonable.

John Burke, 4 Stockton Avenue, asked if Mr. Szymanski had an estimate as to how many property owners along the beachfront might want to subdivide. Mr. Szymanski felt that a majority of people would have an opportunity to apply. He also commented that provisions for access and easements would need to be considered in these subdivisions.

Alice Hemphill, Fletcher Avenue, representative of the Manasquan Environmental Commission, questioned the PUD designation. She stated that it had been designated a conservation area but building on the property was still being discussed. She asked whether the cluster housing that had been designated as "desirable" by the state planning board would be taken into consideration in regards to the PUD. Mr. Szymanski explained the PUD area and its development requirements. He stated that the intent was to avoid a "grid" effect in the area because of the environmental factors.

Mrs. Hemphill then asked Sea Girt Armory Camp; she noted that the area, originally designated industrial and now designated public, is wetlands area and she wanted to know whether it was going to be made conservation. Mr. Szymanski stated that it was changed to public was a reflection of the ownership and stated that while you could put a conservation label on the parcel, it would only affect the limits of the wetlands area, not change the use of the land. Mr. Szymanski also noted that wetlands designated after thorough on site inspections.

The topic of the Manasquan Lumberyard site was also questioned by Mrs. Hemphill. She asked whether it could be changed to office commercial and then later to residential, if the property is not sold as a lumberyard (its present use). Mr. Szymanski stated that this could happen; he added that an office commercial use is more restrictive. Office use is also "a good transition" between residential and "other types of land use which are more intense," Mr. Szymanski stated.

Carl Danish, Third Avenue, also asked questions about the PUD. Mr. Szymanski explained that the area is subject to environmental analysis and that the Borough has an option to purchase the land. Development, he explained, would require a program prepared by one applicant. He also noted that the Planning Board has the option to designate it for conservation or open space.

J. Marshall Brown, Long Avenue, also asked questions about the PUD. Mr. Szymanski replied that one applicant would need to come forth with a project for the entire parcel. Mr. Brown then asked about the downtown area. Mr. Szymanski commented on the uses in the area.

Joan Brown, Dewey Avenue, stated that the Board had once made the PUD area a conservation area and asked if the Board had considered keeping it conservation. Mr. Szymanski stated that yes, it had been considered but the Board had changed its mind and retained it as PUD. He also stated that the Master Plan still keeps conservation as an option.

Jerry Santor, Ocean Avenue, asked about the possibility of low income housing in the Manasquan Lumberyard area. Mr. Szymanski stated that all New Jersey municipalities are subject to Council On Affordable Housing (COAH) obligations and certain housing requirements/obligations for new and rehabilitated housing are imposed on municipalities. Mr. Szymanski noted that if a town has no more than two acres of vacant, buildable land, numbers could be reduced to zero for new construction. Mr. Santor asked about PUD in that capacity. Mr. Szymanski stated that if Manasquan does have more than two acres of developable land, it is in the PUD. Mr. Szymanski stated that, should there be development in the PUD area, it would be reasonable to estimate that 20 percent of the housing could be affordable for families with low to moderate incomes. He did, however, express concerns about year round housing in the PUD area in view of environmental aspects, i.e. hurricanes.

Questions about flooding on Brielle Road and about drainage were asked by members of the public. Mr. Szymanski gave a brief explanation and stated that the borough engineer could give more specific information. He also commented that drainage/water/sewer infrastructure issues are considered with all development applications. Types of pavement (impervious surfaces) were also discussed.

Mr. Schmeling stated that questions would be taken until 10 p.m. followed by comments.

Mark B. McCabe, Warren Avenue, asked about the parcel of land located at the end of Warren Avenue. Mr. Szymanski stated that based on prior analysis the parcel is considered wetlands.

There being no further questions from the public, the Board Chairman opened the floor to comments from the public.

Guliet Hirsch of the law firm Clapp and Eisenberg addressed the Board on behalf of her client American Timber Company. Ms. Hirsch stated that American Timber Company remained opposed to changing the zoning of the PUD area. She also felt that the Borough would be unjustified at trying to get the property as a park, etc.

Ms. Hirsch noted several requirements under the PUD designation, including density.

Ms. Hirsch stated that American Timber Company has completed a boundary survey and has studied the environmental constraints on the parcel. She stated that the next step would be to have environmental boundary confirmation from the Department of Environmental Protection and a letter of interpretation from the Division of Coastal Resources. A meeting would be held with Coastal Resources on other constraints.

Dr. Raymond Walker was sworn in to offer testimony on the studies that were done. Dr. Walker displayed a map showing parcels owned by the Yard Estate/American Timber Company. He then explained the studies which were undertaken, including an assessment of the tidal and wetland constraints (discrepancies were noted in the dredge disposal area and the blacktop area at the recycling center; both were shown as wetlands because they showed up dark on the study). Riparian lands were addressed. Dr. Walker then showed a composite map detailing the constraints, noting that the 35 acre total is reduced to 22 acres of developable land when all constraints are considered.

The floor was opened to the public for their questions and comments. Barbara Scott, Perrine Boulevard, executive director of the Monmouth Conservation Foundation, stated that Fishermen's Cove is one of the last undeveloped sites on the shore and, in her opinion, development would be detrimental. Ms. Scott also stated that the Monmouth Conservation Foundation has the ability to hold lands until a municipality could acquire them and she stated that the Foundation would put such resources to work in acquiring the parcel.

Robert Zanes, Ocean Avenue, complimented Mr. Iannelli, former

chairman of the board, for his efforts during the Master Plan process.

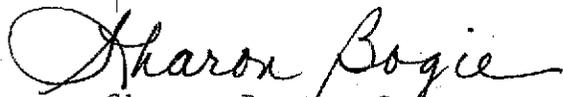
Carl Danish questioned the map of constraints presented by Dr. Walker.

Phyllis Olsen, 222 East Main Street, expressed disapproval of allowing the Manasquan Lumberyard property to remain as industrial. She stated that she would like to see it be designated office commercial.

There being no further comments, the Board closed the public portion of the meeting. After discussion, the Board stated it will accept written testimony until the next regular meeting of the Planning Board on November 12, 1991. The Master Plan discussion will continue at the December 3, 1991 meeting.

There being no further matters on the agenda, the motion was made, seconded and carried to adjourn the meeting at 10:35 p.m.

Respectfully submitted,


Sharon Bogie, Secretary
Manasquan Planning Board

BOROUGH HALL, 15 TAYLOR AVENUE
POST OFFICE BOX 199

Incorporated December 30, 1887

(908) 223-0544

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk



MANASQUAN PLANNING BOARD
MASTER PLAN PUBLIC HEARING AGENDA
OCTOBER 22, 1991
MANASQUAN BOROUGH HALL, 15 TAYLOR AVENUE, MANASQUAN NJ

Dear Board Members:

Please consider the following agenda for the Master Plan public hearing on Tuesday, October 22, 1991, beginning at 7:30 p.m.:

MASTER PLAN PUBLIC HEARING - Master Plan presentation by Paul Szymanski, planner.

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 10/11/91

JOHN L. WINTERSTELLA
Mayor

MARGARET M. MONSELL
Municipal Clerk

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MANASQUAN PLANNING BOARD
REGULAR MEETING MINUTES

NOVEMBER 12, 1991 - MANASQUAN BOROUGH HALL, MANASQUAN NJ

The Manasquan Planning Board held their work session and regular meeting on November 12, 1991 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, NJ.

The work session was called to order by Board Chairman William Schmeling at 7:30 p.m. Work session roll call: Present - Mayor John Winterstella, Board Members Ruth Danish, Thomas Diamond, Patricia Dunne, Jerry Iannelli, William Schmeling, Edward Stanley and John Trengrove. Absent - Board Members Terance Kelleher, Kevin Thompson and Evelyn Wagner.

Mr. Schmeling noted that several letters had been forwarded to the Planning Board regarding the Master Plan update. The Board, he stated, had agreed to accept written comments through the November 12, 1991 meeting. Mr. Schmeling stated that the Board would not be discussing the Master Plan this evening but that it would possibly be adopted at the December 3, 1991 regular meeting. It was agreed that the Board Secretary would provide Mr. Szymanski, board counsel and board members with copies of all the letters submitted.

The Board discussed procedural matters and Board Attorney Geoffrey Cramer gave an overview of the resolution he prepared on the preliminary and final site plan application from Sal and Joyce Maraziti and John and Frances Drew for their project at the Algonquin Theater. Mr. Stanley noted on page seven that he would like the borough engineer's responsibility to review to be more definitive. Mr. Cramer stated the sentence will be changed to read the "Borough Engineer, and not the Planning Board or the Borough Planner, shall have the responsibility for plan review and approvals."

There being no further items on the work session agenda, Mr. Schmeling called the regular meeting of the Manasquan Planning Board to order at 8 p.m. He stated that this was an open public meeting held in accordance with the Open Public Meetings Act and published according to law.

ROLL CALL - present: Mayor Winterstella, Board Members Ruth Danish, Thomas Diamond, Patricia Dunne, Jerry Iannelli, William Schmeling, Edward Stanley, Kevin Thompson and John Trengrove.

absent: Board Members Terance Kelleher and Evelyn Wagner.

Also in attendance were Board Attorney Geoffrey Cramer and the Board Secretary. Planner Paul Szymanski was absent.

A motion was made and seconded to approve the minutes of the October 1, 1991 regular meeting, the October 17, 1991 special meeting regarding the Algonquin Theater project and the October 22, 1991 Master Plan public hearing minutes as submitted by the Board Secretary; motion carried unanimously.

APPLICATION - Beachtree Associates (cont.) - 187 Parker Avenue - The Board recognized Thomas E. O'Brien, attorney for the applicant. Mr. O'Brien stated Robert Strenz, member of the business association. Mr. O'Brien stated that Mr. Strenz had appeared before the Board at the September 3, 1991 meeting to request 1. a change in the signage permitted on the property (it was noted that some relief had been granted in that 40 square foot signs were approved by the Board) and 2. a change in the methodology to get approval for new businesses to come into the building.

Regarding the signs, Mr. O'Brien commented that a problem almost immediately arose when a sign of 43 square feet was proposed. It was then that Mr. O'Brien was contact and was asked to speak to Mr. Cramer about amending the application to allow for a maximum 50 square foot sign.

Referring to issue two (usage), Mr. O'Brien explained the present way which Beachtree Associates and prospective tenants must get permission to move into the building. All prospective tenants must apply to the zoning official; in the event of light industrial use, the zoning official must refer it to the board.

In deference to financial and time expediency in such matters, the applicants requested, Mr. O'Brien explained, that if a new tenant comes in with a use that has already been approved for the building if that tenant may be approved by the Zoning Officer, Jerry Iannelli, rather than coming before the Board. It was noted that 19 different uses have come before the Board and have been approved over the years since the original resolution on the property. Mr. Iannelli was asked for his opinion on the proposal.

Mr. Strenz was sworn in to offer testimony.

The Board then discussed the second request. Sign sizes were noted by the Board and applicant.

After further discussion about the two requests, a motion was

made by Mr. Stanley to allow the maximum size of a sign on the property to be 50 square feet. Motion seconded and carried by the following vote: "Yes" Board Members Danish, Diamond, Dunne, Iannelli, Schmeling, Stanley and Thompson. "No" Mayor Winterstella and Board Member Trengrove.

A motion was made by Mr. Iannelli, seconded by Mr. Stanley, to have the Zoning Officer approve already approved uses to move into the building under advise from the Planning Board. The motion was carried by the following vote: "Yes" Mayor Winterstella, Board Members Danish, Diamond, Dunne, Iannelli, Schmeling, Stanley, Thompson and Trengrove, "No" none.

APPLICATION - minor subdivision (cont.) - Joseph and Ann Quirk - 162 Lake Avenue - The Board recognized Joseph and Ann Quirk, 860 Bradford Avenue, Westfield, New Jersey, owners of the subject properties, and their counsel, Patrick Quirk.

Mr. Quirk, attorney, gave a brief review of the case to date. He stated that certain questions had been raised at the last meeting; in response, he noted that the two parcels had been subdivided back in the 1800s and the lots were taxed separately until 1985. The tax bills and portion of the subdivision submitted by Mr. Quirk were marked by Mr. Cramer. The sewer easement, which runs along the line separating the two lots and located three feet on either side of the property line, was also discussed. It was noted that Edward Wittke (Block 160, lots 6.02 and 7.02) owns the property to the rear. It was noted that the easement to the garage in the rear no longer exists.

The need for two parking spaces was addressed. Mr. Quirk stated that they proposed to deal with this by a driveway along side the easterly side of the building.

Attorney Quirk stated that the variances requested (relief had been requested for a two lot minor subdivision on the property -Block 160, lots 6.01 and 7.01. Variances were requested because the property is undersized. It is in an R-1 zone) and will not be extended. He also noted that the size of the projected lots would be in character with the neighborhood.

Mr. Cramer also noted that William Farrell, Jr., engineer, commented in his memo that a proposed three foot sanitary sewer easement is usually "inadequate for installation and maintenance. Ten foot minimum is preferred." This was addressed, with Mr. Quirk stating that three foot was the amount requested by the other party (Mr. Wittke); Mr. Quirk asked that it remain that as "it is doing its job at the moment." He also stated he saw

no problem with building a driveway over the easement, stating that the driveway could always be dug up if needed. It was noted that Mr. Wittke would be responsible for maintenance of the easement area.

There being no comment from the public, the Board closed the public hearing and began to discuss the application.

Mrs. Dunne expressed concerns about parking. It was noted at the prior hearing that parking was restricted on Lake Avenue, with parking allowed on the south side but not on the north side and Mr. Eugene Degnan, neighbor of the subject property, had at that time expressed concerns about the situation over the summer. Mrs. Dunne noted those concerns as well as her own.

Mr. Iannelli stated he did not feel there was a way to deny the relief requested since it had been subdivided before.

Stipulations were discussed, including that the driveway to the garage should front on Lake Avenue; there should be no ingress/egress from Stockton Lake Boulevard. Mr. Iannelli stated he would move the application with that stipulation. Mrs. Dunne added the condition that there shall be no parking on the lawn.

After further discussion, Mr. Iannelli moved for a favorable resolution with the stipulations as noted by the attorney and professionals in their memos, including a 10 foot sewer easement and all parking in the driveway (no access to garage from the rear). The lots created would be 6.01 and 7.01 with frontage on Lake Avenue. The motion was seconded and carried by the following vote: "Yes" Board Members Diamond, Dunne, Iannelli, Schmeling, Trengrove. "No" Board Member Thompson. "Abstain" Mayor Winterstella, Board Members Danish and Stanley. (Mr. Diamond and Mrs. Dunne both expressed reservations about the application while Mr. Iannelli once again stated that the property had been previously subdivided)

A motion was made, seconded and carried for a brief recess. The Board then reentered the meeting and agreed to make a slight change in the agenda to read the Drew/Maraziti resolution.

RESOLUTION 19-91 - preliminary and final site plan approval - Sal and Joyce Maraziti, John and Frances Drew - the Algonquin Theater - 171 Main Street - The resolution was noted by Mr. Cramer with the change which had been agreed upon in the board's work session. A motion was made and seconded to memorialize the resolution with the change indicated. Motion carried by the following vote: "Yes" Mayor Winterstella, Board Members

Danish, Diamond, Dunne, Iannelli, Thompson, Schmeling and Stanley. "Abstain" Board Member Trengrove.

APPLICATION - minor subdivision - Tomasso and Tomasso - 237 Third Avenue/554 Brielle Road - The Board Attorney recognized Thomas E. O'Brien, attorney for the applicants. Mr. O'Brien brought forward Raymond Tomasso, Jr., owner of the subject property, and Fred Heyer, PP, of Harvey S. Moskowitz, Inc., Florham Park. Both men were sworn in to offer testimony and it was noted that all persons within 200 feet had been notice and proper notice had been placed in the newspaper.

John Pizzolato, , stated for the record he felt he was misinformed about the application and the location of the property. He felt that the property subject to the application would be in the back of his property; in actuality, the subject property would be in front of his. It was explained that a survey was being conducted in the Fishermen's Cove area.

The Board, Board Attorney, applicant, applicants' attorney and profession commenced discussion of the case, which requested relief so that a two-lot minor subdivision could occur. It was noted that the following variances were needed for Proposed Corner Lot 1: lot area (3400 square feet required, 1467 square feet proposed), lot width (frontage - 40 feet required, 25.05 feet proposed), front setback (25 feet required, 6.53 feet at southwesterly corner of Brielle Road and Third Avenue and 5.05 feet at northwesterly corner of Brielle Road shown), sideyard setback (seven feet required, 3.25 feet southeasterly corner Third Avenue 2.88 feet southwesterly corner of Third Avenue and Brielle Road shown and 2.02 feet northwesterly corner Brielle Road and 1.72 northwesterly corner shown) and rear setback (20 feet required, 9.96 feet southeasterly corner Third Avenue and 10.23 northeasterly corner shown). In regards to proposed interior lot 1.01, the following variances were requested: lot area (3400 square feet required, 1033 square feet shown), front setback (25 feet required, 2.96 feet southwesterly corner Third Avenue and 2.88 feet southeasterly corner Third Avenue shown), side setback (five feet required, 3.79 feet northeasterly corner Third Avenue and 2.50 feet southeasterly corner shown) and rear setback (20 feet required, 1.96 feet northwesterly corner and 1.92 feet southeasterly corner shown). These were requested together with any and all other variances or design waivers needed regarding development of the property, noted applicant's counsel.

Currently a one-story frame home (554 Brielle Road) and a two-story framed dwelling (237 Third Avenue) are on the property,

which is 2505 square feet (25.05 ' x 100').

It was noted that a "Beers-McLean" subdivision application on the property, without variances, had been denied by the Board in 1987. It was granted by Trial Court, denied by the Appellate Division and remanded to the Planning Board by the Supreme Court.

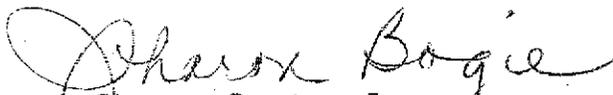
Mr. O'Brien gave a review of the case to date, including litigation that had occurred when the original application was denied (the case ultimately was determined in the New Jersey Supreme Court).

Mr. Szymanski's memo of November 7, 1991 was addressed.

After Mr. Tomasso was brought forward as the first witness, questions were raised by Mr. Cramer as to which development board would have jurisdiction over the case. A brief recess was requested and case law was noted. After the recess, a continuance was requested by Mr. O'Brien and granted by the board. Mr. O'Brien indicated he will bring the applicants' planner to the December 3, 1991 meeting for testimony.

OLD BUSINESS / NEW BUSINESS - There being no further cases on the agenda, the Board discussed old and new business. The Board Secretary submitted vouchers and correspondence to the Board. There being no other matters, the motion was made, seconded and unanimously carried to adjourn at 10:03 p.m.

Respectfully submitted,


Sharon Bogie, Secretary
Manasquan Planning Board

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

November 7, 1991

Dear Board Member:

Enclosed please find drafts of the minutes for the following meetings: the regular October 1, 1991 meeting; the special meeting re: Algonquin Theater October 17, 1991; and the Master Plan Public Hearing on October 22, 1991. Please consider the following agenda for the November 12, 1991 meeting:

MANASQUAN PLANNING BOARD AGENDA

NOVEMBER 12, 1991, MANASQUAN BOROUGH HALL, MANASQUAN NJ

7:30 p.m. - Work Session

8 p.m. - Regular Session

1. Approval of minutes.
2. APPLICATION - (cont) - Beachtree Associates - 187 Parker Avenue - signs and uses.
3. APPLICATION (cont)- Joseph and Ann Quirk - Lake Avenue - minor subdivision.
4. APPLICATION - R. & R. Tomasso - 237 Third Ave./554 Brielle Road - minor subdivision
5. RESOLUTION 19-91 - Maraziti/Drew-Algonquin Theater - 171 Main Street - preliminary and final site plan approval.
6. OLD BUSINESS / NEW BUSINESS

Yours truly,

Sharon Bogie
Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 11/7/91

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

MANASQUAN PLANNING BOARD
REGULAR MEETING MINUTES

DECEMBER 3, 1991 - MANASQUAN BOROUGH HALL, MANASQUAN NJ

The Manasquan Planning Board held their work session and regular meeting on December 3, 1991 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, NJ.

The work session was called to order by Board Chairman William Schmeling at 7:30 p.m. Work Session roll call: "present" - Board Members Ruth Danish, Thomas Diamond, Patricia Dunne, Jerry Iannelli, Terance Kelleher, William Schmeling, Kevin Thompson and John Trengrove. "Absent" - Edward Stanley, Mayor John Winterstella and Evelyn Wagner.

The Board and Board Attorney Geoffrey Cramer reviewed Resolution 20-1991 (Beachtree Associates) and 21-1991 (Quirk minor subdivision). Mr. Stanley questioned the wording of the Beachtree resolution, stating that he wanted the Board to be informed of uses that are going on in the building. Mr. Cramer agreed to reword the resolution to reflect this. Mr. Szymanski asked about entry to the garage on the Quirk minor subdivision.

Letters received by the Board regarding the Master Plan were were distributed and discussed.

It was noted that the Bemmels/Telle minor subdivision application hearing had been adjourned at the request of Bruce Wetzel, counsel for the applicants. Mr. Wetzel briefly addressed the Board on the reasons for the adjournment and requested that the matter be continued at the January 7, 1992 meeting. The Board agreed to the adjournment.

Mr. Schmeling requested Mr. Cramer prepare the reorganization resolutions early so that the Board could consider them before acting upon them at the January 7, 1992 session. Mr. Cramer said they would be ready prior to the meeting.

There being no further items on the work session agenda, Mr. Schmeling called the regular meeting of the Manasquan Planning Board to order at 8 p.m. He stated that this was an open public meeting held in accordance with the Open Public Meetings Act and published according to law.

Roll Call - Present: Board Members Ruth Danish, Thomas Diamond, Patricia Dunne, Jerry Iannelli, Terance Kelleher, William Schmeling, Edward Stanley, Kevin Thompson, Evelyn Wagner and John Trengrove.

Absent: Mayor John Winterstella.

Also in attendance were Geoffrey Cramer, board attorney; Paul Szymanski; planner; and the Board Secretary.

A motion was made, seconded and unanimously carried to approve the minutes of the November 12, 1991 meeting as submitted by the Board Secretary.

APPLICATION - (cont.) - minor subdivision - Tomasso and Tomasso - 237 Third Avenue/554 Brielle Road - The Board Chairman recognized Thomas O'Brien, attorney for the applicants. Mr. O'Brien brought forward Raymond Tomasso Jr., owner of the subject property, and Paul Heyer, PP, planner/surveyor on the project.

A brief history of the case was given, with Mr. O'Brien noting that that state Supreme Court had remanded the case back to the Manasquan Planning Board for judication. It was stated that 554 Brielle Road is a single family, year round dwelling while 237 Third Avenue has two dwelling units. Stating that questions of board jurisdiction and the Razberry case had been brought up at the November 12, 1991 meeting, Mr. O'Brien stated that his clients now proposed to convert 237 Third Avenue to a single family home. This, stated Mr. O'Brien, would make it conforming to subdivide.

Mr. Tomasso addressed issues in Mr. Szymanski's memo. He stated that in the conversion process the first floor kitchen in the 237 Brielle Road structure would be removed.

Mary LeChien, 424 Euclid Avenue, questioned Mr. Tomasso.

Questions were raised regarding steps on the property. On the plans, it was stated, they appear to extend into the open space. Actually, offered the applicant and his attorney, the last step in concrete and in inbedded into the ground.

Mr. Heyer displayed an aerial photograph of the property and surrounding areas, with different color coded tape outlining zones, the study area and the subject property. He explained that in the area of the study, 70 of 97 lots do not conform to lot area requirements for an R-3 zone. He stated that it was a highly developed area with multiple dwellings on the properties.

Mr. O'Brien stated he felt this case meets a "Flexible C" and Hardship Variance cases. He explained that traditionally Hardship variances dealt with natural aspects such as topography; in 1986, however, the section was amended to include existing structures. He stated that strict interpretation of the

ordinance would place applicants under a hardship. He also commented that "traditional" development is not occurring in the area and that there is a "status quo" regarding houses. Mr. O'Brien stated that he saw the removal of the second unit at the Brielle Road structure as a benefit to the community. He added that nothing would be changing as far as the number of houses go; only ownership would change.

It was stated by the applicants' professionals that the variances requested in the application had been reviewed and he could see no detriment to the public good, but rather enhancement to the area. It would also bring the property into the area's "zoning scheme".

Mr. Schmeling questioned Mr. Heyer about the project. Mr. Heyer noted the changes in the C-1 requirements and testified that the smallest lots in the area are in the 2000 square foot range. Discussing the findings of the Supreme Court in the related court case, Mr. Heyer stated he felt the court case took away arbitrary right to subdivide and allow the Board to decide whether a subdivision should be granted.

Mr. Noel Hood, Beachfront, asked about the condition of the curbs and sidewalks along the Third Avenue.

Mr. Heyer suggested a deed restriction regarding structures.

Mrs. LeChien asked if drivers from both houses would need to share the curb cut.

Mr. O'Brien the offered his summation, stating that he felt it would upgrade area and would make the property consistent with zoning.

During the public comment portion of the hearing Mr. Hood once again expressed concerns about the curbs and sidewalks.

Robert Zanes, Ocean Avenue, stated he saw the subdivision as upgrading the neighborhood and that the application should be required to do the upgrading on the property.

Questions were raised regarding the parking situation on the property.

There being no further public comment, a motion was made, seconded and carried to go into executive session to discuss the application.

Mr. Stanley noted a need for such improvements as curbing in the area.

Mr. Trengrove noted concerns for exits in case of a fire and asked if Fire Inspector Nick Marino would review the plans.

Mrs. Dunne agreed with the concept that the subdivision would help upgrade the area and make it consistent with zoning; she, however, expressed concerns over flooding and aesthetics, stating that there should be standards to which they must conform.

Mr. Iannelli said he did not see any problem putting a lot line down the center of the property and would be willing to move a favorable resolution with stipulations regarding upgrading, sidewalks and trees.

A motion was made, seconded and carried to come out of executive session.

Mr. Szymanski asked if a fence along the westerly property line would be needed and also brought up issue of cross easements between the two projected lots.

Mr. Iannelli moved for a favorable resolution subject to agreed stipulations by the applicant's attorney regarding curbs, sidewalks and no fence. Motion seconded by Mr. Stanley and carried by the following vote: "Yes" Board Members Danish, Diamond, Dunne, Kelleher, Stanley and Thompson. "No" Mr. Schmeling, Mrs. Wagner and Mr. Trengrove.

APPLICATION - minor subdivision - Bemmels/Telle - 348-349 First Avenue - The hearing was adjourned until the January 7, 1991 agenda at the request of the applicants' counsel.

RESOLUTION 20-91 - amendment to site plan - Beachtree Associates - 187 Parker Avenue - uses and signs - It was noted by counsel and the Board Chairman that the resolution had been reviewed during the work session. A motion was made to memorialize the resolution with those changes noted during the work session discussion. The motion was seconded and carried by the following vote: "Yes" Board Members Danish, Diamond, Dunne, Iannelli, Schmeling, Stanley, Thompson and Trengrove. "No" none. "Abstain" Board Members Kelleher and Wagner.

RESOLUTION 21-91 - minor subdivision - Joseph and Ann Quirk - 162 Lake Avenue - It was noted by counsel and the Board Chairman that the resolution had been reviewed during the work session. A motion to memorialize the resolution was made, seconded and carried by the following vote: "Yes" Board Members Danish, Diamond, Dunne, Iannelli, Schmeling, Stanley, Thompson and Trengrove. "No" none. "Abstain" Board Members Kelleher and Wagner.

A motion was made, seconded and unanimously carried for a brief recess. The meeting then reconvened after the break.

MASTER PLAN PRESENTATION - Letters received from the public regarding the Master Plan were discussed. It was stated that the letters would be available for the public in the office of the Board Secretary, Construction Department, Manasquan Borough Hall.

One of the Master Plan topics discussed was the zoning of the Manasquan Lumberyard property on Main Street and Warren Avenues. Options were discussed and principals uses in an industrial area were noted. Mr. Szymanski stated that most letters from the public regarding this matter wished the Board to relook at the zoning and see if there is a more appropriate zoning. Mr. Schmeling asked each board member for their opinion; board members were divided between leaving it as industrial, changing it to office commercial or changing it to B-1. It was noted by Mr. Szymanski that one of the considerations would be the protection of the neighboring residential areas.

The Board then discussed the Fishermen's Cove/PUD area. Letters from the public regarding the topic were noted, with Mr. Szymanski stating that most asked the Board to consider changing it to Open Space or Conservation.

Mr. Trengrove asked Mr. Szymanski what his opinion was on the study conducted by American Timber Company (at the Master Plan public hearing, American Timber Company had presented a study which they had conducted regarding environmental constraints on the land in the PUD area and discussed the possibility of development at a future date). Mr. Szymanski stated that the felt the calculations and report were "reasonable." Mr. Szymanski then discussed the options open to the Board regarding the property.

Mr. Trengrove asked if it would be wiser to get input from Mayor and Council as to whether the borough would be interested in having the area as open space.

Once again it was noted that in the case of PUD designation, a plan would need to be submitted to develop the entire parcel and the developer would still need to come before the board for approvals.

It was noted that the Board would next be considering the Housing Element portion of the Master Plan and that they would only be voting on the Land Use portion at this time.

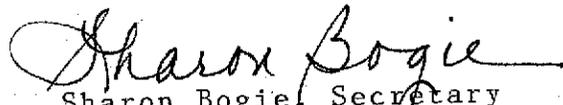
After further discussion, Mr. Thompson moved to accept the Land Use map as submitted by Mr. Szymanski with the change of the Manasquan Lumberyard property from industrial to Commercial or B-1; the motion was seconded and carried by the following vote: "Yes" Board Members Diamond, Dunne, Iannelli, Kelleher, Schmeling, Thompson, Wagner and Trengrove. "No" Board Member Danish.

OLD BUSINESS / NEW BUSINESS - The Board Secretary submitted correspondence and vouchers for the Board's consideration.

The Board Secretary read a letter from George Wright, attorney for Sean and Kimberly Coffey, who were granted a major subdivision for their property on Union Avenue. The letter requested that the Board grant an extension of the filing time period for the subdivision. The Board agreed to have Mr. Cramer research the matter.

There being no further business on the agenda, a motion was made, seconded and unanimously carried to adjourn at 10:30 p.m.

Respectfully submitted,


Sharon Bogie, Secretary
Manasquan Planning Board

JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

MARGARET M. MONSELL
Municipal Clerk

November 25, 1991

Dear Manasquan Planning Board Members:

Enclosed please find a copy of the draft of the minutes for the November 12, 1991 regular meeting of the Manasquan Planning Board. Please consider the following agenda for the December 3, 1991 meeting, 7:30 p.m. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey:

MANASQUAN PLANNING BOARD
AGENDA- DECEMBER 3, 1991 REGULAR MEETING
MANASQUAN BOROUGH HALL, 15 TAYLOR AVENUE, MANASQUAN, NJ

7:30 p.m. - Work Session

8 p.m. - Regular Session -

1. Approval of 11/12/91 meeting minutes
2. APPLICATION - (cont.) - minor subdivision - Tomasso and Tomasso - 237 Third Avenue / 554 Brielle Rd.
3. APPLICATION - minor subdivision - Bemmels/Telle - 348-349 First Avenue
4. RESOLUTION 20-91 - amendment to site plan - Beachtree Associates - 187 Parker Avenue - uses and signs.
5. RESOLUTION 21-91 - minor subdivision - Joseph and Anne Quirk - 162 Lake Avenue
6. MASTER PLAN PRESENTATION - Paul Szymanski, planner
7. OLD BUSINESS
NEW BUSINESS

Yours truly,


Sharon Bogie, Secretary
Manasquan Planning Board

Dated at Manasquan 11/25/91