

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

Incorporated December 30, 1887

732-223-1480  
FAX 732-223-1300

JOHN L. WINTERSTELLA  
Mayor

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736  
**PLANNING BOARD**

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the November 9, 1999 regular meeting. Please consider the following Agenda for the December 7, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA  
DECEMBER 7, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings:
  - (a) Neil Hamilton - Kirsch Property
  - (b)
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
  2. Motion on Minutes
  3. Consent Agenda
- A. RESOLUTION - 43-1999 - Marilyn Matthews - 15 Gardners Lane  
B. RESOLUTION - 41-1999 - Richard Thomas - 56 Parker Avenue  
C. RESOLUTION - 42-1999 - David Minnick - 105-109 Taylor Ave.

END OF CONSENT AGENDA

- APPLICATION - 47-1999 - Barbara Amundson - 417 First Avenue  
APPLICATION - 48-1999 - Sean & Debra Gleason - 99 Manito Rd.  
APPLICATION - 44-1999 - Dr. Lawrence Gardner - 130 Union Ave.  
APPLICATION - 46-1999 - John & Mary Kelly - 427 Beachfront

4. - APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

Marie Applegate, Secretary  
Manasquan Planning Board

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**PLANNING BOARD**

DECEMBER 7, 1999 - REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on December 7, 1999 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J.

Christopher Rice opened the meeting at 7:00 P.M., stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - J.Miller, C.Triggiano, N.Hamilton,  
J.Tischio, R.Zanes, C.Rice, J.Burke, J.Muly  
ABSENT- P.Dunne, D.Place, Councilman Schmeling,  
Mayor Winterstella.

INFORMAL - Neil Hamilton - Kirsch Property.  
Neil stated we are getting a lot of inquiries on these properties and we need some direction from the Zoning dept. as to what we can tell interested individuals on what the use may be. Until we can give them some direction, their going to sit there and become an eye sore. It is our understanding that the Corp. is not in the rental business anymore, so we're not sure if they will be rented this summer or not. On the Akron, the question is, can we put this into a 2 or 4 rental unit or a condominium. The parking situation, if any one is interested, will have to realize that they will have to demolish one or two of the structures to provide parking. There are 28 units in the Akron.

Carmen wanted to know, when the property on E. Main St. was merged, were the property owners notified? He thinks the Tax Assessor should notify the Planning Board when they do that, he thinks it's improper. Mr. Cramer stated the Board can only act in response to an application for development, it can't act on it's own motion to do something, it has to have something before it to trigger the Board's review, hearing process and determination.

Mr. Hamilton said after hearing what the Board had to say tonight if some one comes in to buy, he will have to tell them that the Planning Board would rather see 3 single family dwellings on the Akron property. Mr. Rice said the safe answer is what ever the zoning calls for.

On East Main and Second Ave. they suggested keeping it as is.

Mr. Rice stated the committee on Minnick application has not met yet.

Mr. Burke stated his committee on the applications have not been able to get together with everyone. He suggested to adopt the ones that have been drawn up for right now as we need something in place. All the Board agreed with his suggestion.

All applications will be submitted to Birdsall Engineering ( Alan Hilla, Jr.) for a completeness report before given a date to come before the Board.

REGULAR SESSION

ROLL CALL: PRESENT - J.Miller, C.Triggiano, N.Hamilton,  
J.Tischio, R.Zanes, C.Rice, J.Burke  
J.Muly.

ABSENT - P.Dunne, D.Place, Councilman Schmeling  
Mayor Winterstella.

APPLICATION - 47-1999 - Barbara Amundson - 417 First Avenue.  
Barbara Aundson -417 First Avenue and Mark Sedlack -Contractor  
were each sworn in by Mr. Cramer.  
Owner wishes to change rear enclosed porch roof from flat roof  
to a pitched gable roof. R-5Zone. Application was denied for  
the following reasons: 107-27 - Lot Coverage - 40.4 ft. required,  
25' existing. Lot Area - 2700 sq. ft. required, 2430 ft.  
existing. Side Setback north = 5 ' required, 0.88 ft. existing.  
Overhand is 1.70' over lot line. Maximum Bldg. Coverage -  
35% allowed, 39% existing. Hardship Variance.

Mark Sedlack testified he is the contractor for the project,  
explaining that there is a flat roof on the rear enclosed porch  
and inside the living area of the porch, there is a very low  
ceiling and Ms. Amundson wants to raise that to a gable roof  
which will tie into the existing gable roof on the rest of the  
house. They are not increasing the footprint of the house, the  
only thing will be on the existing gable roof there is a 6"  
overhang or soffit and on the flat roof a 3" over hang or soffit,  
with permission to do the gable roof we would like to extend  
the 3" over hang to match the 6" overhang. The porch is enclosed  
now. The wall will be rebuilt. Ms. Amundson testified she has  
owned the house for 30 years and just wants to update the house  
and have a little more room on the porch.

C.Triggiano made a motion to open the meeting to the public,  
seconded by J.Burke and unanimously carried.  
Kent Mountford, 425 Beachfront, stated he has known the Amundsons  
for quite a few years and being a neighbor with that same room,  
it's not really livable space and he would approve it.

The public portion was closed with a motion and second and  
unanimously carried.

Mr. Zanes made a moiton to accept this application as presented  
with a second by J.Miller followed by the following vote: "YES"-  
J.Miller, C.Triggiano, N.Hamilton, J.Tischio, R.Zanes, C.Rice,  
J.Burke, J.Muly.

APPLICATION - 48-1999 - Sean & Debra Gleason - 99 Manito Road. Owner wishes to construct 14 x 40' second story addition to the rear of existing dwelling.

Application is denied for the following reasons: 107-27 Maximum Building Coverage - 30% allowed, 39% proposed. Maximum Lot Coverage - 45% allowed, 45.5% proposed. 107-8.B(4) - Shed is over lot line by about 6' where the required setback is 3' from rear lot line. Hardship Variance.

Debra Gleason and Sean Gleason were sworn in by Mr. Cramer. Mr. Gleason testified they have a 3 bedroom colonial and would like to add to the back a play room and a 4th bedroom, as they are expecting another child.

Alan Hills stated the existing structure and lot are conforming to the zone, but the existing accessory and proposed principal structure are not conforming to the zone. The accessory shed in the rear requires a 3' set back for rear and side yard, and from the survey it appears the shed is over the property line by approximately 5 feet, his suggestion is that the Board require the applicants to move to the confines of the property.

His second item in regards to the proposed addition, the building coverage and lot coverage are two issues. Mrs. Gleason testified the side yard set backs are supposed to be 5 feet, and it would not change with the addition.

Mr. Gleason said if the Board would like the shed moved, they have no problem with that. She testified they have room in the garage for 1 parking and 4 in the driveway. Mr. Gleason testified he put the chain link fence in after they purchased the property just behind the shed and would be willing to move it back into the property line at the request of the Board.

Michael James Munroe the Architect was sworn in by Mr. Cramer.

J.Burke made a motion to open this portion of the meeting to the public, seconded by C.Triggiano and unanimously carried. Being there were no comments from the audience, this portion was closed to the public.

C.Triggiano moved for a favorable resolution with the moving of the fence and shed to the proper places on the property, seconded by J.Miller, followed by the following vote: "YES" J.Miller, C.Triggiano, N.Hamilton, J.Tischio, C.Rice, J.Burke, J.Muly. "NO" - R.Zanes.

Application - 44-1999 - Dr. Lawrence Gardner - 130 Union Avenue Keith Henderson of C.Keith Henderson Associates, put himself on record as Attorney representing the applicant.

Mr. Henderson stated this property is Block 73, Lot 50.2640 and involves both a use variance and some bulk variances. Lawrence Gardner and Charles Gilligan were sworn in by Mr. Cramer.

Dr. Gardner testified he has a contract on this property at

the time and hinges on the approval of this Board. He testified his intended use of this property is to have his dental office downstairs and personally live in the upstairs. He testified he is a licensed dentist since 1970, and his current office is in the Brielle Hills Professional Center on Hwy. 70. His reason for this move is to be closer to his children. His wife lives on Woodland Avenue in Brielle. The current use of the property is 3 apartments. He testified he has a general dentistry practice with 3 employees. The office manager works 30 to 35 hours a week and the 2 part time work about 20 hours per week. The average number of employees in the building at one time are 2. He treats one patient and one is waiting to be treated. He testified he has 2 treatment rooms planned, for the purpose to be able to prepare the next patient to be seen.

Poster Board was marked A-1, which consists of a design grading. Survey was marked as A-2,

Mr. Gilligan testified he is a licensed Engineer & Planner in N. J.. He was accepted as an expert by the Board.

He testified the property is on the corner of Morris & Union Ave. North East, presently used as 3 apartments, in the O Zone (office) Residential detached single family dwellings are a permitted use and special offices, but it's not permitted with an apartment over professional use. There are bulk variances associated with the site, which are existing variances. They are also asking for a variance for parking. There will be a handicap ramp constructed on the south side of the property up to the front porch, a 6' stockade fence along the easterly property line. We are getting rid of a 3 apartment dwelling. All bulk variances are pre-existing other than the ramp, which is a requirement under the ADA. There are existing lights and no new lights are proposed. He is not seeking any variances for signage. The sign will be in the front yard, 5' off the Union Ave. property line. The intended hours of operation are the normal business hours 9 to 6 and Saturday mornings.

Mr. Zanes would like shielded down lights, and landscaping in front of the ramp to screen it off.

Mr. Henderson stated they will stipulate that there will only be 1 apartment upstairs.

A motion to open to the public was made by J. Burke seconded by J. Miller and unanimously carried.

Lynn Stuart, 126 Morris Avenue came forward, stating " she has quiet a few problems with this application, and I really don't want to object to it. She doesn't have a problem with an office and apartment, but she has an extremely large problem with the parking that is proposed and with the application that is proposed. She stated there is no parking allowed on Rt. 71. As it stands this application cannot provide adequate parking on site or off site within the office zone. She made reference

to ordinance 107-36C, 9x19 spaces are required, defining handicap spaces not shown, curbing not shown or stripping of spaces, none of this is shown. 24' access isle is not shown. The parking layout as shown would require backing out into a public street. 107-36D on parking space setbacks, 4 ft. from the side is required, 1 ft. plus or minus is shown, 5' from a right of way none is proposed. No area of landscaping is provided. She feels 8 spaces for parking are required. Existing curbing does not meet the Borough's standards and should be required to be brought up to standard. Sidewalks should be installed in a public right of way. Set back lines are not on the plan that was available for review. There is no indication as to the side of the apartment, how many bedrooms".

She had copies of her concerns that she gave out to the Board and would like the Board to look at the copy of the site plan that she made a copy of. She truly wishes that she didn't have to object to his application.

A motion to close the public session was made by C.Triggiano, seconded by J.Miller providing questions can be asked of Ms. Stuart, as Mr. Burke did not want her shut out of the discussion.

Mr. Zanes felt it should be held off, until Mr. Hilla can review it further.

Mr. Henderson felt Mr. Hilla's review took place before the site plan was submitted, and he reviewed the variance issues. "If the Board is inclined to hold off on the site plan until next month, obviously you have that right, but if your going to do that, I would ask that you act on variance issues tonight"

Mr. Cramer has no problem with taking action on the request for a use variance and bulk variance tonight. Mr. Burke stated he has no problem with taking care of the use and bulk variances tonight except he wants to make sure that all the things that Ms. Stuart brought up are not bulk variances.

The variances that would be approved this evening if approved this evening are; the use variance for the mixed use, the side yard principal structure, setback from corner, side yard for the accessory structure, off street parking and perhaps the ramp as to whether it is a structure in the front yard or utility structure. Every thing else would go into the site plan items. Mr. Rice felt the ramp should go into the site plan.

A motion to open to the public again was made by J.Burke, seconded by J.Miller and unanimously carried. Ms. Stuart wanted to know if on site parking was part of the bulk variances. Mr.Rice stated they will identify what bulk variances they are going to act on tonight.

Mr. Burke moved to close the public hearing seconded by J. Miller and unanimously carried.

A motion by Mr. Burke to approve this application as far as the Use Variance is concerned for this to be a professional office downstairs and only 1 apartment upstairs, seconded by C. Triggiano, followed by the following vote: "YES" - J. Miller, D. Place, C. Triggiano, N. Hamilton, R. Zanes, C. Rice, J. Burke.

A motion to approve the bulk variances, except for the off street parking requirement, side yard set back for principal structure, side yard setback for the accessory structure, seconded by J. Tischio followed by the following vote: "YES" - J. Miller, D. Place, C. Triggiano, N. Hamilton, J. Tischio, R. Zanes, C. Rice, J. Burke, J. Muly.

Mr. Henderson asked that the Board retain jurisdiction and they will try and take a look at what Ms. Stuart handed out and see if they can address specific issues and be back next month and carry them over. Mr. Henderson said they will take a look at parking, screening, lighting, signage and the ramp. They will return at the January 4th meeting.

The Board moved for a 5 minute recess at 9:10 P.M.  
The Board returned from recess at 9:20 P.M.

APPLICATION - 46-1999 - John & Mary Kelly - 427 Beachfront.  
Owner wishes to demolish existing residence, garage and store and to construct a new residence and detached garage. R-4/B-1 Zone.

Denied for 107-27- Front yard setback - 15 ft. required 5.3 ft. proposed. Maximum Building Coverage - 35% allowed, 43.5% proposed. Use Variance.

Keith Henderson put himself on record as Attorney representing the applicant. He stated this property is Block 187, Lot 24 known as 427 Beachfront, 428 First Avenue.  
John Kelly, Charles Gilligan and Eugene Wright, were sworn in by Mr. Cramer.

Mr. Kelly testified he and his wife are the owners which they acquired in early 1999. Currently on the sight is an unused commercial facility, garage and an overhung. He testified their intentions are to demolish all structures and put up a home that will be used by he and his wife, his daughters and grand children. His plan is to have only 1 single home on the property. It will be primarily summer use and some day they will probably spend 4 or 5 months here. My wife is required to use a cane on a regular basis and for extended transportation uses a wheel chair. She will be using the wheel chair for a long time. She is the reason for selecting that site, because it does have

a handicap ramp to the boardwalk near by, it has the garage facility of being constructed so there is a turn around for a wheel chair, the porch structure is such, so that going from the house to the porch doesn't require any steps and that will facilitate movement from out side of the house as well. If we get this approved, we will eliminate the commercial structure, as we want to make this our home, as we are trying to add value and the house is going to be a traditional beach colonial. He did review the portion of Alan Hilla's report.

Mr. Kelly testified he applied for CAFRA approval for construction of the house. Application for CAFRA was marked A-1. Mr. Henderson said the CAFRA application was for the construction of the house, not the garage. CAFRA initially had certain requirements which would probably not have allowed the construction of the garage, we feel this position has been altered and that they would now approve the garage. We are asking that you approve the garage, subject to CAFRA approval.

Eugene Wright came forward stating he is an Architect and a professional Planner. Licensed in both in the State of N.J.. He testified the building is a rectangle with a 3 sided porch on the south east and west side. It's a 2½ story building, it will be cedar shingles, all natural type products, railings also. The garage is 720 sq. ft., the reason for that is, the 2 car bay garage with a 5 ft. turn radius, for wheel chair access. The 5 ft. turn radius is an ADA New Jersey Standards.

The setback of the front deck is 25 feet from the boardwalk itself. The porch on the front of the house is all open and someone living on the north or south can see through that area. It is set back a greater distance than the other houses. The building height will be less than 35 feet.

Charles Gilligan came forward and had Mr. Cramer mark the aerial view photo A-2 and A-3 on the tax map side. Mr. Gilligan testified he has been retained by the applicant to review the site for him. He testified on A-3 which is a phot of the tax map. The property is 1 property north of the Manasquan Inlet, which is jacent to Carlson's corner. It is in a split zone, 1/2 is located in the B-1 and the rest is in the R-4 zone. According to the CAFRA report the main structure had to be set back 15 feet from the property line. This project has a 9ft. 8 roof deck which extends around the perimeter of 3 sides of the dwelling. The deck to the west is 16ft. wide but is only roofed to 9'8", which gives us a 5'4" setback from the front property line. The garage is the issue on the coverage. The garage is 20' back from the curb line on First Avenue. The property is 58 ft. wide, 8,112 sq. ft. which is a substantial size property for this zone.

Mr. Henderson stated in their opinion a Use Variance is not

required in this application, and if the Board would rule on that. He stated Mr. Hilla recommended a zone change and the applicant would not object to that, which he paced on record. If you are going to require a use variance he will have to direct some questions to their Engineer on that subject. Mr. Gilligan testified from the curb of the macadam boardwalk, the porch is set back 25 feet and another 5.3 ft. to the building itself making it 30.3 ft..

Mr. Henderson feels they will get approval from CAFRA for the garage, but if they don't it will be a greater area for parking in the back. From the garage to the house will be a boardwalk and the rest will be stone.

A motion to open to the public was made by J.Burke, seconded by J.Miller and unanimously carried.

Mark Horvath, 415 Beachfront & 414 First Avenue came forward asking how high the level of the deck is on the west side. He was told it is 3 ft. above grade and 3 ft. for the open balister and 16 ft. from the house to the street. He said his view is being blocked to the inlet. He wanted to know what portion of his view is being blocked. Mr. Gilligan said it can't be calculated. Mr. Horvath is about 5 houses away from the applicant. Mr. Gilligan stated his house stands out further than the new house, so his view shouldn't be blocked.

Kent Mountford who is adjacent to Mr. Horvath's property stated his cottage is one of the original houses on the beach, but he understands John and his family can't live in one that size. He states it is a very large structure and very scary for them as they are directly adjacent to it. He stated he supports the set back in front as it doesn't block the view in front, but their covering a lot with that deck in the back and that concerns him. His only concern is the height of the garage, which is 4 ft. higher than his garage, and does block the river view.

Mr. Wright said they are the lowest they can go with the garage. He would not have any problem with the garage if they could solve the river view. Mr. Mountford wants these people as neighbors, they are fine people and they have been attempting to make something workable.

Motion by N.Hamilton to close the public session, seconded by J.Burke and unanimously carried.

A motion to approve this application on the Use Variance, by R.Zanes, seconded by J.Burke, followed by the following vote: "YES" J.Miller, D.Place, N.Hamilton, R.Zanes, C.Rice, J.Burke.

A motion to approve this application was made by R.Zanes, with the stipulation to soften the west side of the garage with some sort of landscaping, seconded by D.Place followed by the following vote: "YES" - J.Miller, D.Place, N.Hamilton, R.Zanes,

C.Rice, J.Burke, J. Muly.

Mr. Burke proposed that the Board vote on a recommendation to Town Council to change that B-1 zone to a residential zone, just on that lot, seconded by R.Zanes, followed by the following vote: "YES" - J. Miller, D.Place, N.Hamilton, J.Tischio, R.Zanes, C.Rice, J.Burke, J.Muly.

RESOLUTION 43-1999 - Marilyn Matthews - 15 Gardners Lane  
A motion to approve was made by J. Muly, seconded by R.Zanes, followed by the following vote: "YES" - D.Place, N.Hamilton, J.Tischio, R.Zanes, C.Rice, J.Burke, J.Muly.

RESOLUTION 41-1999 - Richard Thomas - 56 Parker Avenue  
A motion to approve was made by J.Burke, seconded by N.Hamilton, followed by the following vote: "YES" - D.Place, N. Hamilton, J.Tischio, R.Zanes, C.Rice, J.Burke, J.Muly.

RESOLUTION 42-1999 - David Minnick - Parker Avenue (Ritz Bakery)  
A letter will be sent to Mr. Minnick, that the resolution was not approved at the meeting, as Mr. Minnick has not contacted Mr. Rice as yet.

Dave Place wanted to know about the signs leading to Leggtts. Mr. Hamilton said the Council gave them permission.

RESOLUTION - 45-1999 -Expression of Policy with respect to  
Development Applications ( Shade Tree)  
A motion by J.Burke to approve resolution 45-199, seconded by J.Tischio and followed by the following vote: "YES" J.Miller, D.Place, N.Hamilton, J.Tischio, R.Zanes, C.Rice, J.Burke, J.Muly.

A motion to pay all vouchers was made, seconded and unanimously carried.

MR. Rice asked all to think about the nominations for the January meeting, especially for Attorney, Planner, Engineer and Secretary. He stated he would not like to be Chairman, but would rather be a board member. He suggested D.Place for Chairman, and J.Burke for Vice Chairman. If first alternate cannot be Vice Chairman, Chris said he would resign from the Board, J. Burke will be a regular member and the Mayor will reappoint J.Muly first Alt. and Chris will be appointed 2nd Alt.

A motion to adjourn was made by J.Miller seconded and unanimously carried at 11:15 P.M..

Respectfully submitted,

*Marie Applegate*  
Marie Applegate, Secretary

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08738

JOHN L. WINTERSTELLA, Mayor  
COLLEEN SCIMECA, Municipal Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

TO: MANASQUAN PLANNING BOARD  
FROM: NEIL B. HAMILTON *NBH*  
DATE: NOVEMBER 19, 1999  
RE: KIRSCH PROPERTIES  
(1) East Main Street & 2nd Avenue (B-1)  
(2) Akron & 4 Units - 3rd & Brielle Road (R-3)

Members -

The above two parcels are for sale. The properties have been merged by our Tax Assessor.

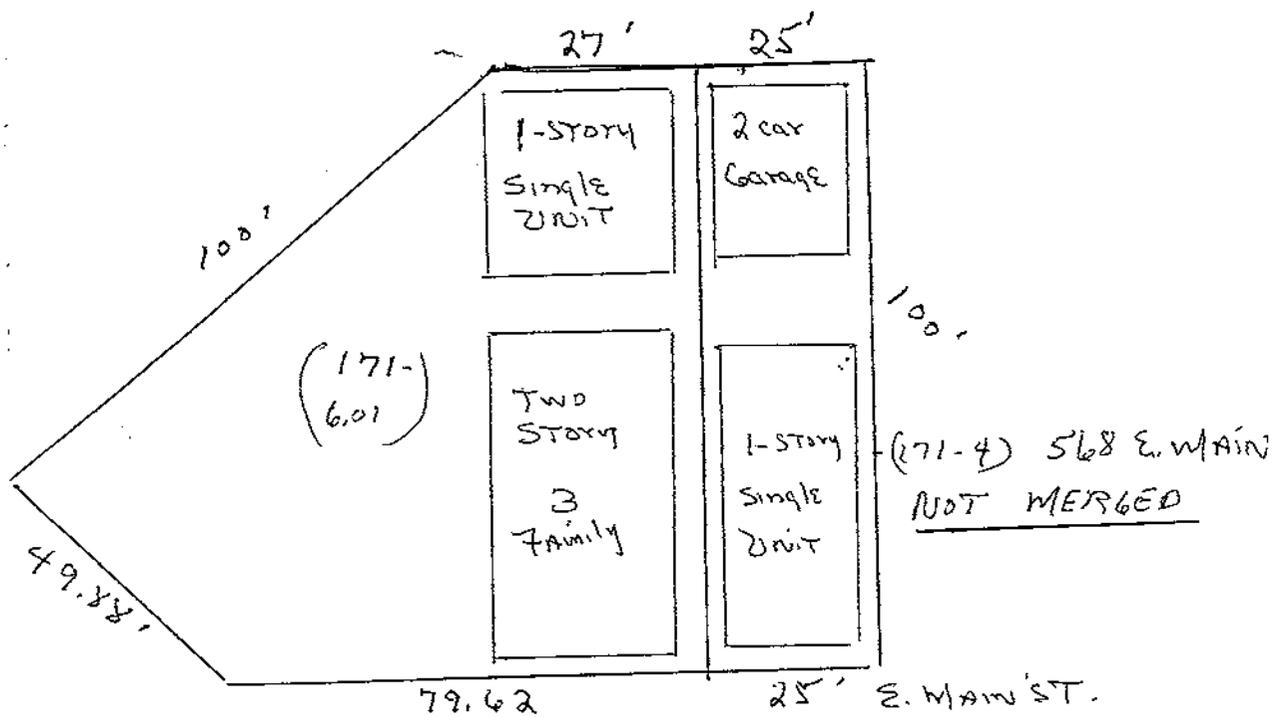
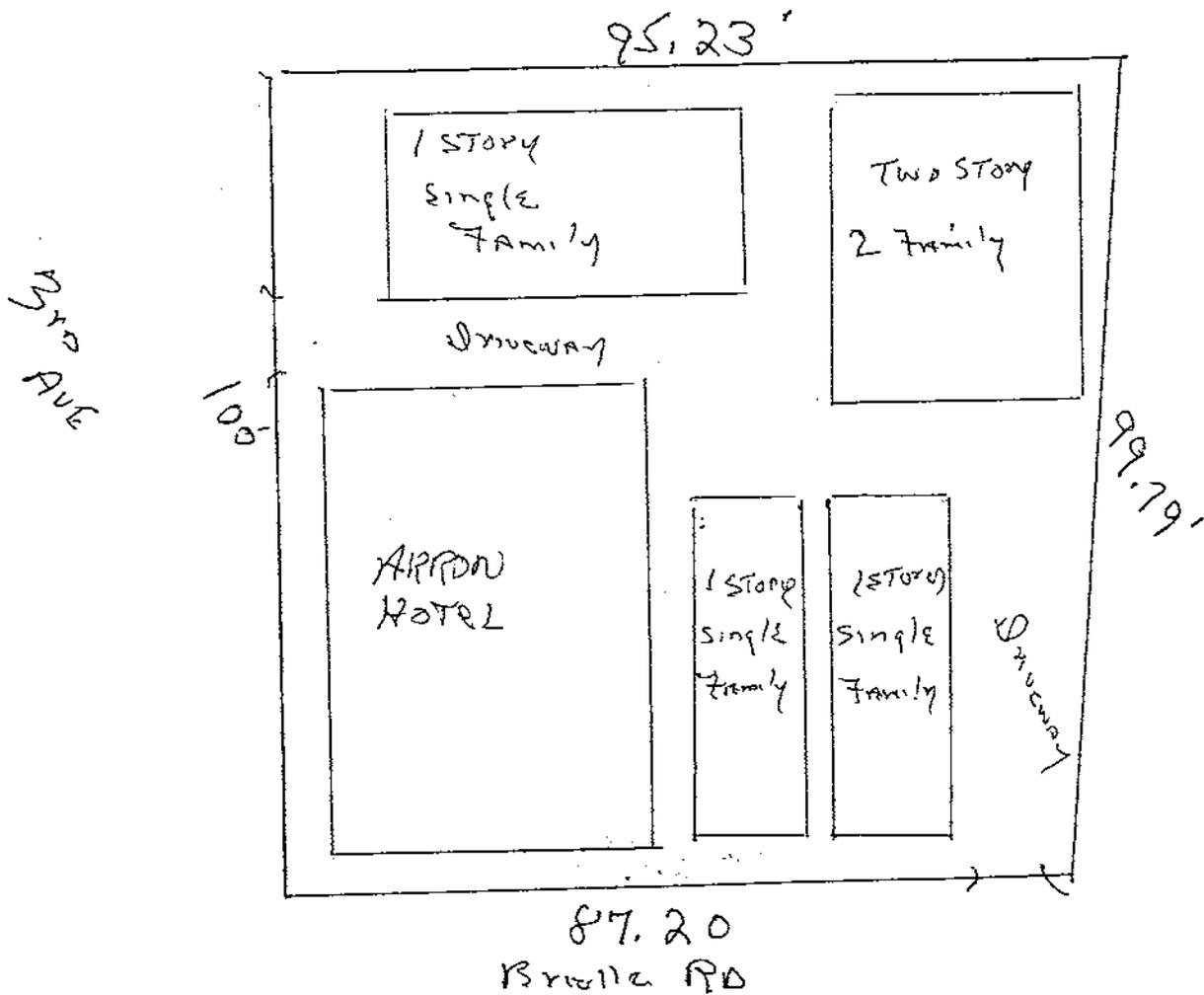
Our office has received numerous inquiries from potential buyers and realtors as to possible USES. Each property is currently non-conforming in use and both lack the required parking.

I suggested to Chairman Rice, the Board hold an informal discussion as to there visions of the properties, so the zoning dept. could relay their thoughts to future inquiries.

I urge you to visit the sites.

# Kirsch Properties

Brielle Rd + 3rd



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Incorporated December 30, 1887

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FAX 732-223-1300

JOHN L. WINTERSTELLA  
Mayor

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Municipal Clerk

NOVEMBER 9, 1999 ~~REGULAR~~ MEETING MINUTES

Manasquan Planning Board held their regular meeting on November 9, 1999 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N.J.

Christopher Rice opened the meeting at 7:00 p.m. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - P.Dunne, D.Place, C.Triggiano, N.Hamilton,  
Councilman Schmeling, J.Tischio, R.Zanes,  
C.Rice, J.Burke, J.Muly.  
ABSENT - M.Miller, Mayor Winterstella.

INFORMAL - Shade Tree Commission  
June Cunningham and Harrison Pearce came forward.  
June Cunningham Vice Chairman of the Shade Tree Comm. and Harrison Pearce is Chairman. They would like to get some direction on their letter sent to the Board as there are obvious places where if there are going to be trees planted, especially east of the Bridge in that area. The other issue is, when there are plans before the board, on new home construction, they would like to know as to the taking down of trees, so they can go in and check before it is done.  
Mr. Rice suggested going to Sandy Ratz on new home construction that didn't have to go before the Board.  
Mr. Triggiano suggested sending out inserts in the News Letter to all residents regarding no planting of trees between the sidewalk and curb. He believes that would help the Shade Tree Commission. Mr. Pearce stated the trees between the sidewalks and curbs have really cost the town a lot of money, replacing sidewalks. We have to have something to tell the people that they can't plant between the sidewalk and curbs.

INFORMAL - Tom Rostron 27 Colby Avenue.  
He is proposing a second floor addition for storage, space totaling 900 square feet. Storage will consist of HVAC materials used for their jobs. It will be unheated with electricity for lighting only. Incorporated with the storage addition is a gable roof for lower maintenance and appearance. The addition will be to the back of the building, also a new roof will be put on. There will be an inside staircase. All set backs are alright. Mr. Rostron said he spoke to Sandy Ratz about this addition and was told he has to go before the Planning Board, as it is commercial application, in B-1 zone. There are 7 parking spaces. Mr. Rice stated he will need a site plan approval.  
Mr. Burke said there are variances which will be needed, front yard setback, rear yard setback and side yard setback.

INFORMAL - Sprint - 600 Sea Girt Avenue.  
Rueul Topas, Esq. Attorney for Sprint and Edward Herbst the Architect on the project and Barnard Jones, Construction Engineer for Sprint came forward. The reason they are before the Board

is because, when we came in and received the site plan approval and variances for this project, they had planned on connecting very close to the building, the water and sewer hook-up on Sea Girt Ave.. It turned out when they found out who the jurisdiction came under it was the Boro of Sea Girt and when they went and made the application to them for approval of the connection, they declined to do so as we are currently engaged in litigation with them. We don't agree with them but we are trying to get the building finished so we looked at the possibility of getting hooked up with Manasquan.

A question came up as to whether there was anything in the original resolution approving the project that would have prohibited a connection to the sewer and water utilities within the Boro of Manasquan.

Mr. Topas made reference to Resolution 35-1998 page 5, paragraph 20 "Testimony was received that no new underground installations are presently contemplated under existing public streets. The cable conduits that will be utilized already exist within easements within New Jersey Transits' right-of-way".

Mr. Herbst testified the route to be followed is through the public way, through the South margin of Sea Girt Avenue to the intersection of Rt. 71 and to connect to Manasquan's utilities at the nearest point that they can connect. All work has to be done according to Manasquan and the County's standards.

Mr. Herbst stated we would have to extend pavement repairs and what ever. We are willing to assume that responsibility.

Mr. Cramer stated a new resolution would not be required, as tonights review by Mr. Topas would fully indicate what ever dialogue took place at those hearings took place within the context of the fibre optic cable conduits. There being no additional leads to open those streets to allow those conduits to be installed.

Any charges would be the responsibility of Sprint.

#### REGULAR SESSION

Mr. Rice opened the regular session stating this is an Open Public Meeting held in accordance with the Open Public Meeting Act. He asked all to stand and join in the Salute to the Flag.

ROLL CALL - Present -P.Dunne, D.Place. C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, R.Zanes, C.Rice, J.Burke, J.Muly.

Motion to approve the minutes of October 5, 1999 was made by N.Hamilton, seconded by P.Dunne and unanimously carried.

APPLICATION - 43-1999 - Marilyn Matthews - 15 Gardners Lane  
Owner wishes to construct 6 x 23 roofed front porch. R-2 Zone  
She was denied for the following reasons: 107-27 Front Setback-  
25.0 feet required, 19.03 feet proposed. Hardship Variance

Ms. Matthews came forward and was sworn in by Mr. Cramer.  
She testified a large tree was taken down in her yard which  
was destroying her sidewalk and it left the house very bare.  
Being the sun is so hot she would like to have a roof put on  
to shade it a little. She is not changing anything, just adding  
a roof. The meeting was opened to the public for comments.  
Mr. William Ryan -14 Gardners Lane came forward stating  
it would be very attractive.  
Public portion was closed to the public with a motion by J. Burke,  
seconded and unanimously carried.

A motion to approve this application was made by N. Hamilton,  
seconded by P. Dunne followed by the following vote: "YES"-  
P. Dunne, D. Place, C. Triggiano, N. Hamilton, Councilman Schmeling,  
J. Tischio, R. Zanes, C. Rice, J. Burke, J. Muly.

APPLICATION - 41-1999 - Richard Thomas - 56 Parker Avenue  
Owner wishes to demolish existing detached garage and rebuild  
on same footprint. R-2 Zone. Application denied for the  
following. 107-27 Lot Frontage -50ft. required, 42 ft. existing.  
Front Setback - 25.0 ft. required, 13.62 ft. existing. Side  
Setback - 5.0 ft. required, 4.67 ft. existing. Garage - Rear  
Setback - 5.0 ft. required, 2.7 ft. existing and proposed. Side  
Setback - 5.0 ft. required, 3.1 ft. existing and proposed. Not  
a special flood hazard zone. Hardship Variance.

Richard Thomas, 56 Parker Ave. and Debra L. Thomas were sworn  
in by Mr. Cramer.  
Mr. Thomas testified, they have an old garage on the back of  
their property and they would like it taken down and  
reconstructed on the same footprint. They do not want to lose  
the Magnolia tree which is about a foot from the building.  
He testified he is going to try and keep it at 15 ft. high,  
so he has storage and for one car. Mrs. Thomas testified they  
had the sidewalk and drive redone to conform and now the tree  
has raised the sidewalk in the front of the house.  
Meeting was opened to the public with a motion by J. Burke,  
seconded and unanimously carried.  
There being no comments, J. Burke made a motion to close the  
public portion, seconded and unanimously carried.

A motion to approve this application was made by J. Burke,  
seconded by J. Muly, followed by the following vote: "YES" -  
P. Dunne, D. Place, C. Triggiano, N. Hamilton, Councilman Schmeling,  
J. Tischio, R. Zanes, C. Rice, J. Burke, J. Muly.

APPLICATION - 35-1999 - Lawrence & Sheila Tynday - 173 Beachfront  
On August 3, 1999, we received an application for the project/work located at the above address. This project/work involves the following: Owner has added 70 sq. feet to an existing deck on a lot with two houses. R-4 Zone.  
Application was denied for the following: 107-11 Only one single family detached dwelling is the only permitted use. 107-30 Only one principal building is permitted on each lot. 107-27-Beachfront house - Front setback from Beachfront - 15 ft. required, 14.29 ft. existing. Side Setbacks - south - 5.0 ft. required, 3.3 ft. existing. North - 5.0 ft. required, 1.9 ft. existing, 3.0 ft. proposed for deck.  
First Ave. House - Front setback from First Ave. - 10 ft. required, House is over lot line by 1.1ft. Side setback - South, 5 ft. required, 3.0 ft. existing, North 5.0 ft. required, 2.84 ft. existing. Maximum Bldg. Coverage 35 % permitted, 49% existing. Maximum Lot Coverage - 50% permitted, 87% existing.  
107-36.A - Off-street parking - none shown on plan, 4 spaces required. Use Variance.

Richard A. Fazzari, Attorney for applicant put himself on record. Lawrence Tynday was sworn in by Mr. Cramer.  
He testified he is the owner of 173 Beachfront and is here to ask the Board to approve an expansion that he put on to the existing rear deck. He testified he had a retaining wall of concrete block, down the side of the property which he took down and boxed in the existing deck approx. 70 square feet. 2 photos from 1987 showing the existing deck were marked A-1 and A -2 exhibit. This addition was done without a permit.  
Mr. Fazzari stated Mr. Tynday was unaware he needed a permit. He thought he was improving the property. The 1987 survey was marked A-3 exhibit. The 1999 survey shows as it is today.  
Mr. Tynday testified he boxed it off so he would have room for table and chairs to enjoy the evening hours, and because it improved the property.  
P.Dunne stated she would have had a problem with the maximum lot coverage, as there is a complete slab of concrete between the beach house and First Avenue. She would have requested some of the concrete to be taken away. Mr. Zanes would have requested the same.

Mr. Fazzari stated it would be a great expense to rip up the concrete and put in pavers.  
Mr. Burke doesn't think he would request anything be removed for the request of 70 ft. of deck, but the thing that does concern him is the shower. The outside shower is to his property line and it blocks access to emergency trucks down that lane between the houses. That would have been his main concern if this had come before us.

Mr. Triggiano has no problem with the deck, Tischio agrees with P. Dunne. Neil asked how long he has owned the house - his reply was 20 years and the concrete was there. He put the air conditioners in 2 years ago and did not get a permit. Mr. Tynday thought Mr. Lamo took care of the permit. Mr. Hamilton said there could be a fine either for the contractor or home owner for not getting a permit. Mr. Burke stated there are a lot of problems here and he is going to look for answers before he votes. He suggests the application be continued and the applicant get all the problems straightened out before he comes back.

Mr. Zanes stated if he has to come back it will be more attorney's fees, and what he has heard tonight, if the Board concludes tonight that we want the concrete, air condensers and shower removed, it can be a done deed.

Mr. Fazzai suggested to come back, so they can get in touch with the contractor that put the air conditioner in. The meeting was opened to the public for comments on this application.

Bob Gardell, 171 $\frac{1}{2}$  Beachfront, which is the property just North of the applicant. His complaint is the expansion of the deck which is just 8 ft. from our bedroom window. Mr. Tynday didn't consider him when he put the deck there. He just thinks he can do what ever he wants. He asked Mr. Tynday if the deck was there when he purchased the house. Mr. Fazzai said the question was irrelevant. Mr. Gardell said it wasn't there 20 years ago. The public hearing was closed.

Mr. Fazzai said they will request that they be allowed to continue to the next meeting, to allow them to evaluate the issues of the air conditioner and shower. Mr. Fazzai waived the time restraints until the January meeting.

The Board took a 3 minute recess. The Board returned from recess.

APPLICATION - 42-1999 - David Minnick - 105-109 Taylor Avenue. Nicholas Montenegro, of Wilbert & Montenegro put himself on record as Attorney representing the applicant. The property in question is located on the west side of Route 71, south of Stockton Lake Blvd. The property in question is commonly known as the Ritz Property. Business Zone 3 (B-3). The parcel consists of approximately 50,000 square feet and contains three individual structures of varying construction and usage. The applicant wishes to utilize an office at the rear of the northern most structure. The applicant proposes to use this office ( that served as the Ritz Bakery business office) for use as a business office for an electrician or other office use. The applicant has requested a waiver from all site plan requirements through this Application. Block 61, Lots 13,

14, 40, 50 & 60A.

David Minnick was sworn in by Mr. Cramer.

Mr. Minneck testified he owns Block 61, Lots 13 & 14. It's the building on Rt. 71 that houses Dominio's Pizza, Sweet Cow, a Tanning Salon and Chinese Restaurant. He purchased the property from James Turner who previously owned the entire site. He testified he acquired the property in April of 1999. He testified as far as he knows Mr. Turner received Site Plan approval for the site in 1989. Planning Board Resolution -13-1989 was marked as A-1 and the 1989 site plan map was marked as A-2 into evidence. Resolution 1-1995 was marked A-3 and site plan from 1995 was marked A-4. Reciprocal Cross Access and Parking Easement Agreement dated August 18, 1999 was marked A-5. This has not been recorded, but upon approval here tonight, it will be recorded.

Mr. Minnick testified, the building currently houses 4 businesses that face Rt. # 71, Behind Dominos' and the Ice Cream shop are offices which were presently unoccupied, and that is what he is here tonight to talk about. One is a garage which was used for Auto body shop, which hasn't been used for about 20 years. He testified it is really more of a change of tennant than a change of use. The Ritz owner used it for an office and storage. He hasn't a tennant at the present time. Based on expectation of a contractor being in there, (Painter, Plumber) he would imagine the hours would be from 6 a.m. to 6 p.m., shorter hours on Saturday and no hours on Sunday, for about 3 persons at any one time. No retail sales, no customers, no pickups. He feels his change of use would be a lesser intense use of what was there before. There would be no bulk waste. The garage would be for excess materials storage. All stores have seperate utilities. The water & sewer is a single meter and the bills are sent to him. A sign would be over the door and a sign on the front sign.

Mr. Triggiano said the signs on the front of the buildings were to be taken down but it was never done. Mr. Triggiano wanted to know who owns the sign out front now. Mr. Minnick could not answer him, as he didn't know.

There are 3 parking spaces behind the building and 1 handicap space.

Neil is concerned with the parking as there is a problem.

Depending on what type of business in there he thinks they need a parking variance, the other thing is looking at the site.

The dumpster was full and the site was a mess. He doesn't know where it can be relocated and have it enclosed where it's not going to be an unsightly condition for the people in the rear.

The other concern he has with putting a contractor in that vacinity, they have utility type vehicles, we don't know the number of vehicles they have, the hours of operation or nuber of employees. He doesn't know whether or not that is a good

use, as your right back up to a residential zone. The one's there now are o.k.. Neil thinks the board may want to address at this time, if this application is approved with restrictions, in the front he thinks the drive through should be addressed. With the speed of the young drivers from Domino's some one is going to get hurt there.

Mr. Minnick testified he is under contract with Marpal for a weekly pick up, but if the Board wants, he will have 2 pick ups per week, which should help. He doesn't see the need for additional parking. The hours of operation should be o.k.. He is happy to take any restrictions the Board may have. He testified in the spring they are going to have the drives resurfaced and maybe have some speed bumps put in to slow the drivers down around the sides and the back. The Board had concerns about the drive in front of the stores and the signs. The signs on the front of the buildings have to come down. The Board was against the garage doors and would rather see a single door back there.

A sub-committee consisting of P.Dunne, J.Muly and C.Rice was assigned to meet with Mr. Minnick to work with him and see that it is all brought up to what the Board requested, before the next meeting

Mr. Zanes made a motion to approve with the following conditions; hours 6 to 6, 7 days a week, maximum 5 person, removing the garage doors and installing a single door for office space only, no patrons, no lighted signs on the rear, only a sign on the front standing sign, trash collected twice a week and try and get rid of the drive through in the front of the building, with a bench blocking both ends to close it off to cars, and applicant agrees to abide by any conditions placed on this application by the sub-committee and Engineer and all conditions pertinent to the site plan, seconded by C.Triggiano, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton R.Zanes, C.Rice, J.Burke, J.Muly.

A motion to pay all bills was made by P. Dunne, seconded by D. Place and unanimously carried.

RESOLUTION - 38-1999 - Patrick McCudden - 30 Deep Creek A motion to approve was made by R. Zanes, seconded by C.Triggiano, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, Robert Zanes, J.Tishcio, J.Burke, J.Muly. ABSTAIN - C. Rice

RESOLUTION - 39-1999 - Sue Moore - 30 Broad Street  
A motion to approve with a correction on page 3 was made by J.Burke, seconded by R.Zanes, followed by the following vote:

"YES"- P.Dunne, N.Hamilton, R.Zanes, J.Muly.

RESOLUTION - 40-1999 - Elinor Bartels - 150 Curtis Place.  
A motion to approve was made by R.Zanes, seconded by J.Burke, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, R.Zanes, J.Burke, J.Muly, C.Rice.

Mr. Cramer stated there will be an appeal with reference to the Moore applicantion based upon what he has heard.

C.Triggiano wants the Board to have the Council draw up an ordinance to stop people from planting trees between the curb and sidewalk. Mr. Place stated he had spoken to the Mayor and was told there is an ordinance already on the books.

Mr. Zanes proposed a resolution from the Planning Board saying that the Manasquan Planning Board recommends that no trees be planted between the sidewalk and the curb without prior consultation with the Manasquan Shade Tree Commission, seconded by C. Triggiano, and unanimously carried.

Mr. Triggiano would like notice sent out in the News Letter so everyone would know about tree planting.

Mr. Burke stated the sub-committee to look over applications, was told to hold off until December or January until a new zoning officer is appointed. From what we heard it may be 6 months before we get a new zoning officer, so J.Miller suggested the sub-committee look over the applications and at the next meeting have a suggested application for the board to approve and put it in effect.

The Board approved to renew the N.J.Planning Board Dues - \$195.00.

A motion to adjourn the meeting was made by P.Dunne, seconded and unanimously approved at 10:45 P.M..

Respectfully submitted,

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

Incorporated December 30, 1887

732-223-1480  
FAX 732-223-1300

JOHN L. WINTERSTELLA  
Mayor

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

**PLANNING BOARD**

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the September 14, 1999 regular meeting. Please consider the following Agenda for the October 5, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA  
OCTOBER 5, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings:
  - (a) Dana - 293 Beachfront, Block 181, Lot 4
  - (b)
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Motion on Minutes
3. Consent Agenda

- A. RESOLUTION - 34-1999 - Squan Village Historical Society
- B. RESOLUTION - 37-1999 - Robert & Patricia Dombal- 66 Ocean

END OF CONSENT AGENDA

APPLICATION - 38-1999 - Patrick & Linda McCudden-30 Deep Creek

APPLICATION - 39-1999 - Sue Moore - 30 Broad Street

APPLICATION - 40-1999 - Elinor Bartels - 150 Curtis Place

4. - APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

Marie Applegate, Secretary  
Manasquan Planning Board

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COLLEEN SCIMECA  
Municipal Clerk

**PLANNING BOARD**

SEPTEMBER 14, 1999 - REGULAR MEETING MINUTES

The Manasquan Planning Board held their regular meeting on September 14, 1999, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Christopher Rice opened the meeting at 7:00 p.m. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - J.Miller, P.Dunne, C.Triggiano, N.Hamilton,  
Councilman Schmeling, J.Tischio, R.Zanes,  
C.Rice, J.Burke, J.Muly.

ABSENT - D. Place, Mayor Winterstella

WORK SESSION

John Tischio addressed the Board on the Monmouth County Water Shed meeting he attended. He stated they have a plan on what they are trying to do for the Coastal counties. Water is basically draining from points west of us and winding up in our waters and under going some polution. He stated they are donating Three Hundred Thousand dollars to a fund for communities to look at and explore ways to improve our surface water conditions, as well as clean air etc.. These funds will be available for the towns to ask for. One thing that came up at this meeting is that they want to recruit and try to work with Planning Boards and municipal governments, to try to either enforce or to look over our plans of what we will allow as far as drainage. He would like to have Alice Hemphill come to a meeting and talk about it, as she has been a member a long time. Mrs. Dunne stated she is a member of the group also, and it has been going on for a long time, and it would take more than a meeting to explain what has been going on. Mrs. Dunne said we have been doing very well in Manasquan, as we do have some impervious surface. She feels she is unhappy with some of the things that are granted because she feels it is harmful to the water. A water shed means who ever is at the bottom it drains into. She believes the D.E.P. handles the money.

Mr. Miller requested the Board go into executive session to discuss a matter of policy. Mr. Cramer stated a matter of policy we should discuss it in open public meeting, the exception would be for personal matters and matters to be discussed with Council.

Mr. Miller stated a few weeks ago he and Mr.Triggiano were at a meeting and the subject of a study which was done down at the beach area came up - there were 2 councilman there, and both of us being on the Planning Board were under the impression that it was a grant to Council, The Councilman informed us tht it was not a grant to Council, it was a grant to the Planning Board. Mr. Miller's problem is - if it was a grant to the Planning Baord, according to the minutes, on April 20, 1999, was the first it was mentioned and Mr. Rice stated it was a grant the town received and that the study had already been

assigned to a vendor. A little further checking, the grant was from the D.E.P., it was for a study of the beach area, and it was pretty wide open as to what the study could be. The only requirement was that the study had to take place at the beach area and it had to be approved by the State. Mr. Miller's problem - we sit as a Board, it was a Planning Board Grant, the Planning Board did not know about the grant. The Planning Board had no input as to what the study would consist of. The Planning Board had no input as to who would do the study.

Mr. Rice said in the future we will make it a point to include all the members as much as possible.

Mr. Miller told Mr. Rice he has the power or anyone else on this Board has the power to request an emergency meeting within 48 hours notice. He stated he doesn't know when the Board got the grant, who decided what the study should be, why was the study given to the particular firm it was given to, this was grant money.

Mr. Rice stated the grant Mr. Miller is speaking about is done and in the future he is asking that the Chairman include every one and take it from there.

Mr. Miller submitted to this Board for approval new applications about 2 months ago, a sub-committee was appointed, he understands that a new application was drawn up, he also understands that 2 of the 3 board members had no input into the drawing of the new application. The application that was drawn up has no resemblance to what he drew up. He'd like to suggest to the Board that the sub-committee be disbanded, a new sub-committee be appointed consisting of Mr. Burke, Mrs. Dunne and himself, that the 3 meet and review the input that was put into the application by them and that at the next meeting it be submitted to all the Board members for ratification.

Mrs. Dunne is a member of the sub-committee, many times 2 or 3 people will take the ball and run with it. She stated if she had been unhappy with the outcome or by not being called to a meeting, it seems to me it would be up to me to call the chairman and ask when are we having a meeting. Normally when some one decides to go ahead and finish something and they don't need everyone there, I say hooray. She felt the new applications were easy to read and simpler. She feels that if Mr. Miller was unhappy, he should have called and asked why they chose to do another.

Mr. Burke had wished he was informed about this, he asked about it at two different meetings, also asked to get copies of this and didn't get his copy until this past Friday. Mrs. Dunne said it was alright with her, but I would have rather been included in it. When I request information as a Board member, I think

I should get information as a Board member.

Mr. Hamilton stated going through the material, Mr. Miller did a lot of work on this and we didn't exclude the work he put into it. We took a lot of his format and tried to implement this into a package that was simpler for the applicant and more direct. Our forms upstairs are a one page two sided zoning application, 1 page application for a building permit, and it appears to be relatively simple, and believe it or not, either Marie, myself Sandy or the zoning officer tend to have to help people fill them out. So in order to expedite the process and keep it as simple as possible for the public to understand, I think that was the avenue we went after.

Mr. Hamilton thought maybe the Board may want to hold off to see if a new zoning officer is hired, he may have some input as he is going to be the one dealing with the applications and the public.

Mr. Miller suggested we give it to the end of the year to do it.

Mr. Rice asked Mrs. Dunne, Mr. Burke and Neil to get together with this application and have them ready for December meeting.

Mr. Triggiano will also be on it to look at the fee schedule.

#### REGULAR SESSION

ROLL CALL - PRESENT - J.Miller, P.Dunne, C.Triggiano, N.Hamilton,  
Councilman Schmeling, J.Tischio, R.Zanes,  
C.Rice, J.Burke, J.Muly.

ABSENT - D. Place, Mayor J.Winterstella.

Mr. Rice asked all to join in the salute to the Flag.

A motion to approve the minutes of August 10, 1999 was made by J.Tischio, seconded by J.Burke and unanimously carried.

Mr. Cramer stated a letter received today from the Attorney for Mr. & Mrs. Tynday, advising that he was very ill with a high fever and could not make the hearing this evening, has requested an adjournment of the application until November 9, 1999 meeting.

Mr. Burke made a motion to approve the request for adjournment, seconded by J.Miller followed by the following vote: "YES"  
J. Miller, P.Dunne, C.Triggiano, Councilman Schmeling, J.Tischio, N. Hamilton, R.Zanes, C.Rice, J.Burke, J.Muly.

APPLICATION - 34-1999 - Squan Village Historical Society  
105 South Street

Keith Henderson put himself on record as Attorney representing the applicant. Mr. Henderson stated this matter was previously heard by Board of Adjustment, and the purpose of that application

was to seek a use variance for a museum in a zone that didn't permit museums, in fact the entire zoning ordinance of Manasquan did not permit museums. The Board granted that application, but at that time site plan approval was reserved, in fact the resolution specifically retained jurisdiction by Mr. Burke's former Board for the purpose of considering the site plan approval at such time as the museum might open to the public. The purpose of tonight's application is to request that the Board consider waiving the site plan approval.

Marshall Brown, 466 Long Avenue, Manasquan, was sworn in by Mr. Cramer. He testified he is the president of the Squan Village Historical Society and has been for the last 3 years and has been active for 6 years. The Society collects material to preserve which may be helpful to illustrate the history of Manasquan and the surrounding communities. The Society will help to preserve historical buildings, monuments and markers. Before the building was acquired, they were housed in the railroad station before it burned down and lost 2/3's of the artifacts that were there. After the fire, they saved as much as could be saved and immediately looked for a new location, that would be an artifact itself. They made contact with Mrs. Sarah Reed and with her help were able to purchase the present location, 105 South Street, which was built in the 18th century. One of the conditions of the gift, was that they did not want it used as a house for a family. Improvements have been outside and inside. The entire house has been put together, foundation, siding, roof and painted. The inside they are doing the same kind of things, the floor has been repaired, new beams to make it safe. Their intentions are to have an open house every second Sunday of the month, 2 or 3 hours. Will be open by request for school children. Limited parking on site is only for people working there and there will be parking in the church parking lots, which have given us approval any time but Sunday mornings.

Mr. Marshall testified there are no signs now, but would like to have a small sign - maybe a plaque.

The meeting was opened to the public. John Mullery, 32 Iroquois Rd. adjacent to the property, stated if there is nothing they are requesting, it is alright with him as it is residential and he doesn't want to see more parking in the rear and no more exterior lighting.

There being no more comments from the public, J. Burke made a motion to close the public portion seconded by N. Hamilton and unanimously carried.

Mrs. Dunne made a motion to approve the application of the Squan Village Historical Society, including all the regulations and stipulations that were mentioned and that they will become a museum, seconded by J. Burke followed by the following vote:

"YES" - J. Miller, P. Dunne, C. Triggiano, N. Hamilton, Councilman

Schmeling, J. Tischio, R. Zanes, C. Rice, J. Burke, J. Muly.

APPLICATION - 37-1999 - Robert & Patricia Dombal - 66- 66 $\frac{1}{2}$  Ocean Avenue. Block 162, Lot 17.01 and 17.02. Keith Henderson put himself on record as Attorney representing the applicant.

The following exhibits were marked into evidence: Pictorial Summary-A-1, A-2 Survey of property, A-3 Resolution dated 9-95 Board of Adjustment, A-4 Resolution 13-85 Board of Adjustment and A-5 Application filed in connection with the 95 resolution, consisting of 4 separate pages.

Mr. Schmeling wanted to know if this is a Use or Sub-division, Mr. Henderson said it was for Use Variance if the Board is not inclined to grant a sub-division, but the primary relief sought is a sub-division.

Mr. Henderson stated this property was originally 2 narrow lots that ran from Stockton Lake out to Ocean Avenue. The applicant built a new house on Stockton Lake in the rear and the property was resubdivided, shown on exhibit A-4 - resolution of 85, it resubdivided the property in the opposite direction to put the 2 houses in the front on one lot and the rear house on a separate lot. Regretfully somewhere along the line, somebody forgot to perfect that subdivision, even though the tax office acted as it was perfected, sending 3 tax bills for the property. After noticing it was not done, Mr. Dombal retained a new attorney and that was the reason for the 95 resolution, which was to redo it.

Robert Dombal, 14 Bristol Place, Fair Lawn, N. J. and Daniel C. McSweeney, 200 Rt. # 9, Manalapan, N.J. a Professional Planner were sworn in by Mr. Cramer.

Mr. Dombal testified he is one of the owners of this property and has owned it for approximately 22 years. He testified he is making this application to get out of the seasonal rental business. He lives in the rear house on the back lot, the two houses in the front are rented on the seasonal basis. He testified he wants to complete finishing up the renovations, take one of the properties off the market for family use and if subdivision is granted give consideration to selling the other one. Over 22 years the houses were gutted, and new wiring, air conditioning, sheetrock, insulation, new kitchens, new bathrooms, new ceiling in the upstairs. Exhibit A shows the work done up to March of this year and B shows the remaining work to be done. He testified his inspection of surrounding houses on Block 162 and 157 there are 22 houses information was not available and approximately 83 properties that have heat. He testified there is parking for 3 vehicles behind each house and 2 for the house in the rear. All utilities are in

the driveway. Electric comes in from the line on the street and the rest are underground. Mr. Dombal testified he is willing to do landscaping in the rear. He testified he would put the air conditioners on the side not in the right of way.

Neil said he should be aware that if this is granted, all units have to be on their own separate line.

A motion to take a 5 minute recess was made, seconded and unanimously carried at 8:15 P.M.

The Board returned from recess at 8:20 P.M.

Mr. McSweeney came forward who is a Professional Planner in the State of N. J., License # 1883. He is a Principal and Executive Vice President with Shaw DePalma, offices on Rt. 9 in Manalapan, N.J. He testified he was retained by the applicant in this matter. The subject property is located along the northerly side of Ocean Avenue and presently contains 2 single family detached 1 and 1/2 story dwellings. Each dwelling is separated by the 10 ft. wide access easement which runs in a north south direction from Ocean Ave to the rear of this property which is the dwelling that the applicant resides. Applicant requesting a 2 lot minor sub-division of property. Each will have a 25 ft. frontage and a lot area of 2,815 ft.. He testified the dwellings are not being expanded, they will remain as they are, no additions. The shower the walkway on each of the lots will remain the same. In his opinion the sub-division being sought and the variances being sought can certainly be granted without having an adverse impact on the Boro Zone plan or Master plan.

The meeting was opened to the public. There being no comments from the public, the meeting was closed by motion of J.Miller, seconded by J.Burke and unanimously carried.

Mr. Henderson made reference to the Urban Decision. Mr.Zanes is in favor of the sub-division. Mr. Triggiano is not in favor of the sub-division. Mr. Muly was concerned about the size of the lots and the rental situation. Mr.Tischio would go along with the sub-division. Mrs. Dune would approve the sub-division. Mr. Burke stated the trend is for young people to move into this community, and he is for giving the property a change and would go for the sub-division. Neil stated this is probably the only way you can go. He's been in these houses and they are beautiful homes and he thinks with the heat and air conditioning, there move in conditions for family to be there on a year round basis. He could probably support a sub-division.

Mr. Zanes proposed that the Board accept this sub-division with some landscaping in the rear, and separate sewer lines to all three properties, seconded by J. Miller, followed by the

following vote: "YES" - J.Miller, P.Dunne, C.Triggiano, N.Hamilton, R.Zanes, J.Burke, J.Muly, J.Tischio.  
"NO" - Councilman Schmeling. ABSTAIN - C. Rice.

RESOLUTION - 26-1999 - Michael Collins, Jr. - 82 Ocean Avenue  
A motion for approval was made by Councilman Schmeling, seconded by N. Hamilton, followed by the following vote: "YES" - P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, R.Zanes, J.Burke.

RESOLUTION - 32-1999 - Christine Kovacs (Morton) -111 Church  
A motion for approval was made by Councilman Schmeling, seconded by C.Triggiano, followed by the following vote: "YES" -J.Miller, P.Dunne, C.Triggiano, N. Hamilton, Councilman Schmeling, J.Tischio, R.Zanes, J.Burke, J.Muly.

RESOLUTION - 36-1999 - Sprint Corp. - 600 Sea Girt Avenue  
Motion to approve was made by C.Triggiano, seconded by P.Dunne, followed by the following vote: "YES" - P.Dunne, C.Triggiano, J.Tischio, C.Rice, J.Burke, R.Zanes. ABSTAIN - Councilman Schmeling.

A motion to open the meeting to the public was made, seconded and unanimously carried.

Theresa D'Andria - 171 South St. stated she attended a meeting for the proposed changes and while she was there she heard someone bought the Kirsch property, and she can't imagine they would allow condo units to go up on that property. She hopes they will not do that as the town cannot handle it and ocean front condo's are not appealing areas. She hopes they will reconsider that.

Mr. Burke stated the only reason that was in the presentation was because we had heard that a certain developer was looking to buy the property and if he did, this is what he was going to propose to the Planning Board. It hasn't come here yet, we don't have any case in front of us yet on it, he cannot build it until we approve something.

Ms. D'Andria questioned rezoning that section Multi-family.  
Mr. Zanes stated it was done 4 or 5 years ago, Second Ave. to the Beachfront, Brielle Rd. to Main St.. Rezoned that in order that the Boro might retain some design control over what would be built there. We set a density level which is less than the density that currently exists. We also suggested that it could be planned multi-family, you can call it condos or town houses. He doesn't know where the negotiations are now, but there have been 2 different developers that have approached the Board and certain members of the Board and Council have met with the developers and some of us have found one proposal more attractive than the other. CAFRA will play a very big part of this, as

we're not sure where the set-back lines are. Mr. Zanes said he agrees with her that what ever is done on the Kirsch property is really going to make or break that beach. The more people we can get to come into this Board and let us know what you like and don't like.

She stated she goes to Sea Girt due to the parking. She can't see taking the Fourth Avenue parking lot & building houses.

Mr. Muly wanted to know why Sea Watch zoning was changed.

Mr. Schmeling said it was never changed it was a mistake.

Mr. Triggiano says the owner of property should be notified before they change the zone.

Motion to close the public session was made by Councilman Schmeling, seconded by N.Hamilton, and unanimously carried.

Motion to approve all vouchers was made by J.Miller, seconded by Councilman Schmeling, and unanimously carried.

Mr. Triggiano on the tree commission letter, wanted to know how it was responded too. He thinks we should send a letter to them letting them know we agree with them. A letter will be sent to them and Council.

Mr. Burke thought it should be on the list for the people to notice within 200 ft.. Mrs. Dunne said the Environmental commission should get one also.

Mr. Triggiano stated John Shibles came before this board at the work session and after the meeting he spoke to our attorney and it cost \$320.00 after coming before the Board for free.

Mr. Schmeling stated Jeff will have to reject the calls or take them on his own charge.

Councilman Schmeling made a motion to adjourn, seconded by J.Muly and unanimously carried at 9:30 P.M..

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

Incorporated December 30, 1887

732-223-1480  
FAX 732-223-1300

JOHN L. WINTERSTELLA  
Mayor

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

**PLANNING BOARD**  
OCTOBER 5, 1999 - REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on October 5, 1999, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Christopher Rice opened the meeting at 7:05 p.m. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.  
Mr. Rice asked all to join in the Salute to the Flag.

ROLL CALL - PRESENT - P.Dunne, D.Place, C.Triggiano, N.Hamilton,  
J.Tischio, R.Zanes, C.Rice, J.Burke, J.  
Muly.

ABSENT - J.Miller, Councilman Schmeling, Mayor  
Winterstella.

For the record, Councilman Schmeling arrived at 7:20 p.m..

INFORMAL - Dana - 293 Beachfront - Block 181, Lot 4.  
The applicant was represented by Robert Houseal, Architect.  
Mr. Houseal handed out literature that he will work from and stated he will try and contain his remarks in 10 minutes. He stated Form Follows Function, (help people to do what they want to do) more than that Form follows Finance (No investment without profit) and Form follows regulation, ( Land use is Politics). He made reference to the 2nd page of his literature. The 2nd page was a drawing of a dwelling and one with several dwellings, in the R-4 zone. Sketch is marked beachfront single dwelling and First Avenue a garage with 2 units. On the 3rd page is a description of the zoning ordinance section 107-35.1 dealing with non-conforming buildings and lots. It was adopted in 1996. He spoke on the 3 handouts. His applicant came to him to help him upgrade the single family dwelling in the R-4 zone. The front house combined with the rear house, dollars source of income from the pieces of property added together equals money to pay the mortgage and hopefully some money left over for profit. He stated, in the past, 2 principal structures were allowed in the R-4 zone per building lot. There was a change made by this Board to 1 principal dwelling per lot.

Mr. Houseal went on to explain Zoning Chapter Section 107-35.1. Non-conforming buildings and lots was Added 5-20-96 by Ord. No. 1685-96.

Section 107-35.1 states: "An existing non-conforming building or an existing conforming building on a non-conforming lot may be repaired, altered, enlarged, or extended provided that there is compliance with all of the following requirements:" which he spoke about.

He feels the proposed new building area complies with all requirements of Chapter 107.

"This provision may be invoked only once during any five (5) year period. Any subsequent application to repair, alter, enlarge, or extend a building shall be based upon the size and

location of the building at the time of the first repair, alteration, enlargement or extension."

He stated "it appears to him, that inserting this clause, this section into your development regulations, that you would have less appearances before the Board of the non-conformity that exists on the beachfront. When you change from allowing 2 principal buildings to 1, this Board created most of the buildings in R-4 to make them non-conforming, which means that most of those lots, if any improvement was going to take place, would have to come before this Board. It appears that this section was inserted so that there was a mechanism in the zoning ordinance so that they would have to come before this Board for development approval. If I read this right, it means you have cut the income flow and the incentive for development on the beachfront to almost nothing".

Mr. Houseal's question to the Board, are you encouraging or discouraging improvements to the beach?

Mr. Zanes told Mr. Houseal that his applicant can come in and make application for a sub-division, or use variance, to do what he wants.

Mr. Dana said his contention is, "can he fix up the properties similar to what he did on 365 and 364, he doesn't so much agree with the sub-division, as he thinks it's a nuisance for people to drive in with the exhaust, the fumes, the lights, that's not the way the beach always was, to sub-divide and make people park underneath, he doesn't see the benefit of it. He would like to come before the board and fix up the 2 homes as he did his other two dwellings. It seems like everything he hears today is sub-division, without a sub-division it doesn't seem like anything can be done anymore".

Mr. Burke said to come before the board on a use variance, you've done it before Mr. Dana. Your talking basically the same type of application that you brought before the Bd. of Adjustment and you received an approval on. You have two choices, a use variance or sub-division.

#### REGULAR SESSION

Mr. Rice opened the regular session stating this is an Open Public Meeting held in accordance with the Open Public Meeting Act.

ROLL CALL - P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, R.Zanes, C.Rice, J.Burke, J. Muly. ABSENT - J.Miller, Mayor Winterstella.

A motion to approve the minutes of September 14, 1999, was made by J.Burke, seconded by N.Hamilton, followed by the following vote: "YES"-P.Dunn C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, R.Zanes, C.Rice, J.Burke, J.Muly. ABSTAIN-D.Place.

APPLICATION - 38-1999 - Patrick & Linda McCudden - 30 Deep Creek Mr. McCudden the applicant and Leo Haus, the builder, were sworn in by Mr. Cramer.

Mr. McCudden testified he purchased the property 4 years ago. The back corner of the porch that exists exceeds his back property line by about 4 inches. It is very poorly built, so he wants to renovate and bring it back into his property line. The existing porch is 8 feet off the front of the house, they want to put permanent windows in and heat.

Mr. Haus testified they will bring it back about 5 inches to 8.1 which will be in line.

Mr. McCudden did contact Monmouth County Park System to see if they had any objections to his plan. He read the letter he sent to Monmouth County Park System.

Mr. Hilla would like to see a new survey, as the plans do not match the survey. Mr. Schmeling stated if this is approved, we can ask for some kind of a survey afterwards to show that it is within the line, if not, he will have to tear it down. Mr. Burke had a question on the shed, wanted to know how close it was to the line. Mr.McCudden did not know the answer.

Meeting was opened to the public with a motion from J.Burke, seconded by C.Triggiano, and unanimously carried. There being no comments from the public a motion to close was made by D.Place, seconded by J.Burke and unanimously carried.

A motion to approve this application with a survey showing that the deck has been moved back on his property and that the shed be 3 feet from the property line, was made by N.Hamilton, seconded by P.Dunne, followed by the following vote: "YES - P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, R.Zanes, C.Rice, J.Burke, J.Muly.

APPLICATION - 39-1999 - Sue Moore - 30 Broad Street.

Mr. Rice stepped down as he had a conflict with this case and Mr. Place took over the meeting. Mr. Hilla stated that his firm has worked with Mr. Schwier who is here as a witness, but this is not a conflict per Mr. Cramer. Mr. Schmeling and Mr. Tischio will not be taking place or voting on this application.

E. Thomas Brennan, Jr. came forward as attorney representing the applicant. He stated this application is for an interpretation. He intends to call witnesses tonight to prove that this property continues to be used specifically for a use

that was prior to the establishment of the zoning ordinance, being non-conforming. Further, that testimony will prove before the Board that there was no abandonment of that use, that there was no intent to abandon that use. We are here asking the Board to sit as an Appellate Board to review the June 4th 1999 letter that was issued to his client, Sue Moore by Vito Marinaccio, the Zoning Officer of the Borough of Manasquan.

Mr. Brennan stated this is not an application for a variance, the applicant is not before the Board to prove affirmative criteria, negative impact or any other reasons of evidence which are usual in a variance application. This is a factual hearing, asking you to make factual findings, hopefully you will agree with us that this use was not abandoned.

Mr. Brennan set forward the proposed use on the rear of 30 Broad St., to be a storage by owner or tenant, and also retail sales as that was the use by Tool and Die Co..

Sue Ann Moore Wilmouth was sworn in by Mr. Cramer. She testified she is the present owner of 30 Board Street and has owned it since 1979 along with her husband. Her husband passed away 1/17/98. The tenant in 1979 was Monmouth Tool Inc. until 1996. She testified they sold paint for autos and different things for cars, they delivered, and walk in purchases. When you walked in there was a sales desk, a counter a bathroom, an office and behind that was all the storage. There were approximately 5 or 6 people employed. She testified her intent is to rent this and not abandon it.

Philip Charles Mueller Schwier was sworn in by Mr. Cramer. He testified he is owner and officer of Schwier Real Estate. He testified he was the agent for VanWickle who owned the property and sold it to his cousins Pete & Sue Moore who closed on the property in March of 79. At that time they inherited a lease on the back building that had been there previously and owned by the Van Wickels.

He testified after the closing, his cousins Pete Moore retained him as managment, as this was a new venture for them. Back property is a 40 x 80' building, a metal quonset hut, it was heated with a bathroom. Monmouth Tool rented there, they were an auto supply store with several road sales people and counter people.

A five minute recess was requested by the Board at 8:25 p.m. The Board returned at 8:35 p.m..

Mr. Schwier testified in June of 1996 they were given 30 days notice that the tenant was moving. When they moved out they advertised for new tenants. They were never able to find a tenant suitable for the building, so Mr. Moore who was involved with a business in Belmar, moved his merchandise in and stored

it in the building, continuing to use it until his death in January of 1998. Shortly after his death, Mrs. Moore sold off what merchandise she could and cleaned out the whole building in April of 1998, at which time they decided to show off to prospective buyers. Not being successful in finding a buyer, we contacted the town, who told us it could not be used for storage. Mr. Schwier testified they have several prospective buyers but no contracted buyer at the present time.

Mr. Hamilton stated the only reason the applicant is here tonight is to get a determination as to whether or not this is a use that we're going to abandon.

Mr. Place stated what the Board needs to establish is the intent of the owner through his actions from 1996 to the present. Mr. Cramer said they also have to deal with the non-conforming use of the property. What is the use that is going to be permitted as a non-conforming right on this property?

A motion to open the meeting to the public was made by C.Triggiano, seconded by P.Dunne and unanimously carried.

Mr. Foran, 29 Pearce Avenue stated the building is a major eyesore, it is very rusted, things stored back there and rats running around there. Paints for auto body are highly dangerous.

Gary Preston, 34 Beams Terrace, representing Elwood Preston, 25 Pearce Avenue stating his property is continuous of the subject property, 30 Broad Street, and agrees that it was abandoned. Mr. Preston objects to any further use of the Quonset building for storage, materials, sales and parking of vehicles. His suggestion -take the building down, owner could save on the real estate taxes. It is an eyesore, the southeast corner of that property if you go back and look at the junk, and abandoned vehicles back there.

There being no more comments, a motion to close was made by R.Zanes, seconded by P.Dunne and unanimously carried.

Mr. Brennan stated the Zoning Officer in an attempt to do his job, was attempting to shut down this building and to have it cease being used and he thinks that's wrong. He took the position that there was an abandonment. The facts that were brought before this board would indicate otherwise. He submits to the Board that he thinks they have proved according to case law the standards that this was a warehouse, there was an office being used by employees.

Mr.Schwier testified to his knowledge there was never any painting done on that property. The junk that the neighbors talked about belongs to the property on the south, there is nothing on our property, it is completely clean.

Mr. Birdsall said there are a lot of uses in the B-1 zone. the ones that apply to this property would be stores with apartments above and that is a permitted principal use on the property. the Quonset hut, a second building on a single lot would be a non-conforming use. Abandonment is a 1 year time frame for abandonment or discontinuance, where in after that time frame, all uses shall be conforming with the zoning ordinance. The use that was there was abandoned by our zoning ordinance.

C.Triggiano felt it wasn't completely abandoned. Mr. Burke after getting an explanation from Mr Cramer, wasn't sure how he felt. P.Dunne agreed that it was abandoned, and they should come before us with a use variance. J.Muly has the same concerns that P.Dunne has. N.Hamilton assuming this property is going on the market for sale, this board should be very cautious on the types of uses that will be permitted to go in there. He suggests that the applicant come back for a use variance application along with a site plan. He strongly suggests that the board take a look at the property. D.Place is very familiar with the property and knows the owner did use it for storage for another business and in his mind there has been a continued use of the property.

A motion by N.Hamilton, that the decision on the use of the quonset hut not be entertained that the applicant may return to this Board for a use variance and site application package if he so desires, there was no second.

Mr. Zanes made a motion that the matter at hand be interpreted as abandonment, seconded by P.Dunne, followed by the following vote: "YES" - P.Dunne, N.Hamilton, R.Zanes, J.Muly.  
"NO" - D.Place, C.Triggiano, J.Burke.

Mr. Cramer said a resolution will be adopted at the next meeting.

A motion for a 5 minute recess was made, seconded and unanimously carried at 9:20 p.m..

The Board returned from recess at 9:25 p.m.

APPLICATION - 40-1999 - Elinor Bartels - 150 Curtis Place.  
Richard Venino put himself on record as Attorney for applicant. He stated they were here in February looking for a subdivision that did not include this piece of property. Tonight they are talking about lot 27, lots 28 & 29 were subdivided and a map for the subdivision was submitted, which was marked as A-1 for identification. He submitted a copy of deed, made by Elinor Bartels administratrix of the estate of Harold Bartels to herself individually memorializing the subdivision and attaching a copy of the resolution that was adopted by this board, approving the minor subdivision which was marked A-2. He also submitted a copy of the 1934 tax map, Curtis Place and all the lots along Curtis Place being 46 feet in width, marked A-3.

A motion to open to the audience was made by R.Zanes, seconded by J.Burke and unanimously carried.

Maryann Damerau, who lives next door, stated she can't wait until Mrs. Bartels builds.

A motion to close the public hearing was made by C.Triggiano, seconded by J. Burke and unanimously carried.

Mr. Zanes made a motion to approve this application as presented, seconded by J.Burke, followed by the following vote: "YES"- P.Dunne, D.Place, C.Triggiano, Councilan Schmeling, R.Zanes, J.Burke, J.Muly.

Mr. Venino asked if they could authorize Marie Applegate to write a letter to the building officer Sandy Ratz stating the action that was taken tonight, so we can get a building permit, before the resolution is formally adopted next month.

RESOLUTION - 37-1999 - Robert & Patricia Dombal - 66 Ocean Ave.  
A motion to approve was made by R.Zanes, seconded by J. Burke and unanimously carried.

RESOLUTION - 34-1999 - Squan Village Historical Society  
A motion to approve was made by C. Triggiano, seconded by P.Dunne, and unanimously carried.

A motion to pay all bills was made by C.Triggiano, seconded by R.Zanes, and unanimously carried.

A letter received from Mr. Trengrove in reference to Sprint on the water and sewere hook up, Mr. Cramer stated it would not have to come back before the Board.

As requested, a copy of all applications will go to the Shade Tree Commission and the Environmental Commission, starting in November.

After discussion on the height of buildings in the RPM Zone, Mr. Zanes proposed that the Planning Board, through it's Attorney, Chairman or Secretary, request that the Borough Council review the height requirement in the RPM Zone of 35 Ft. to be taken from the center line of First Avenue rather than the monumental beach walk.

Mrs. Dunne stated the Environmental Committee is looking at property along Stockton Lake Blvd. which is up for sale. They have been in contact with the Green Acres and Monmouth Conservation Foundation, and are getting some support from them in finding possible ways for the town to buy this land.

There being no more business, a motion by J.Burke, seconded by C.Triggiano to adjourn was made at 10:10 P.M and unanimously carried.

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

JOHN L. WINTERSTELLA  
Mayor

Incorporated December 30, 1887

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08738  
**PLANNING BOARD**

732-223-1480  
FAX 732-223-1300

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the Minutes of the October 5, 1999 regular meeting. Please consider the following Agenda for the November 9, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

**MANASQUAN PLANNING BOARD AGENDA  
NOVEMBER 9, 1999 - REGULAR MEETING**

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings
  - (a) Shade Tree Commission
  - (b) Tom Rostron
  - (c) Sprint
3. Private Session:
  - (a) Personal Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
  2. Motion on Minutes
  3. Consent Agenda
- A. RESOLUTION - 38-1999 - Patrick McCudden - 30 Deep Creek  
B. RESOLUTION - 39-1999 - Sue Moore - 30 Broad Street  
C. RESOLUTION - 40-1999 - Elinor Bartels - 150 Curtis Place.

END OF CONSENT AGENDA

APPLICATION - 43-1999 - Marilyn Maxwell Matthews - 15 Gardners Lane  
APPLICATION - 41-1999 - Richard Thomas - 56 Parker Avenue  
APPLICATION - 35-1999 - Lawrence & Sheila Tynday - 173 Beachfront  
APPLICATION - 42-1999 - David Minnick - 105-109 Taylor Avenue

4. - APPROVAL OF VOUCHER
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
- 7.- - AUDIENCE PARTICIPATION

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

JOHN L. WINTERSTELLA  
Mayor

Incorporated December 30, 1987

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736  
**PLANNING BOARD**

732-223-1480  
FAX 732-223-1300

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find copies of the Minutes of the June 29, 1999, July 6, 1999 and July 13, 1999, meetings. Please consider the following Agenda for the August 10, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

**MANASQUAN PLANNING BOARD AGENDA  
AUGUST 10, 1999 - REGULAR MEETING**

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings
  - (a)- John Shibles - Zoning Ordinance Interpretation - 233 East Main Street.
  - (b)
3. Private Session:
  - (a) Personal Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
  2. Motion on Minutes
  3. Consent Agenda
- 
- A. RESOLUTION - Michael & Anne Marie Sniffen - 45 Beachfront.
  - B. RESOLUTION - Stephen Del Guercio - 46 Curtis Avenue
  - C. RESOLUTION - Larisa Radke - 46-47 Beachfront.

**END OF CONSENT AGENDA**

APPLICATION - 26-1999 - Cont. - Michael Collins, Jr. - 82 Ocean Avenue

APPLICATION - 32-1999 - Christine Kovacs - 111 Church Street

4. - APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

BOROUGH HALL  
15 TAYLOR AVENUE  
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JOHN L. WINTERSTELLA  
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COUNTY OF MONMOUTH  
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**PLANNING BOARD**

732-223-1480  
FAX 732-223-1300

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the August 10, 1999 regular meeting. Please consider the following Agenda for the September 14, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA  
SEPTEMBER 14, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings:
  - (a)
  - (b)
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Motion on Minutes
3. Consent Agenda

- A. RESOLUTION - 26-1999 - Michael Collins, Jr. - 82 Ocean Ave.B.
- B. RESOLUTION - 32-1999 - Christine Kovacs (Morton) 111 Church
- C. RESOLUTION - 36-1999 - Sprint Corp. - 600 Sea Girt Ave.

END OF CONSENT AGENDA

- APPLICATION - 34-1999 - Squan Village Historical Society  
105 South Street
- APPLICATION - 35-1999 - Lawrence & Sheila Tynday - 173 Beachfront
- APPLICATION - 37-1999 - Robert & Patricia Dombal - 66 Ocean

4. - APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
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JOHN L. WINTERSTELLA  
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BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD  
MANASQUAN PLANNING BOARD

AUGUST 10, 1999 - REGULAR MEETING MINUTES

The Manasquan Planning Board held their regular meeting on August 10, 1999, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N.J..

Vice Chairman David Place opened the meeting at 7:00 P.M. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - J. Miller, D. Place, C. Triggiano, N. Hamilton, Councilman Schmeling, J. Tischio, R. Zanes, J. Burke.

ABSENT - Mayor Winterstella, C. Rice.

INFORMAL - John Shibles - 233 East Main Street.

Mr. Shibles came forward, the owner of the East Main Street Station Shopping Center stating he is here for the interpretation of the zoning ordinance. He introduced his new tenants, who are opening the Foodery. He stated he went to Sandy Ratz to see if the store they are opening which is no. 6, previously occupied by the Classic Cup. The Classic Cup was a coffee house that served coffee and deserts for both takeout and onsite consumption. Upon reviewing the plans Mr. Ratz, thought there was a little confusion. Mr. Shibles stated the foodery, you would go in get your dinner, you would then take it home and put it in the microwave or oven. It's not a hamburger type thing, it would be a total meal replacement. There will be a counter and stools on site. The issue Mr. Ratz raised was pertaining to the Dairy Queen issue. He felt this might fall into the Fast Food issue.

Mr. Shibles stated this does not have a drive in facility, it does not represent or resemble in any way drive-ins that we see in most towns, like McDonalds etc. The ordinance does define a fast service restaurant, but it doesn't define the zones fast service.

Mr. Cramer said you are here tonight to seek the Boards input or review of that which they are proposing to operate to see if it does qualify as a restaurant or an eating establishment, as opposed to a fast food drive-in, which would require a conditional use approval from this board, and would require a full hearing.

Mr. Zanes wondered how this would impact on parking, since you now have a full restaurant there, a bagle shop and Hagen Daz. He felt there was a restriction on parking on the original resolution.

Mr. Shibles stated there wasn't any restrictions on the original resolution, it granted him parking and all the uses so that he wouldn't have to come back to the board for each tenant. Putting that aside, the issue is - is my parking sufficient

to handle this new tenant. My opinion Mr. Zanes, as being in this business for 25 years, this tenant will require less parking than the Classic Cup. It will be a turn around where you come in and leave. The Classic Cup they would stay for half an hour or so. Mr. Shibles answered Mr. Miller by saying the Bagel shop opens at 6 a.m. and closes at 3 p.m. Mr. Shibles stated he has more parking on site, than the entire Main Street in Manasquan.

Mr. Place felt the Board members should try and concentrate our questions to whether or not we believe this is a permitted use for the facility, not on parking.

Mr. Terry the tenant said the food is all prepared and in show cases, all will be prepared on premises. We do have an open kitchen for seeing the foods being prepared to go. They will customize the meals if possible. Right now there is no need for a microwave. Mainly the stools are for a quick lunch. There will be some delivery service. They are looking to have a commercial vehicle and parking it in the street.

Mr. Burke said if this is not a fast food, how would you describe it? Mr. Terry described it as a simpler, healthy approach to our products taken for home consumption.

Mr. Hamilton has no problem with it not being a fast food, but he does have problems with them parking on the street. We have problems in that neighborhood with the over flow of the current restaurant right now, and we can't have that.

Mr. Zanes concern is that it is a traffic generator. It is more or less a residential area, there is a park across the way and he thinks it is going to be a traffic generator. He doesn't want to see the same situation arise that happened with the Dairy Queen.

Mr. Place, Miller, Triggiano, Councilman Schmeling, Hamilton, and Tischio had no problem with it.

Mr. Burke said Sandy sent this to us to make a determination on this, which means we really have to do it in open public session and an actual vote.

Mr. Cramer stated this is strictly an informal session. Without an application before this Board, the Board cannot entertain this application in it's public hearing session. Mr. Shibles will have to go back to Sandy to exercise his discretion based upon the input that he received this evening.

Mr. Burke said that isn't going to happen, as Sandy is looking for an official word from us to get him off the hook basically.

N.Hamilton stated he thinks the reason Sandy sent it to the Board was for the Board to make a determination, is it a fast food or not. If it is not fast food he will issue the required permits, and if it is a fast food then it is out of his hands.

Mr. Cramer stated there was a straw pole taken, and of the 9 voters, 6 of the 9 individuals that heard the presentation tonight felt that it was a permitted use in that B-1 Zone.

#### REGULAR SESSION

ROLL CALL - PRESENT - J.Miller, P.Dunne, D.Place, C.Triggiano,  
N.Hamilton, Councilman Schmeling, J.Tischio  
R.Zanes, J.Burke.

ABSENT - Mayor Winterstella, C.Rice.

Mr. Place asked all to stand and Salute the Flag.

Mr. Place was sworn in as Vice Chairman and Mr. John Muly was sworn in by Mr. Cramer, as Alternate #2. Mr. Burke is now Alternate # 1.

APPLICATION - 26-1999 - Cont. Michael Collins - 82 Ocean Avenue  
Mr. Miller excused himself as he did not listen to the tapes.  
Mr. Grasso and Mr. Collins came forward. Mr.Grasso testified they decided to eliminate 4 of the dormers, keeping only 2 that are set far back about 25 ft. or so. At the eve line, the impact on the street will be 24 ft. in height. It is substantially minimized based on the previous plan. Instead of the enclosed porch, we opened it. Top of the ridge is still about 35 ft..  
Air condition compressors will be in the rear, driveway side.

A motion to open the meeting to the public was made by J.Burke, seconded by C.Triggiano and unanimously carried.

George Guzik, 80 Ocean Avenue came forward who owns the house to the west, stated he has no problems with this. As far as he is concerned it's go.

Martin Chapman, 86 Ocean Avenue stated it will be an improvement for the area.

Marilyn Chapman, 86 Ocean Ave. is all for it and it will be much nicer, but she doesn't want to see him rent it out.

A motion to close the public session by C.Triggiano, seconded by J.Tischio was unanimously carried.

Mr. Place stated there are 3 variances required, front yard setback, side yard setback, and lot frontage.

A motion to approve this application with the stipulation of softening the front foundation with plantings, by J.Tishcio seconded by P.Dunne, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling,

J.Tischio, R.Zanes, J.Burke.

APPLICATION - 32-1999 - Christine Kovacs - 111 Church Street. Christine Kovacs and her new husband Edward Morton came forward. Mr. Morton testified they want to build a front porch on the house, to go along with some construction which has already been approved and started. The front porch will wrap around 2 sides of the house, north and west side, which will make the front yard setback  $18\frac{1}{2}$  ft. instead of th 25' required. Mr. Morton submitted some photos, which he described to the board.

A motion to open the meeting to the public was made by J.Burke seconded by J.Miller and unanimously carried. There being no comments from the public, a motion to close the public session was amde by J.Burke, seconded by J.Miller and unanimously carried.

Mr. Zanes made a motion to approve this application, seconded by J.Burke followed by the following vote: "YES" - J.Miller, P.Dunne, D.Place, C.Triggiano, N.Hamilton Councilman Schmeling, J.Tischio, r. Zanes, J.Burke, J.Muly.

A motion to approve the minutes of June 29, 1999, was made by J.Burke, seconded by P.Dunne, and unanimously carried. ABSTAIN N.Hamilton.

A motion to approve the minutes of July 6, 1999, was made by J.Burke, seconded by P.Dunne and unanimously carried. ABSTAIN J.Miller, J.Tischio.

A motion to approve the minutes of July 13, 1999, was made by N.Hamilton, seconded by J.Burke and unanimously carried.

A motion to move the meeting from September 7, 1999 to September 14, 1999, was made and unanimously carried.

RESOLUTION - 28-1999 - Stephen Del Guercio - 46 Curtis Avenue

A motion to memorialize this appliction was made by P.Dunne, seconded by R.Zanes, followed by the following vote: "YES" P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Tischio, R.Zanes, J.Burke. ABSTAIN - J.Miller.

RESOLUTION - 30-1999 - Michael Sniffen - 45 Beachfront

A motion to memorialize was made by C.Triggiano, seconded by J.Tischio, followed by the following vote: "YES"- P.Dunne, C.Triggiano, N. Hamilton, J.Tischio. ABSTAIN -J.Miller, D.Place.

RESOLUTION - 31-1999 - Larisa Radke - 46-47 Beachfront

A motion to memorialize was made by N.Hamilton, seconded by R.Zanes, followed by the following vote: "YES" - P.Dunne,

D.Place, C.Triggiano, N.Hamilton, R.Zanes.

Mr. Zanes, announced that C.Rice will share the public meeting that is going to be held at the First Aid Building, on Monday June 16, 1999 at 7:00 P.M., on the Redevelopment Concept.

Mr. Zanes has a real concern on the informal tonight by John Shibles of his new tenant. He thinks it is a repeat of the Dairy Queen problem. He stated we did not get a request from Sandy Ratz for us to make a determination on this. He feels that there should be a hearing, as the neighbors across the street may get upset and they go back to the original resolution and they find that there are restrictions in so far as parking is concerned. He feels the resolution should be reviewed to make sure that our approval, if we give an approval is in consistant with what the resolution is.

Mr. Burke stated the way the Board of Adjustment used to handle this, on any interpretation on any zoning regulations, Sandy Ratz would write us a letter asking us to make the interpretation. It would be made in an open public meeting, take a vote and then we would answer Sandy - yes or no whether we agreed with him or disagreed with him. It was always a written letter from Sandy. He stated he was not happy with what happened with Mr. Shibles tonight.

Mr. Cramer stated Mr. Shibles was looking for direction as to whether or not this was the type of use that the Board might care to entertain or not. He stated Shibles as well as any one else in town has the right to call Marie and ask to be placed on the agenda on an informal basis.

Neil stated Sandy wouldn't issue a permit without a writing from this planning Board.

Mr. Miller felt Shibles came in testing the waters and the Board did nothing official. Mr. Burke felt that is true, but he thinks he left here thinking it's approved, I can do it, I can put it in and sign the contract.

Mr. Cramer stated maybe Sandy should take a look at the earlier resolution of approval, if it contains conditions in there that are applicable to this use, Sandy should be aware of it.

Mr. Zanes thought Mr. Shibles should be put on notice that this is not a done deal.

Mr. Cramer will call Mr. Shibles to tell him that this Board did not give him permission even though there was a straw vote. An application will be needed.

Mr. Miller wanted to know about the application forms. Mr. Cramer has the application forms, they are being typed and as soon as they are ready, he will let you know.

Mr. Triggiano told Jim that the did a good job on the applications. He said he asked Chris to appoint a committee to review fees - it hasn't been done yet. If it's going to be done then he'll go along with the review committee.

Mr. Miller made a motion that the board have the revised application forms in their packet for the next meeting, and that the board vote on approval of the new applications at that time, seconded by N. Hamilton. MR. Miller amended his motion to also include approving the fees for the board, followed by the following vote: "YES" - J.Miller, P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Tischio, R.Zanes, J.Muly.  
"NO" - J.Burke.

Mr. Triggiano questioned Neil on his conversation with Mr. Cramer in respect to the Dairy Queen. Mr. Cramer stated there was a concern expressed to him by Neil that there may be a violation taking place on the premises, indicating that there was seating being provided to patrons, which appeared to be in violation of the Board's original resolution of site plan approval. Mr. Triggiano's other question was in regards to Sprint - Comcast with Edgars Pub. Mr. Cramer would not discuss that, as the reporter was present.

A motion to approve the paying of bills was made by J.Miller, seconded by P. Dunne, and unanimously carried.

A motion to adjourn was made by P. Dunne, seconded by J.Miller and unanimously carried.

Respectfully submitted,



Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

JOHN L. WINTERSTELLA  
Mayor

Incorporated December 30, 1887



732-223-1480  
FAX 732-223-1300

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find copies of the Minutes of the June 29, 1999, July 6, 1999 and July 13, 1999, meetings. Please consider the following Agenda for the August 10, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA  
AUGUST 10, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings
  - (a)- John Shibles - Zoning Ordinance Interpretation - 233 East Main Street.
  - (b)
3. Private Session:
  - (a) Personal Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
  2. Motion on Minutes
  3. Consent Agenda
- 
- A. RESOLUTION - Michael & Anne Marie Sniffen - 45 Beachfront.
  - B. RESOLUTION - Stephen Del Guercio - 46 Curtis Avenue
  - C. RESOLUTION - Larisa Radke - 46-47 Beachfront.

END OF CONSENT AGENDA

APPLICATION - 26-1999 - Cont. - Michael Collins, Jr. - 82 Ocean Avenue

APPLICATION - 32-1999 - Christine Kovacs - 111 Church Street

4. - APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

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JOHN L. WINTERSTELLA  
Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD  
MANASQUAN PLANNING BOARD

JULY 13, 1999 - REGULAR MEETING MINUTES

The Manasquan Planning Board held their regular meeting on July 13, 1999, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Chairman Christopher Rice stepped down, due to a conflict of interest with various applications tonight.

Vice Chairman David Place opened the meeting at 7:30 P.M. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law. He asked all to stand and Salute the Flag.

ROLL CALL - PRESENT - P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, R.Zanes, J.Burke.

ABSENT - J.Miller, Mayor Winterstella, C.Rice.

APPLICATION - 30-1999 - Michael & Anne Marie Sniffen, 45 Beachfront.

Anne Marie Sniffen and Michael Sniffen were sworn in by Mr. Carmer.

Mr. Sniffen testified they would like approval to extend a 7½ foot concrete slab with a 1 foot concrete wall surrounding it on the back of their beachfront home to go out to 8½ feet. They would like to knock down the wall and extend the patio to approximately 14½ feet, either by extending the concrete slab so it's the same level, or by taking up the concrete and putting a wood deck that's level to the back of the house.

He testified, the reason for doing this is simply that they find the table they purchased to place in that 7½ft. distance creates a very tight fit and they would like to create a little more space for eating outside. They are new in town and felt it was right to come here and ask permission.

Nrs. Dunne and Mr. Zanes, felt they have to get CAFRA's permission before they can take action on this application. Mr. Schmeling felt that our resolutions always state contingent upon satisfying what ever kind of permits are needed. This application is not that involved. He felt the Sniffens were here last week and to have them come back the 3rd time, he felt we can listen to testimony, can make a decision and if it's subject to CAFRA it's subject to CAFRA.

Mr. Schmeling has a problem with the application as it is 20% over the lot coverage and he would like to see them get rid of all the concrete and go to a wooden deck.

Mr. Sniffen testified they are willing to go to a wooden deck if that would help. They would remove the concrete below where the deck would go, also the wall all the way around. This is a single family residence.

Mr. Sniffen testified, he will amend his application from a concrete deck to a wooden deck.

A motion to open the meeting to the public was made by C.Triggiano, seconded by P.Dunne and unanimously carried.

Larisa Radke, stated it will be better than what is there now, and she sees a big improvement. There being no more comments, a motion by N.Hamilton to close the public hearing seconded by C.Triggiano was unanimously carried.

Councilman Schmeling made a motion that the application be approved as amended by the applicant indicating that the concrete surface be removed, also the cinder block wall and replaced with a wooden deck at grade level that will be the size of the dimensions indicated on their drawing, seconded by C.Triggiano, followed by the following vote: "YES" - D. Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio. "NO"- P.Dunne, R.Zanes, J.Burke.

APPLICATION - 28-1999 - Stephen Del Guercio - 46 Curtis Avenue Pauline Del Guercio, Stephen Del Guercio and Architect Christopher Rice were sworn in by Mr. Cramer.

Mr. Del Guercio testified they live at 46 Curtis Avenue, they have lived there for 4 years, and have two children, Matthew and Daniel. Due to the historic nature and architectural design of our home which is approximately 110 years old, one of the old victorians on Curtis Avenue. Unfortunately our existing closets, basement and garage space is inadequate for a growing family. The need to tear down the existing garage, which is detached at the end of our driveway, it is unsafe, leaning to one side, (70 years old) also a potting shed that is in great disrepaire, tearing that down as well to construct a new and usefull garage, that will be in keeping with the architectural design of our home and in keeping with the character that is existing in our neighborhood.

By granting relief of 3'4", this will enable us to construct a garage in keeping with the architectural design of our neighborhood. Mr. Del Guercio passed around 3 folders of photos, showing the garages in the neighborhood, which were marked A-2,A-3,A-4. Garage will be constructed in the north east corner of the yard, which will be a one door garage, 20 ft. heigh.

A motion to open the meeting to the public was made by C.Triggiano, seconded by N.Hamilton was unanimously carried.

There being no comments, a motion to close by C.Triggiano seconded by N.Hamilton was unanimously carried.

A motion by N.Hamilton to approve this application as presented,

seconded by C.Triggiano followed by the following vote: "YES" P.Dunne, D.Place, C.Triggiano, N.Hamilton, Coucilman Schmeling, J.Tischio, R.Zanes, J.Burke.

APPLICATION - 26-1999 - Michael Collins, Jr. - 82 Ocean Avenue Michael Collins, Jr. and Richard Grasso, Architect were sworn in by Mr. Cramer.

Mr.Collins testified he has owned property in Manasquan for the past 20 years, but as a single male owned the current property for the last 5 years. This past April was married and have a beautiful wife and 2 step children and the house is inadequate for a growing family. He is asking for relief so he can renovate the house and make it a home for his family.

Mr. Grasso testified it is a single family, one story ranch type structure. The house was lifted 2 years ago due to flooding. The house was raised 5 feet. Existing side yard set back is 4.3 ft. on the left where 5 ft. is required, and existing front yard set back of 19.1 ft. where 25 ft. is required, an existing lot with a 40 ft. where 50 ft. is required.

Mr. Place made reference to Alan Hills's report "as to additional uses on the property (i.e) garage apartment, etc. Also, there appears to be some sort of easement from the front to the rear of this property which looks as though it may be an access easement to the rear structure".

Mr. Grasso testified he drafted before he saw the sight, and after he forgot to take it out. That garage could never have an apartment. There is no garage apartment. The first floor will be gutted, and there will be a living room in the front, a porch, kitchen, family room, dining area and powder room and laundry. Upstairs a Master Bedroom, walk in closets, 2 additional bedrooms and a walk space to the attic. Mr. Grasso testified it will not be more than 35 feet in height. There are 2 bedrooms in the house at present, they are proposing 3 possibly 5.

The Board had a problem with the dormers on the third floor.

A motion by R.Zanes seconded by J.Burke to open to the public was made and unanimously carried.

Judy Collins, his wife stated we can't live in a house the size it is, we need the number of bedrooms. If you take away the dormers, there won't be any light. In conversation with the neighbors, they are very excited about it. Anything we can do to it will look better than it does now. It's very important to me and Mike that we be able to extend this property.

A motion by Councilman Schmeling to close the public portion, seconded by C.Triggiano, was unanimously carried.

Councilman Schmeling has no problem with the design, and we allow you to go 35 feet, you can go 35 feet. His concern is that the house gives the appearance that it is more than 2½ stories high. He feels that the Board has to see a little different plan. He feels the application should be carried to the next meeting and that the Attorney have a favorable resolution basically drafted. Councilman Schmeling said there is no way it can be finished tonight. He doesn't feel comfortable voting as he can't see from these plans how it is going to look. He feels they need a little better view of what the 3rd. floor is going to look like.

Mr. Burke felt that if they take the front dormer and leave the middle and back it wouldn't look that massive from the front. R.Zanes felt it is too massive, he would like to see all the dormers gone and it looks like it's 40 ft. off grade. There is a question as to how many stories this house will be.

Mr. Schmeling made a motion that this application be carried to the next meeting, seconded by R.Zanes followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J. Tischio, R.Zanes, J.Burke. Councilman Schmeling made a comment that Mr. Cramer have a resolution ready at that meeting.

For the record, Mayor Winterstella arrived at 8:30 P.M.

A motion was made for a 5 minute recess at 8:55 P.M., seconded and unanimously carried.

The Board returned from recess at 9:00 P.M..

APPLICATION - 31-1999 - Larisa Radke & Michael Wright -46-47 Beachfront.

Keith Henderson, C.Keith Henderson Associates, put himself on record as representing the applicant.

Mr. Burke excused himself as he lives within 200 ft. of the above property.

Larisa Radke, Charles Gilligan and Christopher Rice were sworn in by Mr. Cramer.

Larisa Radke testified she is the owner of the property in question and has owned it since September of 1997. She presently resides in the Beachfront residence during the winter months. It is her primary and only residence, however it is currently rented for the summer. The reason for this application is to sub-divide the property to improve the First Avenue house, sell that house and use the proceeds from the sale to improve the beachfront property. She testified, she would like to do all this in order to live in the beachfront house on a year round basis. At the present time both units are rented during the summer months.

Charles Gilligan, Gilligan Engineering, came forward. He has 2 exhibits which were marked A-1 area map, A-2 Aerial view of the property. Mr. Gilligan testified he was retained by the applicant to work on this project. The property is in the R-4 zone and the proposal is to subdivide into 2 individual lots, both meeting the lot requirements as far as area is concerned. The variances on the new lot 16.02 beachfront are the side setback on the north side is 3.4 ft. where 5 ft. is required and 4.4 ft. on the south side. We asked for a variance for the rear yard where 10 ft. is required, we were proposing 9.2 ft., but we will meet the 10 ft. so a variance is not required. If CAFRA is required for approval, and cannot be a permit by rule, we may actually move the building slightly forward toward the beach, keep the building footprint as it is. Either event we will be able to eliminate the rear set back. On the beachfront lot, there is a requirement of building coverage, and there is no variance required. Marked for evidence was a poster board of building elevations of beachfront house, and the back side are plans of First Avenue was marked A-4, A board of both houses, building height diagram A-5 and the last board is building elevations for First Ave. A-6. He testified they are proposing to have an open front porch 6 ft. with a balcony above..

Mr. Birdsall said the front porch would be considered building coverage. If it is included it is 2% over and if not included they are under. They will need a variance for that. There will also be a variance for the building envelope.

On the parking, there will be 2 spaces under the First Ave. structure and 2 spaces for the beachfront.

Mr. Gilligan testified the applicant satisfies the positive criteria set forth in the statute.

Mr. Schmeling would like to see some of the concrete on lot 16.02 removed to get the lot coverage down. All the concrete will be removed as the house is going up on pilings, as stated by Mr. Rice.

Christopher Rice testified his diagram shows the building height envelope, as there are two options. We are using the B option, where you are allowed to go up 21 feet and slope to imaginary 30 degrees and allowed a certain percentage of dormers of the roof line on certain sides of the house. Being this is the beachfront house, there will be two dormers, One dormer will be pulled back 2 feet, the other one will be flushed because it becomes the stairs. The roof line will not be sloped on the west elevation, as it will not meet the envelope it will undue the gambrel roof and the whole look of the Dutch Colonial house.

Mr. Rice testified, the First Avenue house is staying as is, they are taking the roof off and just raising the pitch.

There is a bedroom up there that doesn't qualify as a bedroom and a stair that is unsafe, it's tight and steep. They are attempting to raise the roof, approximately 3 ft., leave the structure as is, not increase the footprint, just so we can get a regulation set of stairs up there and make it a more livable bedroom.

Mr. Rice stated the owner wishes to build a wall down the middle of that garage on First Avenue, one half will be a garage for the First Ave. house and the other side will be a car-port. It will be finished like exterior space, for the beachfront house. Other than the roof on the First Avenue house, the only structure will be interior.

Mr. Rice submitted to CAFRA months ago, they have seen the drawings so they are just waiting to hear from them.

P.Dunne and R.Zanes felt they should have a door on the car-port.

A motion to open the meeting to the public was made by P.Dunne, seconded by C.Triggiano, and unanimously carried.

Michael Sniffen, 45 Beachfront., stated he saw both plans and agrees it will be much better.

A motion to close the public session was made by C.Triggiano, seconded by P. Dunne, and unanimously carried.

A motion by Councilman Schmeling to approve this application as presented with the representations that were made by Counsel and with the changes that were made to the plans, seconded by C.Triggiano, followed by the following vote:

"YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor Winterstella, R.Zanes.

A motion to approve the extension of 180 days for filing of the Minor Subdivision by James Bogan was made by Councilman Schmeling, seconded by C.Triggiano and unanimously carried.

Mr. Burke stated on the MGM revised plans shows the drainage is draining on the neighbors in the rear. Mr. Birdsall will take care of it.

A motion to approve the vouchers was made by P.Dunne, seconded by J.Burke followed by the following vote: "YES"- P.Dunne, D.Place, C.Triggiano, N. Hamilton, Councilman Schmeling R.Zanes J.Burke. Abstain Mayor Winterstella.

There was discussion on the billing of the professionals, as to whether or not they should be present. Councilman Schmeling felt the person should be present.

Mr. Rice stated at our last meeting a letter was received from

Joseph Jackson on the charges by Alan Hilla, which he felt he had been over charged.

Alan Hilla stated specifically with Mr. Jackson, there was a number of phone calls that he did not bill him for that required researching other items. In most cases a conversation or whether on the telephone it doesn't end in that ten minute slot, it necessitates going to a tax map, going to a review, land use decision or the Cox Book or discussing it with some other learned heads, it's not the end all. Even though he only talked to me for 10 minutes, which had to do with his Bond issue, it was more than that. He stated he would bill for an hour if it all added to that.

Mr. Rice stated the Board needs to see the break down of the bills.

Mayor Winterstella stated in fairness we need some sort of back up, (1 hour, 4 phone calls and office visit or something like that), as it's hard for him as he is the one that get's the phone calls at home about what they are billed. He thinks for the sake of the public, it should be broken down to just what was done.

Mr. Triggiano stated there were two other complaints, one by J. Bogan and the other by me. I felt I was charged in accessive with your charges. My planner who represented me charged \$200.00 and you charged me \$436.00.

Mr. Place stated we are talking about commercial developments here and the Nathaniel Morris Inn is a major project in Manasquan, and if you look at Alan's bill, on the whole project it came to under a thousand dollars, and Mr. Jackson should realize that it was a bargain. He felt Carmen got a deal because everyone likes Carmen and he doesn't feel his bill was out of line on his commercial application. No matter what Alan charges, we are going to get complaints.

A motion to adjourn at 10:30 P.M. was made by C. Triggiano, seconded by P. Dunne and unanimously carried.

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

Incorporated December 30, 1887

732-223-1480  
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JOHN L. WINTERSTELLA  
Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD  
MANASQUAN PLANNING BOARD

JULY 6, 1999 - REGULAR MEETING MINUTES

The Manasquan Planning Board held their work session and regular meeting on July 6, 1999, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Chairman Christopher Rice opened the work session at 7:00 P.M. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - P.Dunne, D.Place, C.Triggiano, N.Hamilton, R.Zanes, C. Rice.

ABSENT - J.Miller, Councilman Schmeling, Mayor Winterstella, J.Tischio, J.Burke.

Mr. Rice stated, due to the black out tonight, we will only be hearing the Informal and memorializing the resolutions.

INFORMAL

Brian Luther - 372 Perrine Blvd. Block 130 Lots 20,21 & 22  
Block 131 Lots 40,41 & 42

Kevin Thomas put himself on record as Attorney representing the applicant, Brian Luther.

Mr. Luther proposes a minor subdivision of Block 130, lots 20,21,& 22. and Block 131 Lots 40,41 & 42.

On Block 130, subdivide into 2 lots, relocate the structure on lot 20 to the north and build a new structure south on lot 22, 5,000 sq. feet. Both houses will be single family and keeping with the neighborhood architecture, 4 parking spaces.

Subdivide Block 131, Lots 40,41,42 into equal size lots and end up with 2 lots. Lot 40 is a single tax bill and 41 and 42 are joined.

Mr. Zanes felt the lots were too small for 2 houses and Mrs. Dunne stated the building coverage and lot coverage were important to her.

REGULAR MEETING

ROLL CALL - PRESENT - P.Dunne, D.Place, C.Triggiano, N.Hamilton  
R.Zanes, C.Rice,

ABSENT - J. Miller, Councilman Schmeling, Mayor Winterstella, J.Tischio, J.Burke.

A motion by Carmen Triggiano to approve the minutes of June 1, 1999 was made, seconded by P.Dunne and was unanimously carried.

RESOLUTION - 21-1999 - Carmen G. Triggiano, 26 N. Main St.  
A motion to memorialize the resolution was made by N.Hamilton,  
seconded by D.Place and unanimously carried.

RESOLUTION - 17-1999 - Diane Noble - 125 Sea Girt Avenue  
N.Hamilton made a motion to memorialize the resolution, seconded  
by P.Dunne and was unanimously carried.

RESOLUTION - 19-1999 - James O'Neill - 76 Allen Avenue.  
A motion to memorialize the resolution was made by C.Triggiano,  
seconded by N.Hamilton and unanimously carried.

RESOLUTION - 27-1999 - Harold Neill - 107 Colby Avenue  
C.Triggiano made a motion to memorialize this resolution,  
seconded by P.Dunne and was unanimously carried.

RESOLUTION - 29-1999 - Michael Ellery - 2 Pearce Court.  
A motion to approve this resolution was made by C.Triggiano,  
seconded by D. Place, followed by the following vote: "YES"  
D.Place C.Triggiano, R.Zanes, C.Rice. "NO"- P.Dunne, N.Hamilton.

C.Triggiano had a complaint about Alan Hilla's billing. He felt  
it was in excess what he was billed. His planner and attorney  
each charged him \$250.00 and Alan's bill was \$436.00. He also  
made reference to the letters received from J.Jackson and J.Bogan  
complaining about what they were charged.

D.Place felt J.Jackson's application was a major project and  
he was billed under \$1,000. which was not excessive.  
C.Rice felt that if he itemized his bills it would be better.

Mrs. Dunne did not like talking about Alan's billing when he  
wasn't present. She felt he should be present to defend himself.

A motion to adjourn at 8:05 p.m. was made, seconded and  
unanimously carried.

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

Incorporated December 30, 1887

732-223-1480  
FAX 732-223-1300

JOHN L. WINTERSTELLA  
Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08736  
PLANNING BOARD

COLLEEN SCIMECA  
Municipal Clerk

MANASQUAN PLANNING BOARD

JULY 6, 1999 - REGULAR MEETING MINUTES

The Manasquan Planning Board held their regular meeting on July 6, 1999, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Chairman Christopher Rice, opened the meeting at 7:30 P.M. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law. He asked all to stand and join in the Salute to the Flag.

ROLL CALL - PRESENT - P.Dunne, D.Place, C.Triggiano, N.Hamilton, R.Zanes, C. Rice.

ABSENT - J. Miller, Councilman Schmeling, Mayor Winterstella, J.Tischio, J.Burke.

Mr. Rice stated, due to the black out tonight, we are only going to hear the informal and memorialize the resolutions.

INFORMAL - Brian Luther - 372 Perrine Blvd. - Block 130, Lots 20,21,22  
Block 131, Lots 40,41,42

Kevin Thomas, put himself on record as Attorney for the applicant, Brian Luther.  
Mr. Luther proposes a minor subdivision of Block 130, lots 20,21,22, and Block 131, Lots 40,41, 42.

On Block 130, subdivide into 2 lots, relocate the structure on lot 20 to the north and build a new structure south on lot 22, 5,000 sq. feet. Both houses will be single family and keeping with the neighborhood architecture, 4 parking spaces.

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Mr. Zanes felt the lots were too small for 2 houses and Mrs. Dunne stated the building coverage and lot coverage were important to her.

REGULAR MEETING

ROLL CALL - PRESENT - P.Dunne, D.Place, C.Triggiano, N. Hamilton, R. Zanes, C.Rice.

ABSENT -- J.Miller, Councilman Schmeling, Mayor Winterstella, J.Tischio, J.Burke.

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N. Hamilton made a motion to memorialize the resolution, seconded by P.Dunne and was unanimously carried.

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A motion to memorialize the resolution was made by C. Triggiano, seconded by N.Hamilton and unanimously carried.

RESOLUTION – 27-1999 – Harold Neill – 107 Colby Avenue.

C. Triggiano made a motion to memorialize this resolution, seconded by P.Dunne and was unanimously carried.

RESOLUTION – 29-1999 – Michael Ellery – 2 Pearce Court.

A motion to approve this resolution was made by C. Triggiano, seconded by D. Place, followed by the following vote: "YES" – D. Place, C. Triggiano, R. Zanes, C. Rice. "NO" – P. Dunne, H. Hamilton.

C. Triggiano had a complaint about Alan Hilla's billing. He felt it was in excess what he was billed. His planner and Attorney each charged him \$250.00 and Alan's bill was \$436.00. He also made reference to the letters received from J. Jackson and J. Bogan complaining about what they were charged.

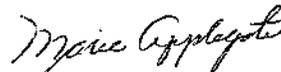
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C. Rice felt that if he itemized his bills it would be better.

Mrs. Dunne did not like talking about Alan's billing when he wasn't present. She felt he should be present to defend himself.

A motion to adjourn at 8:05 p.m. was made, seconded and unanimously carried.

Respectfully submitted,



Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
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JOHN L. WINTERSTELLA  
Mayor

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736  
**PLANNING BOARD**

Dear Manasquan Board Members:

Please consider the following Agenda for the July 13, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA  
JULY 13, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings:
  - (a) James Bogan - extension of time for filing.
  - (b)
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Motion on Minutes
3. Consent Agenda

- A. RESOLUTION
- B. RESOLUTION
- C. RESOLUTION

END OF CONSENT AGENDA

- APPLICATION - 30-1999 - Michael & Anne Marie Sniffen  
45 Beachfront
- APPLICATION - 28-1999 - Stephen Del Guercio - 46 Curtis Ave.
- APPLICATION - 26-1999 - Michael Collins, Jr. - 82 Ocean Avenue
- APPLICATION - 31-1999 - Larisa Radke & Michael Wright  
46-47 Beachfront

- 4.- APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

Marie Applegate, Secretary  
Manasquan Planning Board

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**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

**PLANNING BOARD**

Dear Manasquan Board Members:

Enclosed please find a copy of the Minutes of the June 1, 1999, meeting. Please consider the following Agenda for the July 6, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA  
JULY 6, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings:
  - (a) Brian Luther (Kevin Thomas, Esq.)
  - (b) James Bogan - extension of time for filing.
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Motion on Minutes
3. Consent Agenda
  - A. RESOLUTION - 21-1999 - Carmen G. Triggiano - 26 N. Main
  - B. RESOLUTION - 17-1999 - Diane Noble - 125 Sea Girt Ave.
  - C. RESOLUTION - 19-1999 - James O'Neill - 76 Allen Ave.
  - D. RESOLUTION - 27-1999 - Harold Neill - 107 Colby Ave.
  - E. RESOLUTION - 29-1999 - Michael Ellery - 2 Pearce Court

END OF CONSENT AGENDA

- APPLICATION - 30-1999 - Michael & Anne Marie Sniffen  
45 Beachfront
- APPLICATION - 28-1999 - Stephen Del Guercio - 46 Curtis Ave.
- APPLICATION - 26-1999 - Michael Collins, Jr. - 82 Ocean Avenue
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- 4.- APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
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Marie Applegate, Secretary

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JOHN L. WINTERSTELLA  
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**BOROUGH OF MANASQUAN**  
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**PLANNING BOARD**

Dear Manasquan Board Members:

Enclosed please find a copy of the Minutes of the June 1, 1999, meeting. Please consider the following Agenda for the July 6, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA  
JULY 6, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings:
  - (a) Brian Luther (Kevin Thomas, Esq.)
  - (b) James Bogan - extension of time for filing.
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Motion on Minutes
3. Consent Agenda
  - A. RESOLUTION - 21-1999 - Carmen G. Triggiano - 26 N. Main
  - B. RESOLUTION - 17-1999 - Diane Noble - 125 Sea Girt Ave.
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  - E. RESOLUTION - 29-1999 - Michael Ellery - 2 Pearce Court

END OF CONSENT AGENDA

- APPLICATION - 30-1999 - Michael & Anne Marie Sniffen  
45 Beachfront
- APPLICATION - 28-1999 - Stephen Del Guercio - 46 Curtis Ave.
- APPLICATION - 26-1999 - Michael Collins, Jr. - 82 Ocean Avenue
- APPLICATION - 31-1999 - Larisa Radke & Michael Wright  
46-47 Beachfront

4. - APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

Marie Applegate, Secretary

BOROUGH HALL  
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JOHN L. WINTERSTELLA  
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**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08738

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members **PLANNING BOARD**

Enclosed please find a copy of the Minutes of the Special Meeting of October 20, 1998, and the Regular Meeting of December 1, 1998. Please consider the following Agenda for the January 5, 1999, meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

**MANASQUAN PLANNING BOARD AGENDA**  
JANUARY 5, 1999

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion: Reorganization, Definitions,
2. Informal Hearings:
  - (a) April Nugent - 10 Main Street
  - (b)
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation -

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
  2. Motion on Minutes
  3. Consent Agenda
- A. RESOLUTION - 36-1998 - Mark & Marlyn Heinze-381 First
- B. RESOLUTION - 37-1998 - Edward Dreswick-2 Captains Ct.

END OF CONSENT AGENDA

APPLICATION - 31-1998 -Cont. Vincent Cotona - 175 Beachfront

APPLICATION - 8 -1999 -Borough of Manasquan - Manito Road

4. - APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. --REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.
8. - ORDINANCE REVIEW

Marie Applegate, Secretary  
Manasquan Planning Board

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**PLANNING BOARD**

MANASQUAN PLANNING BOARD  
JANUARY 5, 1999 - REGULAR MEETING MINUTES

The Manasquan Planning Board held their work session and regular meeting on January 5, 1999, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Chairman Christopher Rice opened the work session at 7:00 P.M. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - J. Miller, P. Dunne, D. Place, C. Triggiano, Councilman W. Schmeling, Mayor Winterstella, R. Zanes, C. Rice, R. Ratajack, J. Burke

For the record, N. Hamilton arrived at 7:05 P.M..

INFORMAL - April Nugent - 10 Main Street, came forward and asked if she could carry over to February, as her husband was away and they weren't able to get everything ready for their presentation. The Board will carry her over to February meeting.

A motion was made by John Burke to go into executive session, seconded by J. Miller, followed by the following vote: J. Miller, P. Dunne, D. Place, C. Triggiano, N. Hamilton, Councilman Schmeling, Mayor Winterstella, R. Zanes, C. Rice, R. Ratajack, J. Burke.

The Board returned from executive session at 7:35 P.M. with the following roll call; - J. Miller, P. Dunne, D. Place, C. Triggiano, N. Hamilton, Councilman Schmeling, Mayor John Winterstella, R. Zanes, C. Rice, R. Ratajack, J. Burke.

REGULAR SESSION - Mr. Rice opened the meeting at 7:40 P.M. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law. He asked all to stand and join in the salute to the Flag.

A motion to approve the minutes of December 1, 1998 was made by C. Triggiano, seconded by J. Miller and unanimously carried.

A motion to approve the special meeting minutes of October 20, 1998 was made by N. Hamilton, seconded by C. Triggiano and unanimously carried. ABSTAIN - D. Place.

REORGANIZATION

Resolution # 1 - Chairman - A motion was made by C. Triggiano seconded by R. Zanes for Chris Rice as chairman. There were no other nominations. Nominations were closed.

ROLL CALL - "YES" - J. Miller, P. Dunne, D. Place, C. Triggiano, N. Hamilton, Councilman Schmeling, Mayor Winterstella, R. Zanes, R. Ratajack, J. Burke.

Vice Chairman - Mr. Zanes stated he has served as vice chairman

for the past 2 or 3 years, but would not accept this year. Mr. Place was nominated by C.Triggiano, but respectfully declined. C.Triggiano was nominated by J.Burke, but he respectfully declined. P. Dunne was nominated by R.Zanes, but had to decline as she is a class 2 member. P. Dunne nominated R.Zanes if he would reconsider and he accepted on a temporary basis, seconded by D.Place. There were no other nominations, so nominations were closed. Roll Call for R. Zanes - Vice Chirman - "YES"- J.Miller, P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilan Schmeling, Mayor Winterstella, C.Rice, R.Ratajack, J.Burke.

Resolution - # 2 - Attorney for the Board - Geoffrey S.Cramer. There were no other nominations - nominations were closed. Nomination was made by Mayor Winterstella, seconded by C.Triggiano, followed by the following vote: "YES" J.Miller, P. Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor Winterstella, R.Zanes, C.Rice, R. Ratajack, J.Burke.

Resolution # 3 - Public Meetings of the Board. Motion to pass was made by J.Burke, seconded by C.Triggiano, with the change of August 3 to August 10 due to First Nite Out Against Crime followed by the following vote: "YES - P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor Winterstella, R.Zanes, C.Rice, R. Ratajack, J.Burke. NO - J.Miller.

Resolution # 4 - Official Newspapers Motion to pass was made by J.Burke, seconded by Councilman W.Schmeling, followed by the following vote: "YES" - J.Miller, P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor Winterstella, R.Zanes, C. Rice R.Ratajack, J.Burke.

Resolution # 5 - Secretary of Board - Marie Applegate Motion to pass was made by N. Hamilton, seconded by J.Burke, followed by the following vote: "YES" - J.Miller, P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor Winterstella, R.Zanes, C.Rice, R.Ratajack, J.Burke.

Resolution # 6 - Planning Board Engineer - Mayor Winterstella nominated Birdsall Engineering, Inc. seconded by P.Dunne. There were no other nominations. ROLL CALL - "YES"- J.Miller, P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor Winterstella, R.Zanes, C.Rice, R.Ratajack, J.Burke.

Resolution # 7 -Planning Board Planner. Mayor Winterstella nominated Alan Hilla, Jr. of Birdsall Engineering, seconded by P.Dunne. There were no other nominations. Roll Call - "YES" - J.Miller, P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor

Winterstella, R.Zanes, C.Rice, R.Ratajack, J.Burke.

RESOLUTION - 36-1998 - Mark & Marlyn Heinze - 381 First Ave.  
A motion for a favorable resolution was made by N.Hamilton,  
seconded by Councilman Schmeling, followed by the following  
vote: "YES" - J.Miller, P.Dunne, D.Place, C.Triggiano,  
N.Hamilton, Councilman Schmeling, Mayor Winterstella, R.Zanes,  
C.Rice,

RESOLUTION - 37-1998 - Edward Dreswick - 2 Captains Court.  
A motion for a favorable resolution was made by N.Hamilton,  
seconded by D.Place, followed by the following vote: "YES" -  
J.Miller, P.Dunne, D.Place, C.Triggiano, N.Hamilton, Mayor  
Winterstella, R.Zanes, C.Rice. ABSTAIN - Councilman Schmeling.

A motion for authorization for the Board Attorney to prepare  
a resolution in answer to the Complaint from Edgar's Pub,  
regarding the Sprint Application was made by Councilman  
Schmeling, seconded by J.Burke followed by the following vote:  
"YES" - J.Miller, P.Dunne, D.Place, C.Triggiano, N.Hamilton,  
Councilman Schmeling, Mayor Winterstella, R.Zanes, C.Rice,  
R.Ratajack, J.Burke.

In regards to the letter from Attorney Keith Henderson requesting  
a special meeting for A-5 Partners L.L.C..

Mr. Rice suggested that the Board grant the special meeting.  
A motion to grant a special meeting for A-5 Partners, L.L.C.  
on January 26, 1999 at 7:30 P.M. was made by J.Burke, seconded  
by R.Ratajack, followed by the following vote: "YES"- P.Dunne,  
D.Place, N.Hamilton, Councilman Schmeling, Mayor Winterstella,  
R.Zanes, C.Rice, R. Ratajack, J.Burke. ABSTAIN - J.Miller and  
C.Triggiano.

A letter from Attorney Keith Henderson regarding Jackson  
application, which he would like carried to February.  
Being we are filled for February and March, they will be notified  
that April is the first they can be heard.

A motion to notify Mr. Henderson that Jackson application will  
not be able to be heard before April, unless they want to request  
a special meeting, was made by J.Miller, seconded by R.Ratajack,  
followed by the following vote: "YES" - J.Miller, P.Dunne,  
D.Place, C.Triggiano, N. Hamilton Councilman Schmeling, Mayor  
Winterstella, R.Zanes, C. Rice, R.Ratajack, J.Burke.

APPLICATION - 8-1999 - Borough of Manasquan - Manito Road  
Kenneth Fitzsimmons- Attorney for the application, came forward  
stating that the municipality proposes to create 8 small lots,  
(undersized lots - 2500 sq. ft. of land) each of those lots  
have a dimension of 50'x50'. They also propose to create 1  
conforming building lot having a width of 50 ft. and depth of  
150 feet, which would have frontage on Manito Road.

He addressed the question raised by Mr. Miller about the County Planning Board Approval, saying it is correct that the County Planning Board will have jurisdiction over this application and by letter of December 23, 1998, from Ellen Terry who is the Senior Planning Aid for the County Planning Board, advised that the sub-division approval would be required by the Planning Board. He suggested that in many cases, if this application is approved, you make as a condition of approval that we have the approval of any one that has jurisdiction over this development application.

The letter of the Planning Board, simply cautioning the municipality, that final approval in the issuance of a building permit, should not be entertained until the County approves the plan. You have the power to with-hold signiture of the plan by your chairman and secretary until the municipality provides you with proof from the County Planning Board that a resolution has been adopted approving this plan. He stated they do not anticipate any problems in creating one new 50 x 150 ft. lot, and we are going to extend to existing property owners the ability to acquire 50 ft. x 50 ft. sections of property in the rear of their property.

Witness Councilman Michael Long was sworn in by Mr. Cramer. Councilman Michael J. Long, 52 Taylor Avenue, testified he is a member of the Borough Council of this municipality and is chairman of the building and grounds committee, who is in charge of presenting this application before the Board. Birdsall Engineering prepared a sub-division map showing this proposal. Mr. Long testified the intent of the sub-division application, was to review the property that would not be used for public works purposes. Originally we looked at that one lot 50 x 150 to sub-divide, but in the process in doing that, adjacent neighbors had given us a suggestion of the possibility of enabling them to obtain the property to the rear of their existing lots. In that process through the Boro Council, we figured that at the time of this subdivision to create the 50 x 50 ft. lots in the rear and give any homeowner there the opportunity to expand their property to that size. He testified on the 50 x 50 ft. lots the home owners will not be required to purchase them, it will be optional. He testified a uniformed purchase price will be established by the Boro Council in conjunction with the consultation with the Municipal tax assessor. He testified on the 50 x 150 ft. lot it would be done through a public bidding, as required by municipal law. On lots 27 to 30 the council did not extend the 50 x 50 down in that area, as they felt it would be appropriate to leave a buffer zone for the existing yard. He testified there is a creek, Roberts Swanp Brook, that runs along there, the area is heavily vegetated.

The subdivision map was marked into evidence as A-1.Lot 25 and

26 are a joint lot with one building. There will be no bidding on the small lots, they will only be available to the property owners in front. If the property owners do not want to purchase them the lots will be left as is. Some of the lots may have sheds or what ever on them, and if the property owners do not purchase them, it will be an issue for the Mayor and Council and their attorney to take it up with the individual home owners.

David Place stated - in looking at lots 21, 22 and 23, they appear to be owned by the same person, he assumes that, that is one lot with one structure on it. Mr. Fitzsimmons said he would like Mr. Hilla to address that later, as he has more details on that.

Alan Hilla, Jr., 268 E. Virginia Ave., came forward and was sworn in by Mr. Cramer.

Mr. Hilla testified he and Birdsall Inc. prepared the sub-division map. Mr. Schmeling stated that new lot 1.02 should really be new lot 1.01, containing 7500 sq. ft.. Mr. Fitzsimmons said the lot numbers will have to be finalized in conjunction with the Manasquan Tax Assessor.

Mr. Hilla stated the storm basin that runs down the lot, what they would do with that, is there is a catch basin at the curb line in front of the new lot to be created, that takes storm drainage from Manito Road now, and it discharges to a ditch at the rear of the property. What we would do with that so that it would not encumber the property, the Borough would provide a 10 foot drainage easement parallel along the proposed side line, and then reconstruct that drain line to connect back with the ditch at the rear of the property. That would be subject to the proper permitting through NJDP.

Mr. Long testified they did not instruct the Engineer to do any Wet Lands delineation on the property. We didn't feel it would be necessary for the sale of the property. Regarding the drain, the feeling is that if we are going to sell the property, then the Borough would have an easement to the storm drain, the feeling was to spend a couple of bucks before the property was sold and put a new line in, assuring a 50 to 100 year problem free line, instead of leaving what is there and fronting the potential problem that there could be an issue down the road.

A motion to open the meeting up to the public was made by R. Ratajack, seconded by J. Burke and unanimously carried.

Gregory Kirk, representing Jacquelin Kirk of 83 Manito Rd. came forward. He stated he had two questions to ask the Board, along with an explanation as to why he's asking these questions. The first was why the Borough of Manasquan is going through all this trouble to sub-divide a piece of property they already own? Second question - why would any one in their right minds

even consider purchasing, acquiring or paying taxes on a completely worthless piece of property. This property as Mr. Hilla pointed out is entirely wet lands. This could mean you can't fill it in, you can't even put a fence on it, you can't plant on it, you can't build on it, you can't even remove any vegetation on that property without a DEP approval. Secondly this piece of property is in a transition area, this would mean before you can do any of the above, you would need a stream encroachment permit also from the DEP. Mr. Hilla can verify this, both are extremely expensive to acquire. Third - this piece of property has a large sanitary sewer easement down the middle of it - you're going to sub-divide this piece of property, will the Borough of Manasquan gain access to main this sanitary sewer? Finally, the Borough of Manasquan owns the piece of property on Manito Rd., the Borough of Manasquan also owns the piece of property directly in back of that non-conforming lot on Manito Rd., why couldn't this sub-division be simply done by an ordinance? Mr. Cramer I would have to ask you that question. Why do we have to go through the Planning Board to sub-divide a piece of property that the town already owns"?

Mr. Fitzsimmons stated he is prepared to answer that. He stated your correct, we do not have to appear before this Planning Board, we're appearing as a courtesy, so that the Municipality is following it's own ordinance in properly sub-dividing the property. As a matter of law, the municipality could take a map and as it's done here, sell the property without a sub-division, as the only entity that can object to lands being sold without a proper sub-division is the municipality itself. It was felt that a proper sub-division map should be presented before this Board, so that it could review the sub-division as it would any other sub-division in town.

Mr. Burke said there is a conflict between what Mr. Kirk said and Mr. Hilla said. Mr. Kirk said all of these properties are in the wet lands and Mr. Hilla said that the wet lands ended at the boundry of these created properties, and what I want to know is where do the wet lands end. Mr. Fitzsimmons said the Municipality did not do a wet lands delineation. Mr. Hilla can testify from walking the property where he proximates the line to be. We purposely did not do a wet lands delineation, there will be no representation as to whether the lots are buildable, in fact, when the properties are sold there will be disclaimer notice that the properties may not be buildable because of this very fact. Why people would buy the property, I would just have to leave the answer to that question to the adjacent property owners. Originally the plan was to create a 50 x 100 ft. lot, a building lot on Manito and not do anything else. When property owners approached the Council to make that property to the rear available, it was thought by Mr. Hilla and the planning staff, to make the building lot 50 x 150 and then to create the 8 parcels to the

rear of 50 x 50, so that all of the lots might potentially have a uniform depth of 150 ft..

Bill Guinco, 91 Manito Rd., "stating his home abuts up to the proposed open lot. He produced some photos of how wet this property really gets behind his fence on a recent rain storm. It is approximately between 2 inches and a foot of water when ever there is a moderate or heavy rain storm. There is a stream running back through there, normally the stream is only 2 ft. wide, on the photo it is about 8 ft. wide. He stated he owns lots 17 and 18 on Manito Rd.. The stream runs diagonal through the proposed 2500 sq. ft. sub-division on the back of his property, which I would be in sense buying the stream, unless the drain would be properly realined to discharge behind the 150 ft. depth of the property. One photo of the property to be sub-divided is approximately 40 ft. of it under water. If you ask any of the neighbors here, the wet lands begins approximately 60 ft. from our street. He stated his property is wet, but the Kirk's property is much worse, about 25 ft. of their property is completely under water. This occurs every time it rains, and it is all coming out of Narrumson Rd, Manito Rd., Lakewood Rd.. He believes every one here is concerned about the cost of the property and how much it will add to our appraised value of our homes. An example - I paid \$185,000 for my home and it is already appraised at \$205,000. in a sense I am already paying \$20,000. higher than what the land was worth. One thing I'm glad about is that this area will never be built on, I'm glad the Boro yard will not encroach back there, distroy the wet lands, but what I'm concerned about though is that this extra 2500 sq. feet being sub-divided to us, is that the lot next door would be much higher in appraised value, the foot print would be much larger and we already have front and back set backs on our homes and all the neighbors here abide by. This new lot would be auctioned off at 150 by 50 would allow a new house to be built approximately 25 feet further behind our house, which would cut off our side view. It would be a monster of a house. We put a letter into the Council myself and the Gleasons, about 6 mos. ago, the Stoners put a bid in for that land 10 years ago and the Fees about 25 yrs. ago. We have maintained that land since we've been there. He stated he would be inclined to buy the back parcel if the price was right and if it didn't affect his appraisal much. If the Boro said you can buy it for \$1.00, I would take it. They would like the new lot to have the buildable land to keep the same foot print as the other properties".

Mr. Rice stated that was a good point and he agrees with him on keeping the same foot print.

Mark Hayek, 103 Manito Road stated "he and his parents have lived at this property for about 40 years. The 12 inch line that is on the property at this time, is taking all the run

off for about 3 streets. What is the Boro prepared to do? He stated he has put in a lawn drain himself between 11 and 12 and also another drain at 19 and 20 which takes most of the runoff of the street right now. What is the Boro planning to do to improve the drainage in this area?

Councilman Long said he didn't think the Council is looking to do any major drainage improvements there, only extend and straighten out the existing storm drainage on Manito Road.

Debra Gleason, 99 Manito Rd. came forward stating she with the Guinco's wrote to Council 6 months ago regarding the property that is adjacent to them. We wanted to buy that land and split it. We were told when we bought our houses that this was an unbuildable lot. I would like some one to explain to me, without a ten foot easement, how is this going to be a buildable lot? We have talked to builders who have seen that drainage pipe, and they said no one in their right mind would put a driveway over that, so can you tell me how this is going to be a buildable lot"?

Mr. Hilla said this is a 50 ft. wide lot, given the Boro requirement of 5 ft. setbacks. Even if you maintained a 5 ft. setback from the easement, you would have a 30 ft. frontage, in which you could put a house.

Henry Lozar, 107 Manito Rd. stating he has been there 35 years and has had a water problem for 35 years. If your going to build some more houses up there it's going to be a bigger problem.

A motion to close the public portion of the meeting was made by R.Ratajack, seconded by J.Burke and unanimously carried.

Mayor Winterstella asked Mr. Fitzsimmons, to explain the process by which the Boro sells this property. Mr. Fitzsimmons stated the small lots the undersized lots of 50x50, it is anticipated that a uniform price would be established so that each property owner facing Manito Rd. would be on the same footing as his or her neighbor to buy the property to the rear at a uniform price. Council he assumes will set the price in conjunction with the Municipal tax assessor. The Tax Assessor will recognize that this is excess depth and that the property obviously is not worth as much as if it had frontage and in assessing the property, when there is excess depth the same price for square foot per land is not attributed to the access depth, there is a reduction given because of that factor. Those properties will be offered only to the owners of the properties from lots 9 through 26 facing Manito Rd.. In effect that will be a private sale. The State Law requires that the building lot having a dimension of 50 Ft. in width and 150 ft. in depth be sold in public auction. The Municipality has no option, it must follow the law and auction that lot. The lot could be purchased as

a separate building lot, or it could be purchased and re-subdivided so that part goes to the owners of lots 13 and 14 and the other part goes to lots 17 and 18. The intention is, based upon this plan that that lot would be a building lot, unless it would be subject to the situation where the adjacent owners would buy it, re-subdivide it and use it as an excess side yard".

Mayor Winterstella stated to Mr. Long that it was his understanding that this lot was not offered for sale before because it was felt that it wasn't a buildable lot. Mr. Long said in his investigation and review of this property they found out it was a buildable lot.

There will be no structure allowed over the 10 ft. easement.

A motion to open to the public was made seconded and unanimously carried.

Mr. Guinco stated, if the Dept. of Environmental Protection study was done, and it was determined where the wet land actually starts, and it was determined that lot for sale is not actually 50x150 is only 50x80, would that be a buildable lot?

Mr. Fitzsimmons told Mr. Guinco it would be a buildable lot.

A motion to close the public session was made by J.Burke, seconded by J.Miller and unanimously carried.

A motion to approve the application with said change was made by Councilman W.Schmeling, seconded by Mayor Winterstella, followed by the following vote: "YES" J.Miller, P.Dunne, D. Place, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor Winterstella, R.Zanes, C.Rice, R.Ratajack, J.Burke.

Councilman Schmeling recused himself at 9:35, as he did not listen to the tapes for the next application on the agenda.

A motion for a 3 minute recess was made, seconded and unanimously carried at 9:35 P.M.

The Board returned from recess with the following roll call: J.Miller, P. Dunne, D.Place. C.Triggiano. N.Hamilton, Mayor Winterstella, R.Zanes, C.Rice, R.Ratajack, J.Burke.

APPLICATION - 31-1998-Cont. Vincent Cotona - 175 Beachfront  
Mr. Kevin Thomas put himself on record as Attorney representing the applicant.

Mr. Thomas stated they were last here on November 10, 1998, which was the second hearing, the first on September 29, 1998. He proposed to have marked into evidence as exhibit A-5B the plans revised by M.J.Barone Assoc. engineer on the project with the understanding that A5B is the 3 page set of plans, as revised through December 17, 1998.

Both Mr. Catona and Mr. Herick who will testify tonight, were

sworn in previously.

Mr. Herick testified since the last meeting before the Board there have been 3 issues which have been revised on the drawing. The revised were - looking at A-1 the site proposed site plan, the dimensions, locations of the pool have been revised. We have also indicated the provision for a dry well storm drainage basin. The pool dimensions were changed to 14 x 26', it was 17 x 35'. The pool will move to what is the rear of the property to the First Avenue side of the property by 5 feet. It was determined at the last meeting to keep the existing shower, being the garage apartment is being vacated and turning into a type of recreation use, there would be a desire to keep this single bathroom with a toilet and sink inside and keep the outside shower, for purposes of the pool. The inside will be a half bath. Mr. Herick testified they will be approaching 80% on the lot coverage. The area around the pool will be partly concrete band, and outside of that may be a pressure treated decking of some sort making it impervious, that will allow drainage. A-2 shows the proposed second floor plan and first floor plan. They will provide for a 2 hour wall fire rated along the 2 property lines shown. He testified the side setbacks remain as originally proposed. A-3 proposed building elevations is corrected what is the building height work line, by ordinance and working the option B, so the lines indicate according to the option B and the 21 ft. off the wall point. These are the things that have been revised according to the Board's request. The depth of the pool will be 8' at the deep end and 3' at the shallow end. The lighting around the pool will be at the discretion of the code officials or what ever is necessary. Mr. Thomas stated it was stipulated there will be no kitchen added to the garage, only a 1/2 bath and shower outside.

Neil Hamilton stated this is one of the first - a pool in the beach area. He warned that they are looking for a major problem down the road. Pools attract noise, even if there is a curfew maybe at 9 oclock at night, due to the property being so close, your pretty much in a family zone, it's going to be a problem. Being the size of this house, 6 bedrooms, week end guests and young people, I will not approve this application.

Mr. Cotona testified, it is basically all family, his family and it will be a lot quieter than the people that are renting as this point.

Mrs. Dunne commented on the noise at the pool, as there is a pool across from her about 100 feet away, and the acoustics of being on the water, it is just too close to too many properties. She thinks it is a major problem and she is not happy with the lot coverage. Mr. Zanes has the same problem as he lives in the same area.

The Mayor stated "he can appreciate the comments made by Neil,

Pat and Bob, but I don't think it's fair for us to anticipate the problems before they happen. He stated he can also see a lot of people sitting out on their docks, sitting in front of their houses in the beach area, chasing kids around and so forth, it's understood that they are going to have to conform with the boroughs ordinances. I think it's a good application and we're loosing an extra use on the property, we're gaining in that respect and if they want to have a pool in there, I can suspect from what I've heard, this can be the first of several pools that will be coming to the beach area. He can't understand why from the zoning situation, you would vote against this for reasons that don't concern zoning. It should be voted on, on the basis of it's merits of a zoning application and not as it might be creating a noise problem". Mr. Burke and Mr. Miller agree with the Mayor. Mr. Triggiano also agrees with the Mayor, he doesn't see why it shouldn't pass.

Mayor Winterstella made a motion to approve this application with the stipulation that the Architect come in with a plan for the lighting and impervious surface areas, seconded by J. Miller followed by the following vote: "YES" - J. Miller, C. Triggiano, Mayor Winterstella, C. Rice, R. Ratajack, J. Burke. "NO" - P. Dunne, N. Hamilton, R. Zanes.

Mr. Burke made a comment on the letter from Mr. Flood with reference to the Rufolo application which was approved by the Board of Adjustment. The changes that Mr. Flood questioned, are on the revised A-7A, it is in the file and they are all done. The driveway in the rear is only 12 ft. not 16 ft. and the applicant was to remove over 35% of the impervious surface existing in the back and it is all listed on A-7A.

Mr. Cramer stated also in the file, is a type written letter and signed from Mr. Rufolo, covering some of the points raised and covered by Mr. Flood in his letter, especially the two curb cuts. Mr. Cramer wrote to Mr. Flood with a copy to Mr. Rufolo to the fact that there were certain requirements of the Board of Adjustments approval he was expected to comply with. I also sent a copy to Mr. Ratz, that he may want to go out and see that these conditions are being complied with.

It was requested that Mr. Hilla look into the Lane application to see if the zoning was changed.

On Definitions - Mr. Triggiano asked to explain the Resubdivision "does not include conveyances so as to combine existing lots by deed or by other instrument as long as only one use exists on the combined lot". Mr. Cramer said a resubdivision is not necessarily a consolidation.

On Retail Food Establishment - Mr. Triggiano wanted to know if the last two lines meant they could have tables and chairs. Mr. Cramer said in this context it says regardless of whether or not seats are provided for customers, it is not necessarily

required for it to be a retail food establishment. The site plan would have to prevail over this definition. On Final Approval - Mr. Triggiano said to eliminate Zoning Board of Adjustment. Home Professional Office, Mr. Triggiano thought it was eliminated completely. Mr. Cramer stated as a permitted use - that is correct in the residential zone. Mr. Triggiano questioned the Minor-Subdivision, he also questioned the Satellite Dish Antenna sizes. He was told it is listed in Code. Mr. Rice had 2 changes to make - page 1 - Alteration - he would like that changed - either eliminate it or have subcode take care of it it's own. Mr. Cramer would like to keep Alteration. He can enlarge upon that by building into the alteration section in reference to rehabilitation. Page 3- Building Height, which is probably the most important definition in this and is absolutely wrong. "The vertical distance from the grade to the top of the highest roof beams of a flat roof", that should be to the highest point of the structure - then it says " to the highest gable or slope of a hip roof" - it's not the main level it's to the highest point of that structure as well. "Height shall be measured from the average of the grades" - it will be changed to the top of the curb or crown of the road. In the absence of a crown or a curb, it's the crown of the beach walk.

On the flood plain level page 12 will be taken out. Page 13 Impervious Coverage change to Impervious Surface and define what impervious surface is. Page 24 - Senior Citizen Housing - change to 55. Mr. Cramer will go over the definition on Storm Water Detention and Detention Basin with Mr. Hilla.

A motion was made by N.Hamilton to send Ordinance 1767-98 back to Council as is, seconded by R.Ratajack, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton R.Zanes, C.Rice, R.Ratajack, J.Burke. "NO" - J.Miller. A motion to pay all bills was made seconded and unanimously carried. There being no more business, a motion to adjourn at 11:00 p.m. was made, seconded and unanimously carried

Respectfully submitted,



Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

JOHN L. WINTERSTELLA  
Mayor

Incorporated December 30, 1887

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736  
**PLANNING BOARD**

732-223-1480  
FAX 732-223-1300

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the Minutes of the January 5, 1999 meeting. Please consider the following Agenda for the February 2, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA  
FEBRUARY 2, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings:
  - (a) Michael & Debra Parziale - 395-394 Beachfront
  - (b) John Shawn Tawgin - 129 Sea Girt Avenue
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
  2. Motion on Minutes
  3. Consent Agenda
- A. RESOLUTION - 31-1998 - Vincent Cotona - 175 Beachfront
- B. RESOLUTION - 8-1999 - Borough of Manasquan - Manito

END OF CONSENT AGENDA

APPLICATION - 9 -1999 - Estate of Harold Bartels-158 Curtis Place

APPLICATION - 10-1999 - Michael Maher - 85 Minerva Avenue

APPLICATION - 38-1998 - James Brown - 19 Euclid Avenue

- 4.- APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

Marie Applegate, Secretary  
Manasquan Planning Board

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COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD

MANASQUAN PLANNING BOARD

JANUARY 28, 1999 - SPECIAL MEETING MINUTES

The Manasquan Planning Board held a special meeting on January 28, 1999, in Manasquan Borough Hall.

Chairman, Christopher Rice opened the meeting at 7:30 P.M., stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - P.Dunne, D.Place, N.Hamilton, Councilman  
W. Schmeling, Mayor Winterstella, C. Rice,  
R.Ratajack, J.Burke.

ABSENT - J.Miller, C.Triggiano, R.Zanes.

Mr. Rice asked all to stand and join in the salute to the flag.

APPLICATION - 12-1999 - A-Five Partners, L.L.C - 217 Hwy. 71  
C.Keith Henderson put himself on record as Attorney representing the applicant. He said it is also known as 231 Parker Avenue, Block 51, Lot 13.03, which is more commonly known as Rt. 71. Proof of service affidavit, certified mail receipts together with an affidavit of public notice and publication have been submitted.

The following witnesses were sworn in by Mr. Cramer, Matthew Ahern, Michael Munroe and Raymond Carpenter. Matthew Ahern came forward and testified he is a member of the A-5 Partners, L.L.C. The other members are his father, his brother Shawn Ahern, Patrick Ahern & Timothy Ahern, all equal partners and sole members of the L.L.C. He testified the purpose of the L.L.C. was formed when they bought the property to develop a building on the property and lease it to their business Ahern Printing. Our business is now at 217 Hwy. 71, which is 50 ft. from the site. He testified the first floor will be their blue printing business and 2 offices up stairs that they would like to rent out, the basement area will be storage of materials and utilities for the building. Color rendering of the proposed building will be marked as A-1, a series of photos A to D was marked A-2 and another series of photos E to F marked A-3.

Mr. Ahern testified photo A of A-1 represents the north side facing the Mon. Medical building, which is the first floor and which they would be occupying, and 2 offices up stairs. He testified their building will be a little less than 4 ft. from the property line which is Park Cleaners. He testified, photo A is Park Cleaners which is about 2½ ft. off the line, B- is Manasquan Auto across the street, about 1½ ft. off the car wash and

C is Mon Medical and D is Muellers Florists who are right on the property line, from the front, looking North on 71 on the front setback our building is way in the rear of them. Photo E is the north side of the property. He testified the size of the trucks using this site will be nothing bigger than

UPS truck. He testified he was given permission from the owner of the Medical building, to go in and clean up the landscaping between the buildings and improve it. He stipulated to the Board that they would do that.

Mr. Carpenter came forward stating he has a Bachelor of Science Degree from Penn State University in 1970, Licensed as a Professional Engineer in the State of N. J., Pa., and Fla. and licensed as a professional Planner in N.J.. He testified he was employed by the applicant to work on this project. He testified he reviewed the previous sub-division resolution. He stated the existing lot is a little less than a half an acre, 19,800 sq. ft., an area that is presently vacant, although at the time of the subdivision there was a building on this site that came down as part of the sit plan approval of the Medical building. The lot measures 90 x 200 ft.. This is a permitted use in this zone. The applicant requires a variance on lot area, 20,000 sq. ft. required, and we only have 19,800. A lot width requirement is 100 ft. and we only have 90 ft.. We're asking for a front yard set back and side yard set back. The garbage area will be in a 10 x 10 bin, that will be totally surrounded by board on board fence on top of concrete slab. The landscaping will be a 10 ft. wide strip. Parking stalls will be 9x18 ft. with a 24 ft. isle directly behind it and a sidewalk directly behind that. There will not be a conflict with vehicles parked on the opposite side of the isle. The set back on the building to the south is 2 to 2½ ft. less. He testified the building will be very much more aesthetically pleasing and beneficial to Manasquan as you enter the town going south. A condition of the previous subdivision approval it was permitted that a 24 sq.ft. sign be allotted to this lot in the future. We are asking for another 6 to 8 feet.

The exceptional narrowness of the lot is showing a hardship to us in that just to provide parking, the building and isle width, we were put into a very limited developable site. Exhibit A-4 is a survey prepared by George Thomas Hinck.

Mr. Henderson questioned Mr. Carpenter on Mr. Hilla's report and stated they will comply with Mr. Hilla's report on all the issues and the lighting. He stated there will be no intrusion on the neighbors in the back, and if they have to shield as well, they will do that. 23 parking spaces are proposed.

Mr. Schmeling thought they could get rid of a few parking spaces and cut down on the lot coverage, as he doesn't think they need that many spaces. Mr. Ahern said they really would like the 23 spaces.

Mr. Munroe came forward and testified he designed the

architectural rendering. On a question from Mr. Burke on the handicap ramp, he stated he could move the access, but he didn't want to have the curb cut directly in front of the door, only because some of the curb cuts can be steep and come right out to a slope and it is dangerous. All ventilation will be internalized. The rear wall next to the cleaners will be a fire rated wall. The distance between the 2 buildings is roughly 6 feet.

Mr. Rice said he feels this is going to be the greatest looking building in Manasquan.

The meeting was opened to the public with a motion, seconded and unanimously carried.

There being no comments from the public the meeting was closed to the public, motion made, seconded and unanimously carried.

Mayor Winterstella made a motion for a favorable resolution with the stipulations that have been submitted, seconded by R.Ratajack, followed by the following vote: "YES" P. Dunne, D.Place, N.Hamilton, Councilman Schmeling, Mayor Winterstella, C.Rice, R.Ratajack.

A motion for adjournment at 8:30 p.m. was made by J.Burke, seconded by N.Hamilton and unanimously carried.

Respectfully submitted,



Marie Applegate, Secretary  
Manasquan Planning Board

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COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Please consider the following agenda for Thursday January 28, 1999, Special Meeting at 7:30 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

AGENDA - MANASQUAN PLANNING BOARD

JANUARY 28, 1999 - SPECIAL MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

SALUTE TO FLAG

7:30 P.M. - APPLICATION - 12-1999 - A-5 Partners, L.L.C.  
231 Parker Avenue  
(a/k/a Hwy. 71)

Very truly yours,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

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COLLEEN SCIMECA  
Municipal Clerk

**PLANNING BOARD**

**MANASQUAN PLANNING BOARD**

FEBRUARY 2, 1999 - REGULAR MEETING MINUTES

The Manasquan Planning Board held their work session and regular meeting on February 2, 1999, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N.J..

Chairman Christopher Rice opened the work session at 7:00 P.M. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - D. Place, N. Hamilton, Mayor Winterstella, C. Rice, R. Ratajack.

ABSENT - J. Miller, P. Dunne, C. Triggiano, R. Zanes, Councilman W. Schmeling, J. Burke.

For the record, Councilman Schmeling arrived at 7:15 p.m.

INFORMAL - Michael Parziale -395-394 Beachfront

Mr. Parziale stated he was here a few months ago requesting a sub-division of an existing 3 family lot. He would like to subdivide that, basically in half or basically like a flag lot, like Mr. Hope did at 307-309 Beachfront, using a flag lot definition. I had a feedback from the Board previously that you would prefer more of an easement type sub-division and eliminating the flag lot and creating just one -2100 sq. ft. lot either in the front or back, it is yet to be designed. His second concern is from what he got from the Board, according to the Master Plan your going to have to basically reduce the non-conformity thereby eliminating one of the units. It would be a hardship, as they have a mortgage on the property. He is requesting the sub-division straight out and leave the property as is and he believes it will satisfy the Master Plan requirement of reducing the non-conformity. He is requesting some feedback from the Board. He stated he could use the easement for parking.

Mr. Birdsall stated an easement to create two conforming lots, but if the easement becomes part and parcel of the other lot and parking being one of them, then it's more than just an easement.

Mr. Parziale stated financially they need to keep the garage apartment, to maintain the cost of the property from the American Timber that we are under contract right now.

Mr. Rice stated in the past when we divide a line we have always done away with the third unit.

Mr. Parziale said the question is financial and from the research he has done if they satisfy the requirement of the Master Plan in reducing the non-conformity, we're satisfying the Master Plan therefore reducing the rental.

Mr. Place stated as Mr. Rice said we have always done away with

one unit. Mr. Hamilton is in favor of reducing a structure on the property. Mr. Ratajack goes along with Hamilton & Place. Mayor Winterstella stated he wouldn't vote on it, but he reminded the Board, that this is a part of the American Timber subdivision, and when that sub-division was affected, it was agreed upon that we would make every endeavor to subdivide these lots as equally as possible, between First Avenue and the Ocean.

Mr. Rice told him to wait until the rest of the Board members are present, they may feel different.

#### REGULAR SESSION

ROLL CALL - D.Place, Councilman Schmeling, N.Hamilton, Mayor J.Winterstella, C.Rice, R. Ratajack.

ABSENT - P.Dunne, C.Triggiano, R.Zanes, J.Burke, J.Miller.  
For the record, J.Miller arrived at 7:40 P.M..

Mr. Rice asked all to stand and join in the salute to the Flag.

A motion to approve the minutes of January 5, 1999 was made seconded and unanimously carried.

A motion to approve the special minutes of January 28, 1999, was made seconded and unanimously carried.

The Mayor introduced John Tischio who has been appointed to the Board, and was given the oath of office by Mr. Cramer.

RESOLUTION - 31-1998 - Vincent Cotona - 175 Beachfront  
Mr. Cramer read the resolution, and was approved with the stipulation that revised plans and all fees must be received before any permits are issued. Motion made by Mayor Winterstella, seconded by R.Ratajack followed by the following vote: "YES"- J.Miller, Mayor Winterstella, C.Rice. ABSTAIN - D. Place.

RESOLUTION - 8-1999 - Borough of Manasquan - Manito Road  
The resolution was read by Mr. Cramer with a motion for approval as amended by D.Place seconded by J.Miller, followed by the following vote: "YES" - J.Miller, D.Place, N.Hamilton, Councilman Schmeling, C.Rice. "NO" Mayor Winterstella.

APPLICATION 9-1999 - Estate of Harold Bartels - 158 Curtis Pl.  
Richard Venino put himself on record as Attorney representing the applicant.

Mr. Venino stated the property has been in the Bartels family since 1925 and has the original deed by which the property was conveyed to the Bartels family. Lot 29 conveyed in 1925 and the lots 8,9 and 10 which are presently in the B-3 zone were conveyed to the Bartels in 1933. Mr. Venino stated that any

resolution the Board might adopt, to put a condition in there that they should never use the property for anything other than residential as it has been in the past.

Mr. Cramer said it appears what you are seeking to accomplish is a resubdivision of a number of lots. The two lots - each would have frontage on Curtis Place, 26 ft. frontage and a depth of 160 ft.. With respect to the new lot 29.1 (left side lot) if approved, would result in your agreement to demolish the existing one story frame dwelling that shows on the residential zone, and leave in place the 1 story frame garage and what ever new additional structure put on the property would be entirely located in the residential zone portion of that lot and comply with the set back requirements. The area in the commercial area would remain vacant.

The garage on Lot 29 in the residential zone would be left in place and not demolished, the structure to be put in place would have to be entirely located within the residential portion of that lot and comply with the setbacks and the rear area will remain vacant. Lot 28 is located in the B3 Zone will be left open and what ever is going to be constructed will be in the R2 zone, and will comply with all the setbacks.

Photos marked for evidence were A-3 and A-4 were pictures of the house to be raised, A-1 is the garage and A-2 is a picture of the back yard which is the commercial area.

Mr. Hilla stated this property has been residential for a very long time, a case could be made that this property should not have been zoned in the B-3 zone in the first place, because of it's long term use dating back to the 1930's.

Mr. Venino suggested that when the resolution is drawn, that those conditions be incorporated and attach a copy of the resolution to the deed on which the subdivision was memorialized, so that the subdivision is memorialized, the resolution is on record any one searching the property can't miss it and if they do miss it their bound by it any way.

Mr. Schmeling would rather go along with Mr. Hilla, he understands what the applicant wants to do, but he doesn't think it's a good idea. By putting those restrictions on, they would have to come back to the board.

MR. Cramer stated the applicant has a non-conforming residential use for the property, has occupied and used it for residential purposes as it exists today, what the applicant would like to do is create 2 lots and do certain reconfiguration of the structure there now - moving the existing house, leave the garage in place, a non residential accessory structure and create some new structure only in the residential area. He can keep what he has there right now, but if he seeks to change it, modify or abandon it, then he has to come back to the board for a use

variance.

Mr. Rice stated our option tonight is do we want to consider this application, knowing that we recommend to council for a zone change, or do we want to proceed with this not as a use variance, but as conditions on this application for the building in the back.

The Board felt that a zone change would be the best.

Eleanor Bartels was sworn in by Mr. Cramer. Mr. Venino submitted 4 photographs to be marked as evidence. A-1 photo of garage A-2 photo of the rear yard, A-3 photo of the house, A-4 photo of the house and also the garage, a deed of 1948 from Bartels to Bartels was marked at A-5, a page out of the Manasquan Tax map which shows the entire line of Curtis Place lot being 26 ft. in width which he submitted in conjunction with the C-2 variance and also in proof of the negative criteria which was marked A-6. The Birdsall review was marked as A-7. A subdivision plat was marked A-8.

Mrs. Bartels testified she lives at 158 Curtis Place and has resided there 50 years. She was married to Harold Bartels who owned the property which was acquired from his family in 1948. The garage was built in 1934 at a cost of \$575.00. She wants the lots subdivided as her husband passed away this past year and she doesn't need it all. If the subdivision is approved, she would like to have a period of time before it is finalized so she can move into another house and rip this house down. She testified no one lives in the garage and it has no electric, it is used for storage only.

A motion was made to open the meeting to the public, seconded and unanimously carried.

There being no comments, a motion to close the meeting to the public was made, seconded and unanimously carried.

J. Miller made a motion that the application be approved as amended and that the one story dwelling be raised, seconded by R. Ratajack, followed by the following vote: "YES" - J. Miller, D. Place, N. Hamilton, Councilman Schmeling, C. Rice.

Mr. Miller recused himself at 8:45 p.m..

APPLICATION -10-1999 - Michael Maher - 85 Minerva Avenue  
Michael Maher and Mark Gatani were sworn in by Mr. Cramer.  
Mr. Maher stated he bought the house, he has 3 children now and would like to put an addition on.  
Mark Gatani testified the existing square footage is 1080 and Mr. Maher proposes to increase it 966 sq. ft. for a total of 2,046 sq. feet, which will be suitable for a family of 5.

Mr. Rice stated he is not going to vote on this, as he is just out side of the noticing, and was contacted by Mr. Maher.

David Place will be taking over as Vice Chairman and will continue in place of Mr. Rice for this application.. Mr. Maher testified he is hoping to put 4 bedrooms upstairs, one for each of his 3 children and a master bedroom for he and his wife and a master bath, along with a central bathroom for the other three rooms. On the first floor he will try and remove some of the non-bearing walls to open it up, remove the 3 bedrooms on the first floor and just have sleeping on the second floor.

A motion was made to open the meeting to the public, seconded and unanimously carried.

Timothy McMahon, 70 Minerva Ave. was concerned about loosing trees on the property. Mr. Maher is not removing any trees, and not touching the existing driveway.

There being no more comments, a motion to close the meeting to the public was made seconded and unanimously carried.

A motion to approve the application was made by R. Ratajack, seconded by N. Hamilton, followed by the following vote:  
"YES" - N. Hamilton, D. Place, Councilman Schmeling, R. Ratajack, J. Tischio.

Mr. Rice returned as Chairman to the Board.

APPLICATION - 38-1998 - James Brown - 19 Euclid Avenue.  
James Brown, Jr. and Michael Newman came forward and were sworn in by Mr. Cramer. Mr. Newman is the builder of the pool.  
Mr. Brown testified, he built a house this past summer at 19 Euclid Avenue, a modular home. He is here tonight asking for a side yard variance. Right now there is a 4 ft. set back and he needs 10 feet.  
Mr. Newman stated when he sent his men out to measure the pool, he had indicated that he wanted the pool 12 ft. from the rear of the house. When they got to do the job, there was a wood deck off the rear of the house and they added 12 feet off that which brought them out to the garage, so they split it between the garage and the side property and they located the pool there. When Sandy came out to inspect the collar, it was only 4 ft. off because of the garage being over. At that point he called me up and I went down to look at it, and I had intended it to be 12 ft. off the house, but with the deck on the house it made it 25 ft. off the house. Sandy told me to go and apply for a hardship variance, as I was no longer 10 ft. off the line. The job was then stopped, which is not a fault of the owner, it is my fault. The pool is in the ground but not finished. He stated it can't be behind the garage, due to the visibility of the kids in the pool. He testified where he made the mistake

was in the measuring without the deck there, but once the deck was there, by him not personally being there, the crew measured out 12 feet from the deck instead of the house. There is a 6 foot stockade fence there now.

Mr. Hamilton stated he can't approve an application like this, as they have the opportunity to move it or shrinking the sides of the pool, to get it within some means acceptable to the side setback lines of code.

Mr. Rice for safety and zoning requirements, you have to come back with new plans to move this pool around to fit with in the 10 ft. side setback.

The Board went along with Neil's suggestion, that it should be moved over to meet side yard setbacks.

Mr. Hilla said the Board can dictate what that setback is going to be and the applicant can figure out how he is going to fit it in.

Mr. Rice said if your going to move it, move it to at least 5 or 6 ft. on the short end of the pool. He said if there were no pool it would be 10 ft., but the fact there is a pool, we're making it easy for you to meet you half way.

Mr. Brown doesn't agree with moving the pool, he feels safety wise it's in an appropriate location, he understands the boards concerns for the next door neighbor, but it doesn't disturb him one way or another, as he's not here tonight. He stated it's going to be maintained properly, safety wise for he and his family, and he thinks it's the best possible spot. He doesn't see anything negative, only the Birdsall report and that was drainage. He said it seems crazy to rip it up to gain the 6 or 8 ft., it is going to make that much difference. Mr. Newman doesn't want to see Mr. Brown penalized, he will pay a fine or what ever.

Mr. Hamilton said we're not trying to punish anyone, but the intent, when zoning laws are put together, their put together for a reason, and people come to this board for relief, we have to give them relief that appears to be reasonable. If this pool were 7 or 8 ft. I'm sure there wouldn't be any problem, it was an honest error by your workers, we would probably grant the resolution and you would be out of here on your way. This is so far exceeding what the ordinance is requiring, that it's hard for us to say, well it's there let him do it. He suggested to the Board that they find out why the 10 ft. set back is required, let us find out for sure what that requirement is and why it was put in where ever and see if it can change any of our minds to give you some relief.

The Board agreed to carry this applicant until the next meeting with a couple of proposals to see where they can put the pool which will meet the setbacks.

A motion to carry this application to the next meeting was made by W.Schmeling, seconded by R.Ratajack and unanimously carried.

Alan Hilla stated last year he had a flat fee of \$150.00 per meeting, and hourly for extremely extraneous cases. This year he proposes to bill everything to the Boro. Mr. Schmeling suggested the board increase Mr. Hilla's flat fee to \$250.00 per meeting and leave the applicants fee the way he has been doing it.

Mr. Hamilton stated on definitions, the board may want to address specifically the terms storage, storage sheds.

A motion to approve the vouchers was made by W.Schmeling, seconded by D.Place and unanimously carried.

A motion to go into executive session was made by W.Schmeling, seconded by D.Place and unanimously carried at 10:05 p.m..

The Board returned from executive session at 10:15 p.m..

A motion to adjourn the meeting at 10:20 p.m. was made, seconded and unanimously carried.

Respectfully submitted,



Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

Incorporated December 30, 1887

732-223-1480  
FAX 732-223-1300

JOHN L. WINTERSTELLA  
Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD  
MANASQUAN PLANNING BOARD

MARCH 2, 1999 - REGULAR MEETING MINUTES

The Manasquan Planning Board held their work session and regular meeting on March 2, 1999, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Chairman Christopher Rice opened the work session at 7:00 P.M., stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - J.Miller, P.Dunne, D.Place, C.Triggiano  
N.Hamilton, Councilman Schmeling, R.Zanes,  
C.Rice, J.Tischio, J.Burke.  
ABSENT - Mayor Winterstella, R.Ratajack.

SPECIAL MEETING - R.G.Grasso, Jr. Inc. - East Main St.  
A motion was made for a special meeting on March 25, 1999, for R.G.Grasso, Jr. Inc., by J.Burke, seconded and unanimously carried.

The Board made a motion to have a second regular meeting on May 18, 1999, seconded and unanimously carried.

A five minute recess was called at 7:25 P.M.

REGULAR SESSION

Mr.Rice opened the regular session at 7:30 P.M. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - J.Miller, P.Dunne, D.Place, C.Triggiano, N.Hamilton,  
Councilman Schmeling, R.Zanes. C.Rice, J.Tischio,  
J.Burke.

Mr. Rice asked all to join in the salute to the Flag.

A motion to approve the minutes of February 2, 1999, was made by P.Dunne, seconded by D.Place and carried by the following:  
" YES" -D.Place, N.Hamilton, C.Rice. ABSTAIN - J.Miller,  
R.Zanes, W.Schmeling, J.Burke.

A motion to approve the minutes of November 10, 1998 was made by C.Triggiano, seconded by J.Miller and unanimously carried.

Mr. Zanes asked permission to resign as Vice Chairman. A motion to accept was made by C.Triggiano, seconded by J.Burke and unanimously carried.

Mr. Triggiano made a motion to nominate D.Place for Vice Chairman, seconded by R.Zanes, followed by the following vote:  
"YES" - J.Miller, P.Dunne, C.Triggiano, N.Hamilton W.Schmeling,  
R.Zanes, C.Rice, J.Tischio, J.Burke.

APPLICATION - 38-1998 - Cont. James Brown - 19 Euclid Avenue  
For the record P.Dunne and C.Triggiano signed affidavits that  
they have listened to the tapes of the Feb. 2, 1999 meeting  
and are eligible to vote tonight.  
James Brown the property owner and Michael Newman the contractor  
came forward.

At the last meeting, the Board had asked them to relocate the  
pool to minimize the set backs. He wanted to know if the Board  
found out if the 10 ft. rule is for safety or what ever.  
Neil did get in touch with the building inspector and many towns  
are different but by majority the 10 ft. rule is used basically  
for construction where tie rods are used, you need more than  
3 ft.. It is mostly for construction.

Mr. Newman said if they were to try and move it, it would go  
basically in front of the entrance to the garage.  
Aesthetically and for safety reasons, where it is, it looks the  
nicest as you come out the back. It is in the best location  
even if it is encroaching on the set backs. If they swing it  
around, it is going to come very close to the deck, taking up  
the majority of the driveway, cutting off the entrance. The  
pool is 16 x 32 and if they shrink it down it will no longer  
be a diving pool and they want a diving pool. Mr. Newman said  
they are not trying to build something that will change the look  
of the town. There will be a 6 ft. fence.

A motion was made to open the meeting to the public for this  
application seconded and unanimously carried.  
There being no comments from the public a motion to close the  
meeting for this application was seconded and unanimously  
carried.

Mr. Brown stated if he were to put it in back in the vacant  
lot, it scares him, beside the fact he can't see his kids while  
in the pool, and there is no other place to put this pool except  
where it is.

A motion was made to deny the application by Councilman  
Schmeling, seconded by N.Hamilton, followed by the following  
vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton,  
Councilman Schmeling, C.Rice, J.Tischio.

APPLICATION - 7-1999 - Donald & Virginia Carlin - 327 E.Virginia  
Owner proposes to convert an existing house which has the lower  
unit as a one family dwelling and the upper unit as a rooming  
house into a two-family dwelling. R-2 Zone.  
Application denied for the following reasons: 107-9 - Only single  
family detached dwellings are permitted. 107-27- Rear Setback,  
20 ft. required, 3 feet to existing deck. Maximum Building  
Coverage - 30 % allowed, 39% existing. Maximum Lot Coverage  
- 45 % allowed, 58% existing. 107-36.A. - Off street parking-  
4 spaces require, 2 spaces provided. Any any other variance

the Board may deem necessary. A-5 Flood Zone - no requirements Use Variance.

Kenneth Fortier, on record as Attorney representing the applicant. Mr. Fortier stated downstairs consists of a single family dwelling with 3 large bedrooms, living room, dining area, kitchen and bath. The upstairs is a large apartment, it has a large bedroom, kitchen area, living room, bath and it presently has a rooming house license.

Virginia Carlin and Donald Carlin were sworn in by Mr. Cramer. Mr. Fortier said what they really are here for is to install a stove in the apartment upstairs.

Mrs. Carlin testified when they bought the house there was a regular apartment up there, but no stove. They purchased the house 15 years ago and the kitchen was up there but no stove. Neil Hamilton said this was an existing rooming house but now they are non conforming and not allowed.

Mrs. Carlin testified, they want to turn it in for a 2 family house. They will live down stairs.

Mr. Carlin testified "they bought the house in 1985, have done extensive improvement on the property and try to get the best tenants possible. We have had good tenants, but it is too hard for them to eat out constantly, and very hard for us to enforce the non-food preparation in the apartment, we really can't tell what is going on up there. For safety stand-point and our point, we'd like to put a stove in so their not using hot plates".

Mr. Fortier submitted photos which Mr. Cramer marked as A-1 to A-11.

Mr. Carlin testified, the ceiling height upstairs in the center is 7'6", no dormers, and storage on both sides. The whole house has been converted to Gas heat. The windows are egress size, and there is a seperate entrance from the outside.

Mr. Place stated there are no other permits allowed for two family houses in Manasquan, and once you have a two family house it's not going to go away, it's going to stay.

Mr. Hamilton questioned if the Board could grant the use of a stove in there for safety purposes and not change the use to 2 family and have it remain as a rooming house license, where it doesn't change the use and it still gives latitude of this or other boards in the future.

A motion to open this portion to the public was made, seconded and unanimously carried.

Annette Fick, 66 So. Farragut Avenue came forward, stating it is the street next to the corner. She doesn't have a problem with what the Carlin's do and how they leave it now, but once that turns into a two family house, if it's sold your not dealing

with the Carlin's, your dealing with some one else. No one has addressed the parking spaces. The front of that house is fairly well macadamed right straight across. Her main concern is if this is allowed as a two family house now, it will always remain and she thinks that is very unfair.

T.J. Coan, 81 Curtis Avenue came forward and stated when he saw this notice in the newspaper he was puzzled about the rooming house issue, so I have the state list of Monmouth County rooming houses, that are State Licensed (entered into evidence) and their not on there. There are 4 Manasquan rooming houses that are State Licensed. The reason it is not State Licensed, is because it's only 1 unit and basically any body can rent one room in their house to 1 person and they need no license. This doesn't even fall into the State Rooming House requirements. He also submitted into evidence the State Licensing Fees, and they don't kick in until you have 2 residents. He read the definition of Boarding Houses and Rooming Houses. The definition of cooking, was read by Mr. Coan. All definitions were entered into evidence. He stated he hasn't heard any evidence tonight as to how this is a better zoning standard for a single family residential home. This is a single family neighborhood and as Mr. Hilla stated there is no provision for a rooming house or 2 family houses in the ordinance book. He doesn't see any possible way this Board can approve this application.

Mr. Fortier responded by saying there is no doubt that they have a valid rooming house license. He can't agree with the argument that we hope the rooming house license will go away, I don't think that is a valid reason to simply deny an application. This application is not going to change the parking or anything on the Engineers letter regarding the rear yard, lot coverage, building coverage, it is noting more than putting a stove upstairs.

Barry Thompson, 60 So. Farragut Ave. stated he objects to it going in stone as a two family house. He has no objections to what Mr. Hamilton suggested.

Mr. Coan said it's alright if only one person is up there, but if more than 1 person they have to get a State License, and the state does not allow cooking in the facility.

Mr. Fortier wanted to know if he works for Housing in Trenton.

Mr. Miller questioning Mr. Coan, stated when we have a planner coming before this Board, we have his credentials, when we have an Attorney come before us, we have his credentials, with the information you have presented us tonight, I would like credentials. Mr. Coan stated he is a concerned resident of Manasquan, I don't need credentials. I'm not here to be paid. Mr. Rice stopped it at this point.

A motion to close this portion to the public was made, seconded and unanimously carried.

They have parking for 3 cars. Mrs. Dunne would never agree with a 2 family. Mr. Burke would not go along with a 2 family, but would go along with a stove as long as it is only 1 person up there. Mr. Triggiano agrees with Mr. Burke. Mr. Place is not in favor of a 2 family. It appears no one will support a 2 family.

Mr. Cramer stated the absence of hearing any special reasons for undue hardship, it supports the use variance, he didn't think the Board has any other alternative but to deny this application tonight for the request of a use variance verses a 2 family.

A motion to open the meeting to the public was made, seconded and unanimously carried.

T.J.Coan came forward stating based on these regulations, they don't kick in until there are 2 occupants. If it's 1 it would be basically under the town rooming house ordinance, so if the town wanted to allow the cooking they could do that, but as soon as you go to 2 the State strictly prohibits it. He thinks Mr. Fortier should check into the water and sewer issue, as he didn't believe you had to pay 2 water & sewer bills for a rooming house.

Barry Thompson asked what would happen if the gentlemen went home and put a stove in there? Mr. Hamilton said he would have to get a permit and upon his inspection he would catch it.

A motion to close the public session was made, seconded and unanimously carried.

Mr. Fortier requested a continuation and waived the time limits, so he can do some research on the rooming house license aspect with a kitchen.

Mr. Burke made a motion to grant the applicants request for a continuation to the earliest possible date, seconded by J.Miller, followed by the following vote; "YES" - J. Miller, P.Dunne, D.Place, C.Triggiano, N.Hamilton, C.Rice, J.Burke. ABSTAIN - R.Zanes.

For the record Neil Hamilton recused himself at 9:15 P.M.

APPLICATION - 27-1998 - Joseph Jackson - 117 Marcellus Ave. Mr. Henderson put himself on record as Attorney representing the applicant. He stated he understands the number of people there are to vote and he will proceed.

a 4.4 ft. to the proposed bedrooms, seconded by C.Triggiano, followed by the following vote: "YES" - J. Miller, P.Dunne, C.Triggiano, Councilman Schmeling, C.Rice, J.Tischio. NO - D.Place and R.Zanes.

RESOLUTION - 9-1999-Estate of Harold Baretels-158 Curtis Pl. The resolution was read by Mr. Cramer. A motion to approve the resolution was made by J.Miller, seconded by Councilman Schmeling, followed by the following vote: "YES"- J.Miller, P.Dunne, D.Place, Councilman Schmeling, C.Rice, J.Tischio.

RESOLUTION 10-1999 - Michael Maher - 85 Minerva Avenue Mr. Cramer read the resolution. A motion to approve this resolution was made by Councilman Schmeling, seconded by P.Dunne, followed by the following vote: "YES" - P.Dunne, d. Place, Councilman Schmeling, J.Tischio. Abstain - J.Miller, C.Triggiano, C.Rice.

#### OLD & NEW BUSINESS

DEFINITIONS - A motion was made to recommend them to Council for adoption by C.Triggiano, seconded by P.Dunne, and unanimously carried.

Councilman Schmeling stated there were 3 ordinances adopted at Council meeting and are proposed for second reading on March 15, 1999.

ORDINANCE - 1783-99 - An Ordinance amending Chapter 107 (Zoning) of the Code of the Borough of Manasquan to Permit Senior Citizen Housing in R-M, R-PM, B-1, B-03,0 and PUD Zones and establishing regulations for Senior Citizen Housing in and by the Borough of Manasquan.

MR. Schmeling stated this is basically the same ordinance that was introduced last year, and the reason it is coming back to the Board, is that it wasn't adopted last year even though it was introduced, and an ordinance can't be introduced one year and adopted the next year.

A motion to recommend that Council adopt Ordinance 1783-99, was made by R.Zanes, seconded by J.Miller and unanimously carried.

ORDINANCE - 1784-99 - An Ordinance amending and supplementing Chapter 107 (Zoning) of the code of the Borough of Manasquan to establish definitions, revise exceptions relating to nonconforming buildings and provide addition Supplementary Lot, Height and Yard requirements in and by the Borough of Manasquan.

Mr. Schmeling stated again this was introduced last year, but recommended to hold until the definitions were finished. He did compare with the ones handed out tonight, and they are identical.

The Board suggests that Section 2 of that Ordinance be modified

Mr. Rice asked if they could do 5 ft. on the north side yard. Mr. Place has more of a problem on the opposite side of the house going 3.4 with new construction. Light and air is a big problem down on the beach area, and he doesn't understand why they can't meet the set backs.

Mr. McCoy stated, in walking Mr. Miller through the house, the bearing wall, everything to the right, living room, kitchen, bath, laundry area now exists, on the left there are 3 bedrooms, 2 bedrooms do not meet the current square footage of the code, so they will be enlarged by bumping out the back and in back of the kitchen will also be bumped out to make a family room. The north wall of the family room they will bring in to make the 5 ft. setback and the applicant will be commendable to that.

W.Schmeling had no problem with it, J.Miller - no problem and with Mr. Rice's suggestions on the set backs, Mrs. Dunne has problem with set backs and lot coverage. Mr. Tischio agreed with others, C. Triggiano has a problem with the side set backs. R.Zanes agrees with Mr. Triggiano. Mr. Place agrees with going to 5 Ft. setback on north, and can't see why on the south they can't go 7 inches and get 5 ft. there

A motion to open the meeting to the public was made, seconded and unanimously carried.

James Swift came forward who lives on the north side and stated it was o.k. with him.

Edward Romanko came forward who lives on the south side and stated it was o.k. with him.

Mr. Diana, 563 Perch Avenue came forward stating he is familiar with that driveway and would like to see this property improved.

A motion to close the public portion was made seconded and unanimously carried.

Mr. McCoy stated they will agree to modify the plans, the north side of the family room will be 5 ft. from the side yard setback and cut back from 4ft to 3 ft on the south side for the bedrooms, which will make it 4.4 ft. set back.

Mr. Zanes made a motion to approve this with proper documentation relative to survey and plans which indicate it is going to be done within the survey, on the north side the family room will come in to allow a 5 ft. setback and on the south side that the wall will come in to allow a 5 ft. set back on that side also, seconded by D. Place, followed by the following vote: "YES" - D.Place, R.Zanes, "NO" - J.Miller, P.Dunne, C.Triggiano, Councilman Schmeling, C.Rice, R.Tischio.

That motion was amended and Mr. Miller made a motion for a favorable resolution on this application with a setback on the north side of 5 Ft. to the family room and on the south side

Mr. Place made a motion to approve this application, with stipulations on parking issues, fence issue, and the lighting issue, seconded by C.Triggiano, followed by the following vote: "YES" - J.Miller, P.Dunne, D. Place, C.Triggiano,R.Zanes, C.Rice.

A motion was made for a 3 minute recess, seconded and unanimously carried.

The Board returned from recess at 10:00 P.M.

APPLICATION - 11-1999 - Emery & Florence Hunt - 405 First Ave. Thomas C. McCoy placed himself on record as Attorney representing the applicant. The applicant will not be present here tonight. Builder Frank Morris was not able to be present tonight. Mr. McCoy has known the applicants for 30 years and will be able to answer any questions the Board may have. The applicants purchased the house in 1974 and the property in 1991 from American Timber. They have retired and are making this their permanent home. The property has a driveway and garage on the property which straddles both properties and an easement for the driveway and garage. It is no longer a rental property. They want to make this a more comfortable home, enlarge the bedrooms, a second bathroom and family room. The only way is to expand to the south side and that would create a non-conformity. On the south they would be reducing what is now their side yard setback from 8 ft. to about 3 feet. They want to move the walls out to allow the bedrooms to be of a sufficient size, and to put a master bath in the front bedroom. That would change the distance between the houses from 16 ft. to 12 ft.. On the north side is 1.34 existing. There are 2 or 3 parking spaces in the rear. The family room is now 3.34 ft. on the north side with a length of 13 ft. The survey is correct, but the floor plans aren't. Mr. Rice stated the drawings submitted are considerably less than what we are looking at in terms of elevation. Mr. McCoy stated the height existing in the interior of the house is now 7 ft., the ceiling height in that back room will be 8 ft. as required by code. The lower part of the front roof is the existing roof now, as well as to the right hand side, where it juts out over the bathroom now. The shorter on the left hand side will be the new roof over the family room, 13 feet.

Mr. Zanes thought they might want to talk to a designer, to show just what they want to do. His concern is the side yard setback and their encroaching into it further.

Mr. Burke feels the Board needs more detailed drawings.

The garage in the rear is used by the applicant and his neighbor for storage which has an easement.

Mrs. Dunne wanted to know why they didn't go up instead of out.

Mr. McCoy said they considered that, but the structure probably couldn't handle a 2nd floor.

This is a continuation for a bed & breakfast application at 117 Marcellus Avenue Block 70 Lot 45. At that time the Board granted a Use Variance and granted a number of bulk variances and several bulk variances were left for a future date, together with a site plan approval. We are here to proceed on those matters tonight. A revised site plan submitted to the Board was marked into evidence as A-5.

Hamilton Timbrell came forward and was sworn in by Mr. Cramer. Mr. Timbrell is a Registered Professional Engineer in N. J. He is employed by Bay Point Engineering in Point Pleasant for the last 3 months. Professional Engineer for 26 years, and Planner for 15 years. He testified the site plan was prepared by Bay Point Engineering Assoc. and is depicted as A-5. He testified he has reviewed the report by Alan Hilla, Birdsall Engineering and commented on that report, item by item, on the rear yard setback, the porch area to be removed, the lot coverage, to eliminate all of the concrete and repave for the parking isle and parking stalls. The proposed solid waste and recycling area was between the garage and deck, but with the readjustment with the fire escape to this area where the porch is concerned, there will be a platform and the facilities will be under there. The driveway apron will be totally reconstructed including a curb and a new sidewalk area will be repaired.

Mr. Henderson stated if Mr. Hilla agrees with the comments that were made addressing the points in his report, they would submit amended plans for his approval administratively, so we don't have to come back.

Mr. Fessler previously sworn in came forward, explaining the fire escape area. Mr. Fessler stated the fire escape used to come right across the roof and go down along side the southerly property line. Now when you come out, you go right across the face of the building which is on top of an existing 2 story area, and in back of that, go down to the 1 story roof, turn and down to the platform where the recycling is under. The fire escape is nestled back and held tight to the building and hidden in the back. The three boards showing the fire escape has been marked as A-1P-2P-3P for the plans and A-1E-2E-3E for the elevations.

The lighting will be on sensors, directional and shielded. Mr. Jackson said the lights are mounted up on the house, 22 or 24 ft. up, designed to shoot directly down on the parking area, so there won't be a glare.

A motion to open the meeting to the public was made, seconded and unanimously carried. There being no comments from the public, a motion to close the public session for this application was made, seconded and unanimously carried.

to accommodate to and make reference to the right of a homeowner to make certain additions to his dwelling under those circumstances set forth in 1685-96. Additionally, the Board recommends holding up on the adoption, inasmuch as the Board has included those definitions in a more comprehensive set of land use terminology to be furnished to Mayor & Council. A motion to recommend to Council that Ordinance 1784-99 with the proviso that Mr. Fitzsimmons clean up the language under Section 2 of that ordinance so it doesn't conflict with the language under Section F of Ordinance 1785, was made by R.Zanes, seconded by J. Miller and unanimously carried.

ORDINANCE 1785-99 - An Ordinance to Amend Ordinance No. 1685-96 Entitled "An Ordinance to Supplement Chapter 107 (Zoning) of the Code of the Borough of Manasquan to Permit the Repair, Alteration, Enlargement or Extension of Existing Non-Conforming Buildings or Existing Conforming Buildings on Non-Conforming Lots in and by the Borough of Manasquan.

The Board recommended the adoption of this ordinance with the proviso that the word "existing" be eliminated to assure that the existing structure, as well as any additions thereto, will not exceed the maximum building coverage provisions contained in the Zoning Ordinance.

R.Zanes proposed to recommend to Council Ordinance 1785-99, that it be accepted, seconded by J. Miller and unanimously carried.

There was discussion on fees for special meetings and the reason for needing a special meeting.

A motion to approve the vouchers was made by J. Burke, seconded by P. Dunne and unanimously carried.

A motion to adjourn at 11:15 P.M. was made by J. Burke, seconded by J. Miller and unanimously carried.

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

JOHN L. WINTERSTELLA  
Mayor

Incorporated December 30, 1887

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736  
**PLANNING BOARD**

732-223-1480  
FAX 732-223-1300

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the Minutes of the March 2, 1999 meeting. Please consider the following Agenda for the April 6, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA  
APRIL 6, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings:
  - (a) Condon/Ludwig-433,435,439 E.Main St.
  - (b)
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
  2. Motion on Minutes
  3. Consent Agenda
    - A. RESOLUTION - 38-1998 - DENIAL James Brown-19 Euclid
    - B. RESOLUTION - 27-1998 - Joseph Jackson-117 Marcellus
    - C. RESOLUTION - 11-1999 - Emery & Florence Hunt-405 First
    - D. RESOLUTION - 15-1999 - R.G.Grasso, Jr. Inc.-545 E.Main
- END OF CONSENT AGENDA

APPLICATION - 14-1999 -Joseph Carpinello - 86 Minnesink Rd.

APPLICATION - 16-1999 -Leonard Marotta -398-399 Beachfront

APPLICATION - 17-1999 -Diane Noble - 125 Sea Girt Avenue

APPLICATION - 13-1999 -Susan Ayers -63 North Jackson Ave.

- 4.- APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
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Incorporated December 30, 1887

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JOHN L. WINTERSTELLA  
Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD  
MANASQUAN PLANNING BOARD

MARCH 25, 1999 - SPECIAL MEETING MINUTES

The Manasquan Planning Board held a special meeting on March 25, 1999, in Manasquan Borough Hall.

Chairman, Christopher Rice opened the meeting at 7:30 P.M., stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

Mr. Rice asked all to stand and join in the Salute to the Flag.

ROLL CALL - PRESENT - P.Dunne, D.Place, C. Triggiano, N.Hamilton,  
R.Zanes, C. Rice, J.Tischio, R.Ratajack.

ABSENT - J.Miller, Councilman Schmeling, Mayor  
John Winterstella, J. Burke.

APPLICATION - 15-1999 - R.G.Grasso, Jr. Inc.- 545 E. Main St.  
Peter B.Bass put himself on record as Attorney representing  
the applicant.

Rudy G. Grasso, Jr. and Paul S. Szymanski were sworn in by Mr.  
Cramer.

Mr. Grasso testified he is Vice President, Secretary of the Corporation and is the contract purchaser of the property in question. He testified it is a piece of property that has been operated as a miniture golf course, and we are proposing to put up 2 single family dwelling homes on the site. The approximate size of the livable space would be in access of 2,000 sq. feet. The value of the homes would be \$300,000 each. He testified the equipment that is there, which could be salvaged, would be donated to the town if they have a use for it. In response to a letter from Alan Hilla, Jr. on a provision for a moratorium on road openings, he went to the Borough Clerks office and the agreement that was made, there is no provision for a moratorium on road openings.

Paul Szymanski came forward stating he is a Licensed Planner in the State of N. J.. Until about a year and a half ago, he was the planning consulant to the Boro, since the late 1970's at which time he helped prepare the Master Plan and Zoning amendments, also in 1993 he updated the Boro's Master Plan and Housing Element, and 1997 assisted the Planning Board for their examination report dealing with the Master Plan, also during that time he assisted the Board with zoning plans.

Mr. Szymanski testified the property in question is located in the south east corner of Third Ave. and East Main St. dating 8,987 sq. ft. in size where the McGreevey Miniture Golf Course is. Marked as evidence A-1 is a Titled Planners Factors map for lot area in the vicinity of lot 30.01 in block 177. For the record the Accessors Office is calling this property as a single lot, lot 30.01 apparently has been merged by the Assessor, but is showing on the applicants drawings as 2 lots,

Lots 33 and 31. The area in terms of land use as shown on A-1, the yellow is residential to the west, east to the north east and as well as to the north west at the corner of Third and E. Main. This map also shows the zoning pattern within the area (red lines). The property along E. Main St., the south side from Fourth Ave. to Second Ave, which includes the property in question are in the B-1 Zone, which is the business zone, retail business service and office zone in the beach.

Mr. Szymanski submitted 2 boards of photos that were marked into evicence as A-4. The reexamination report and resolution were marked as A-5. The proposal is to develop on this 8,987 sq. ft. site, single family residential taxed homes on lots basically similiar to what is in the R-3 zone, which requires 4,000 sq. ft. minimum and both lots exceed that minimum. The use variance needs to be supported by special reasons and no substantial detriment to the intent purpose of the zone plan and substantial detriment to the public good. He stated it will have a positive effect on adjoining homes in this area on property values in this area. He stated the requirements in the R-3 zone are 4,000 sq. ft. with 50 ft. frontages. Lot A the most north lot, the corner lot the frontage along 3rd Ave. there is a frontage of 41.22 ft., but in this case because it's an irregular shaped lot the frontage which is measured at the set back line would acceed the 50 ft.. It also has on E. Main St. 69.4 ft. from the curb to the easterly lot line. The second lot which is the southern lot has a frontage of 79.15 ft.. Lot A has 4,585 sq. ft., the north lot and the southern lot has 4,402 sq. ft..

Both lots meet the building coverage. The impervious coverage, both lots meet that. The average setback on Third Ave. is 8.4 ft. on front yard setbacks. What is being proposed is in keeping with that average setback. The problem with these lots they are quite irregular and there isn't a significant depth. He is asking for a variance for a 6 ft. fence, where a 4 ft. is allowed. A 6 ft. fence will go across Main St. and cut across the back and 3 ft. open picket across the front of the property, around the curve. The only place he is asking for relief is on E. Main Street. The fence will be white vinyl which runs about \$25.00 a ft. according to Mr. Grasso. There will be 2 fruit trees on the properties. Mr. Grasso testified he will run a scalloped 6 ft. fence along the 50 ft.. There will be sprinkler systems and sod installed, testified by Grasso.

Mr. Hilla stated there should be some consideration given to possibly locating the driveway curb cuts, as there are a fraction of off street parking space. Right now there are no curb cuts and there is complete off street parking. The distance between the curb cuts showing is a little less than 3 spots, according to the ordinance, you have to have a little space for turns. If the driveways could be reconfigured, so there wouldn't be a fractional space between the curb cuts. Mr. Grasso said he

could angle them and it wouldn't be a problem.

Mr. Hilla's other issues is in scaling the corner house, the peak is approximately 33 ft., but given the fact that there is side and front yard considerations, at least for the one property, a 33 ft. high shear wall on the corner facing E. Main Street and the other piece of property scales about 27 ft.. He doesn't understand the reason. Mr. Grasso testified to make the shape of the house and to make it architecturally work. The other house has a base of 26 ft, so naturally when you run a roof pitch at 26 ft, you come with a lower pitch. He testified he could drop the pitch on the 30 ft. house. He testified he would put a hip roof on if that's what the Board wants.

Mr. Place said there is no way he could live with a 6 ft. fence up against the sidewalk on E.Main St., it's just too much. Mr. Grasso testified, 25 ft. back he would step it down to 4 ft.. He will also confirm the lot numbers with the tax office.

Mrs. Dunne was not in favor of the 6 ft. fence and was concerned about the asphalt driveway, she would like to see it changed to something else other than asphalt. Neil and Carmen would rather see asphalt or pavers.

A motion was made to open the meeting to the public, seconded and unanimously carried. Brian Gillen, 181 Third Ave. came forward asking if they plan to use over head lines or underground for utilities. Mr. Grasso said he would probalby use over head. Mr. Gillen said he has underground and it would look much better. He is concerned with digging up the road, as it is one of the most perfect streets in the boro, and if he does dig it up, that the Board sees to it that he puts it back into the perfect condition it is in now. Mr. Grasso stated he only opens a 3x4 hole. Mr. Grasso stated it would take 3 to 6 months to build and would probably start in 60 days. They will be vinyl siding and have a timber line roof, shutters and round tops.

T.J.Coan, 81 Curtis Avenue came forward saying there has been talk about promoting under ground electric in the beach area. He said it would be much more aesthetically pleasing for the properties if you went underground.

The public portion of the meeting was closed to the public with a motion, seconded and unanimously carried.

A motion to approve the Use Variance, was made by D.Place, seconded by R.Zanes, followed by the following vote: "YES"- P.Dunne, D.Place, C.Triggiano, N.Hamilton, R.Zanes, C.Rice, R.Ratajack.

A motion to approve the Sub-Division with bulk variances, such as hip roof, 3 ft. fence, 2 fruit trees, refigure the curb cut, was made by C.Triggiano, seconded by R.Ratajack, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, R.Zanes, C.Rice, J.Tischio, R.Ratajack.

The Board unanimously voted for a 5 minute recess at 9 P.M..  
The Board returned from recess at 9:10 P.M.

RESOLUTION - 12-1999 -A-5 Partners, L.L.C. - 217 Hwy. # 71.  
Mr. Cramer read the resolution.

A motion to approve this resolution was made by N.Hamilton, seconded by D.Place, followed by the following vote: "YES"- P.Dunne, C. Triggiano, N.Hamilton, R.Zanes, C.Rice, R.Ratajack.

A motion to go into executive session was made by C.Triggiano, seconded by N.Hamilton and unanimously carried.

The Board came out of executive session at 9:40 p.m..

There being no more business, a motion to adjourn was made seconded and unanimously carried at 9:45 P.M.

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

Incorporated December 30, 1887

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

JOHN L. WINTERSTELLA  
Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08736  
PLANNING BOARD

732-223-1480  
FAX 732-223-1300

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Please consider the following agenda for Thursday March 25, 1999, Special Meeting at 7:30 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J.

AGENDA - MANASQUAN PLANNING BOARD

MARCH 25, 1999 - SPECIAL MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

SALUTE TO FLAG

7:30 P.M. - APPLICATION - 15-1999 - R.G. Grasso, Jr. Inc.  
(Contract Purchaser)  
545 East Main Street

RESOLUTION - 12-1999 - A-5 Partners, L.L.C. - 217 Hwy # 71.

Very truly yours,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

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Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08736  
PLANNING BOARD

Dear Manasquan Board Members:

Please consider the following agenda for Thursday March 25,  
1999, Special Meeting at 7:30 P.M. in Manasquan Borough Hall,  
15 Taylor Avenue, Manasquan, N. J.

AGENDA - MANASQUAN PLANNING BOARD

MARCH 25, 1999 - SPECIAL MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

SALUTE TO FLAG

7:30 P.M. - APPLICATION - 15-1999 - R.G. Grasso, Jr. Inc.  
(Contract Purchaser)  
545 East Main Street

RESOLUTION - 12-1999 - A-5 Partners, L.L.C. - 217 Hwy # 71.

Very truly yours,



Marie Applegate, Secretary  
Manasquan Planning Board

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Mayor

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736  
**PLANNING BOARD**

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the Minutes of the February 2, 1999 meeting, also the November 10, 1998 meeting. Please consider the following Agenda for the March 2, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA  
MARCH 2, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion: Special Meeting - R.G.Grasso, Jr.Inc.
2. Informal Hearings:
  - (a) ~~Toni Barrett - 217 East Main Street~~
  - (b) Gordon Hobbs -
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
  2. Motion on Minutes
  3. Consent Agenda
- A. RESOLUTION - 9-1999 - Estate of Harold Bartels
- B. RESOLUTION - 10-1999 - Michael Maher - 85 Minerva

END OF CONSENT AGENDA

APPLICATION -38 -1998 - Cont. James Brown - 19 Euclid Ave.

APPLICATION - 7 -1999 - Donald & Virginia Carlin -  
327 E. Virginia Avenue

APPLICATION - 27-1998 - Cont. Joseph Jackson - 117 Marcellus

APPLICATION - 11-1999 - Emery & Florence Hunt - 405 First Ave.

- 4.- APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
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**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

MANASQUAN PLANNING BOARD  
~~PLANNING BOARD~~  
APRIL 6, 1999 - REGULAR MEETING MINUTES

The Manasquan Planning Board held their work session and regular meeting on April 6, 1999, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Chairman Christopher Rice opened the work session at 7:00 P.M., stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - C.Triggiano, N.Hamilton, Councilman W. Schmeling, C.Rice, J.Tischio, J.Burke.  
ABSENT - J.Miller, P.Dunne, D.Place, Mayor John Winterstella, R.Zanes, R. Ratajack.

INFORMAL - Condon/Ludwig - 433-435-439 - E. Main Street  
Kevin Thomas put himself on record as Attorney representing the applicant. Mr. Ludwig is here with him tonight.  
Mr. Thomas stated this is an application pending approval for variances. Block 147, Lots 15 and 16, East Main St.. He stated it is an old family compound. All of the houses that exist there are on the back of the property. There are a total of 3 structures on the 2 lots, 1 on lot 15 the middle lot and 2 on lot 16. What ever the applicants decide to do with this property, it is going to detail work on the road, bring in water and sewer services, putting in seperate driveway aprons, repairing the existing sidewarks and curbs in the area. Under the current application before the Board, all of that work would be done. Under the proposed amendment to the application before the Board which is a 4 lot subdivision with a flag lot being created. In either event there will be a substantial amount of work to be done in the road bed early on and what the applicant is proposing to do if they can get through the approval process, assuming the approval process is indeed that, go and get that road done right away. That is essentially the reason for the special meeting. Mr. Thomas would like to have the special meeting as soon as possible. He would like it for the end of April. The Board decided on April 20,. 1999 at 7:30 P.M., for the Special Meeting.

Mr. Thomas stated the application before the Board is for a Use Variance, that's because there are 2 structures on the westerly lot 16. On that lot there are a total of 3 seperate residential units, 2 in the house closer to the road and 1 in the house to the rear. The alternate plan submitted to the Board in connection with this informal, prepared by Michal Cannon Benchmark Surveying of 3/9/99, is something we are really looking for input from the Board because there are nice trees in front of this property, and if there is a downside to this plan as it sits before you right now it is the impact it would have on those trees. He stated with this application you would get rid of one unit, get rid of a nonconforming use and you probalby

get 4 nice structures. It doesn't have a flag lot.  
Mr. Schmeling and Mr. Burke were not in favor of the house in the rear.  
Mr. Thomas said there would be parking right in the garage. Plans for the houses have not been made as yet.  
Mr. Cramer to Mr. Thomas, said if they do decide to go ahead with the subdivision, the Board may find it helpful to see some architectural profiles, for parking, how many bedrooms, total height of buildings, etc.. They will return on 4/20/99.

#### REGULAR SESSION

Mr. Rice opened the regular session at 7:30 P.M. stating this is an Open Public Meeting, held according to the Open Public Meetings Act, and held according to law.

ROLL CALL - PRESENT - C.Triggiano, N.Hamilton, Councilman  
Schmeling, C.Rice, J.Tischio, J.Burke.  
ABSENT - J.Miller, P.Dunne, D.Place, Mayor John  
Winterstella, R.Zanes.

Mr. Rice asked all to stand and salute the Flag.

A motion to approve the minutes of March 2, 1999 was made by C.Triggiano, seconded by J.Burke and unanimously carried.

RESOLUTION - 38-1998 - James Brown - 19 Euclid Avenue  
The resolution was read by Mr. Cramer. A motion to approve the Denial was made by C.Triggiano, seconded by J.Burke followed by the following vote: "YES" - C.Triggiano, N.Hamilton, W.Schmeling, C.Rice, J.Tischio, J.Burke.

RESOLUTION - 27-1998 - Joseph Jackson - 117 Marcellus Avenue  
A correction on the lighting, that it will be at grade and no lighting on the building. A motion to approve this resolution with the corrections, was made by C.Triggiano, seconded by J.Tischio, followed by the following vote: "YES"- C.Triggiano, N.Hamilton, C.Rice, J.Tischio, J.Burke. ABSTAIN - W.Schmeling.

RESOLUTION - 11-1999 - Emery Hunt - 405 First Avenue  
A corrected survey will have to be submitted, showing the existing and proposed setbacks and plans. A motion to approve this resolution was made by J. Burke, seconded by C.Triggiano, followed by the following vote: "YES" - C.Triggiano, N.Hamilton, Councilman Schmeling, C.Rice, J.Tischio, J.Burke.

RESOLUTION - 15-1999 - R.G.Grasso, Jr.Inc., - 545 E. Main St.  
A correction on page 7, paragraph 2, will be made. Revised plans showing hip roof, 3 ft. fence and shrubbery and curb cut, must be submitted.  
A motion to approve the resolution was made by N.Hamilton,

seconded by J.Burke, followed by the following vote: "YES" - C.Triggiano, N. Hamilton, C.Rice, J.Tischio, J.Burke.

APPLICATION - 17-1999 - Diane Noble - 125 Sea Girt Avenue. Gerard C.Vince, from Widman, Cooney & Barrett came forward as representing the applicant, requesting that this case be carried to another date, without public notice, so that his planner can complete his report and send it for review. The Board gave him the date of May 18, 1999. Mr. Vince also waived any time constraints the Board has to take action on the application.

APPLICATION - 14-1999 - Joseph Carpinello - 86 Minnesink Rd. Joseph Carpinello, 86 Minnesink Rd. came forward and was sworn in by Mr. Cramer. Mr. Carpinello testified he would like to put a second level on his house going straight up, only on the main house. His lot is 50 x 200 ft..

A motion to open the meeting to the public was made, seconded and unanimously carried.

A motion was made to close the public portion of the hearing, seconded and unanimously carried.

A motion by N. Hamilton to grant this application as presented after noting the outside front wall of the house, set back from the porch be the beginning portion of the application for the second story, seconded by C.Triggiano, followed by the following vote: "YES" - C.Triggiano, N.Hamilton, Councilman Schmeling, C.Rice J.Tischio, J.Burke

APPLICATION 16-1999 - Leonard Marotta - 398-399 Beachfront. Kenneth Fortier put himself on record as Attorney representing the applicant. He was concerned about there only being 5 members present to vote.

The Board voted for a 5 minute recess at 8:20 P.M., to try and get 2 more Board members. The Board returned from recess at 8:30 P.M.and went back into session, taking up where they left off on the Marotta application. Mr. Fortier thanked Mrs. Dunne for coming in. For the record Councilman Schmeling recused himself. Mrs. Dunne arrived at 8:30 P.M..

Mr. Fortier stated he represents Leonard and Rosemarie Marotta. Their application is for a variance, they would like to put a deck on the front of the house, which is a beachfront house. Right now the property consists of 1 house on the beach and behind is 2 units. The deck they would like to build is 14 x 22, it would go over the top of a concrete patio, that is presently on the front of the house. Letter from Zoning Officer indicates that it would not affect the coverage of the property.

In that area, the Marotta's house is one of three or four houses that do not have decks on the front of their houses. Leonard R. & Rosemarie Marotta were sworn in by Mr. Cramer.

Photos submitted were marked into evidence as A-1, 2,3,4,5,6,7. Mr. Hilla stated 398 is the First Avenue property and has a .6 setback from the right of way of First Avenue, 399 is Beachfront, which has a 15 ft. setback from the existing property patio in front of 399, so the deck would be between that setback line and the front line of that existing building which would be even further back. Mr. Burke stated Mr. Ratz's denial has 398 First Avenue listed as 399 Beachfront which is wrong. Mr. Burke stated the Boro has at least 15 ft. from the beachwalk to property.

Mr. Fortier stated the steps would not go over the concrete pad. They will not be covering any more than what is covered. Mrs. Marotta does not like the concrete, they are just covering it.

Alan Hilla stated this property from the edge of the beach walk sits more than 60 feet from the beach walk. From the property line to the edge of the concrete patio is 15 ft.. Neil felt the sides could be brought in to give a better side setback. Mr. Burke thought it would look better if the deck was the width of the house. Mrs. Dunne said we should reduce the density of the property and she hasn't heard anything about that.

A motion was made to open the meeting to the public, seconded and unanimously carried.

Dr. David Doda, 401 Beachfront, 400 First Avenue. He stated he has been there for 50 years and he opposes this application. The reason being, this deck is so large it will impact people, He feels very strongly that a deck of that size in front of his house will very limit access for every one. If they want to put a deck the same height, 7 ft. that is consistant. I oppose this deck and I will fight it.

Mr. Doda said the whole issue is - yes we can expand, and we can expand a little more, and the next board will come in and pretty soon it will be like San Diego, where the houses and decks are right up to the boardwalk, and that's what I'm against.

Being there were no more comments from the public, the meeting was closed to the public.

This application will be continued to the May 4th meeting, so there will be more members present.

Mr. Burke said we're sitting here almost ignoring the fact that this is an extremely non-conforming lot and there are a lot

of questions that I have. I know this is only a deck, not a house addition, but it's almost as if we're putting a stamp of approval on an extremely non-conforming lot and that bothers me. As Pat said, we're totally ignoring all the other problems that this lot has, just because it's only going to be a deck out front.

Mr. Cramer told Mr. Fortier, in order to get a Use Variance, there has to be some proofs that there are special reasons to justify the use variance or alternatively undue hardship that's visited by reason of ability to satisfy the purposes of the Land Use Law. You may want to consider having expert testimony in the form of a professional planner at the next hearing before this Board. You'll have to demonstrate that this Board's going to give you a Use Variance.

Mr. Cramer told Mr. Fortier, that he would not have to re-notify property within 200 feet nor do you have to notice in the paper. Any objectors here this evening are invited to return on May 4, 1999.

A motion by Mr. Burke that the Board approves the applicants request for a continuation of this hearing, seconded by C.Triggiano, followed by the following vote: "YES"- P.Dunne, C.Triggiano, N. Hamilton, C.Rice, J.Burke.

APPLICATION - 13-1999 - Susan Ayers - 63 N. Jackson Avenue. Kevin Callahan, Marriott, Casagrande, Callahan & Perri, put himself on record as Attorney for the applicant. Susan D. Ayers, and Richard Graham, Architect and Planner, were sworn in by Mr. Cramer.

Mr. Cramer stated he has represented Ms. Ayers in the past but that representation has not been in effect for some time now and he does not represent Ms. Ayers in any matters now.

Mr. Callahan stated this is an application for the construction of a yard shed, that exceeds the 100 sq. ft. limitation that is under the Boro Ordinances. It is also proposed that it be located on the North property line, set in perhaps 6 inches because of a slight roof overhang. Your ordinances call for a 3 ft. setback as revised in March 1998, when it was formally 5 ft. setback requirements. The problem still exists that Ms. Ayers was faced with about 1 year ago in January 1998, when she came before the Board when the application was presented to construct a shed on the North property line. The north property line, is the property line, as you stand in N. Jackson Avenue and look at the front of the house which faces N. Jackson Ave. you go right into the house. The problem back in 1998 is still facing her this evening, is that at that time she was informed by Mr. Ratz, that the front of the property is on Lake Ave, even though the house faces on N. Jackson Avenue.

Mr. Hilla notified her in his review of Feb. 8, 1999 that the front yard was N. Jackson Avenue. At that time, the board asked her to go home renotice and republish and come back. Unfortunately Ms. Ayers was taken seriously ill for a couple of months. Between the last meeting and now the Borough had changed it's ordinance requireing that a shed which up until that time did not have a side limitation, but the ordinance was passed in March reducing the limitataion to 100 sq. ft.. Proposed shed is 128 sq. ft..

Mr. Callahan stated they preferred Mr. Ratz's decision that this is our back yard, it gives us more of a front yard area, but we need for someone to make a decision. I have noticed the public, but I have not said we are putting it in the back or side, just that we are sticking it on the property line on the North side of the building.

Mr. Hamilton said he has no idea why Sandy had to choose Lake Avenue as the front because it being a corner piece of land, the narrow portion of a lot being the front yard address and certainly that would apply in most instances unless a lot was diagonally square. Mr. Nelson our accessor in his conclusion to that is that on a corner lot is where your front door is. Your address on a corner lot may not necessarily be where the front door is, he finds that in many towns a street may become a status symbol, that you may choose one side of your street to have your mailing address as opposed to the other. There is also a difference in the way the tax is assessed on a piece of property by street. Mr. Frank Nelson's determination is that the front door of the house is the front of the house.

Marked into evidence was A-1 Master Site Plan, prepared by Ayers Design & Contracting Co, of March 21/96. A-2 is a copy of Benchmark Survey of 5/24/95 on which the applicant has drawn the loction of the proposed shed. A-3 is an enlargement of the same survey. A-4 is a scimatic rendering of the upper half of that board. A-5 showing what the setback building lines as they would appear based upon what the tax assessor apparently believes to be the case, and what Mr. Hilla believes to be the case. A-6 is the architectural plans. A-6A architectural drawings. Photos on 2 sheets of poster board were marked A-7. Mr. Callahan's letter of Feb. 2, 1998 was marked as A-8.

Mr. Richard Graham, a Licensed Architect, Licensed Planner in N. J. and has appeared before this Board. He testified he reviewed the file and Mr. Ratz's denial of 12/24/98 and his opinion and he believes it is justified as well. Mr. Graham made reference to different setbacks in the neighborhood and town.

Mr. Rice stated he agrees with Mr. Ratz and Alan Hilla. Mr. Schmeling stated where your mailbox is, is the front of your house. It was a 3 North Jackson and 4 Lake Ave vote by the Board as to which was the front of the house.

Mr. Hilla stated the reason this came about, is due to Mr. Ratz's denial. With all due respects to Mr. Ratz, Mr. Hilla thinks there is a flaw in his reasoning. He is attributing a major street, a location of stop signs, which I believe were put in arbitrarily. There is nothing in the hierarchy of the streets in that part of town other than Stockton Lake Blvd. & Main St. that would be any different - all those side streets are of the same hierarchy, so he doesn't see how Lake Ave. can be considered a major street, being that it is a one way.

A motion to open the meeting to the public was made, seconded and unanimously carried, for front yard only.

John Muly, 189 Stockton Lake Blvd. stating he has lived at his present location for the last 29 years. This house in question was built prior to his, so it's about 30 years. That house has always faced and always has had a North Jackson address. He wanted to know where the utilities and tax bill are sent. Ms. Ayers stated the utilities come in off Lake Ave. and the Tax bill is addressed to 63 North Jackson Ave.

Susan Bartron, 195 Stockton Lake Blvd., stated her back yard is facing what is considered her rear yard and I am in the same situation. I would never consider the side of my house my front. I think just looking at the property you would see and I am probably the one that is most affected by the situation that she is planning on right now.

The public portion of the meeting was closed by motion, seconded and unanimously carried.

A motion by J.Burke to determine that Lake Avenue is the front yard of this property, seconded by C.Triggiano followed by the following vote: "YES" - P.Dunne, Councilman Schmeling, J.Tischio, J.Burke. "NO" - C.Triggiano, N. Hamilton, C.Rice.

The second issue is for a variance to build a shed, to store bikes, wheel barrows, bench for potting. It is larger than permitted. Vito Marinaccio's report feels it is a Use Variance. Mr. Callahan respectfully disagrees with him. Mr. Callahan stated they are only going to build a shed, and just because it is bigger than permitted, it doesn't make it a different use.

Mr. Cramer feels the same as Mr. Callahan, it is not a use variance, but you still have to prove some special reasons and satisfaction criteria to establish a right to a variance in

this case.

Susan Ayers, 63 N. Jackson Avenue testified she is a graduate of the University of Tennessee, Master of Science Degree in Horticulture and Landscape Design. Licensed as a certified Landscape Architect in N. J. certified in 1990. She described the exhibits that were submitted and explained the photos on the 3 boards that were submitted for evidence. She testified the proposed shed is located on the north side of the house, the north wall of the shed will be 6 inches in front the property line allowing a 6 inch overhang in line with the property line. The shed is 16 ft. long by 8 ft. wide by 9'6" height. The distance between the shed and house is 5 ft.. The proposed lattice on the arbor will have vines growing on it and the purpose of the trellis would be to provide some screening from the street, so that it camouflages any part of the shed. The height of 7 feet, screens the top of the fasciboard that wraps around the shed. She had photos of sheds in her neighborhood that were in violation of the codes. She testified she is not using the shed for any type of commercial storage warehouse equipment. Mr. Callahan stated there would be no objection to wording in the resolution that the shed would only be used for gardening and lawn type of material.

The Board made a motion for a 3 minute recess at 10:45 P.M.. The Board returned from recess at 10:50 P.M.

Mr. Graham gave testimony on drawings 6-A which describes the shed. He also testified if she chose to, she could convert the existing garage into living space, eliminate the driveway, put a driveway out to Lake Ave. and put a garage on the west side of the house, where the patio is now, without an ordinance. Visually if she put a garage in the rear it would be a greater impact on the neighbors than the shed.

A motion to open the meeting to the public was made seconded and unanimously carried.

John Muly, 189 Stockton Lake Blvd., came forward questioning the easement, you can't put a building on a 5 ft. easement, but you can put 56 trees along there. He questioned the use of the shed, being she is a landscaper and she has stored trees, potted plants and all kinds of things on that side of the house, in view of everyone on the north and north west side. We never complained about that, but now it is a different story. It's not her bicycle, or lawn mower, someone comes in and cuts her lawn. She has hand trucks there for moving trees. Is the shed going to be a green house with all the windows, or storage.

A motion to close the meeting to the public was made by

C.Triggiano, seconded by J.Burke and unanimously carried.

Mr. Callahan thanked the Board for their patience especially at this hour. He has asked his client to waive that which was most important to her in order to try and preserve this application, in recognizing the feelings of the Board. We're asking that the Board allow us to amend the application such that the trellis area in the front come down from 7 to 6 ft., as that seemed to be an issue, and my client is willing to reduce the size of the shed if she can continue to locate it at that end of her home. She needs to have the 8 ft. depth but will reduce the length to  $12\frac{1}{2}$  ft. so it will be 100 sq. ft.. The 3 ft. taken off will be taken off on the N.Jackson end, set back will now be 12 inches. She needs the work area for her own property. No commercial use.

Meeting was opened to the public again for comments. John Muly wanted to go on record as saying he still opposes it. James Vladich, 55 N. Jackson, he opposes it as well, set back should be 3 feet. Susan Bartron, 195 Stockton Lake Blvd., she felt it should be within the ordinance.

Meeting was closed to the public, as there were no more comments.

A motion by John Tischio to approve as amended, with revised plans, seconded by J. Burke followed by the following: "YES" C.Triggiano, N.Hamilton, J.Tischio, J.Burke. "NO" - P.Dunne, Councilman Schmeling, C.Rice.

A motion to pay all bills was made, seconded and unanimously carried.

A motion to adjourn at 11:40 P.M. was made, seconded and unanimously carried.

Respectfully submitted,



Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

Incorporated December 30, 1887

732-223-1480  
FAX 732-223-1300

JOHN L. WINTERSTELLA  
Mayor

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

**PLANNING BOARD**

Dear Manasquan Board Members:

Enclosed please find a copy of the Minutes of the April 6, 1999 meeting, and the minutes of the Special Meeting on March 25, 1999. Please consider the following Agenda for the May 4, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA  
MAY 4, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman  
ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings:
  - (a) Robert Dombal -66-68 Ocean Avenue
  - (b) Joseph Jackson - Bond Issue
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
  2. Motion on Minutes
  3. Consent Agenda
- A. RESOLUTION - 14-1999 - Joseph Carpinello - 86 Minnesink
- B. RESOLUTION - 13-1999 - Susan Ayers - 63 N. Jackson Ave.

END OF CONSENT AGENDA

- APPLICATION - 16-1999 - Cont.-Leonard Marotta -398-399 Beachfront
- APPLICATION - 18-1999 - Suzanne Baldanza - 44 Fisk Avenue
- APPLICATION - 20-1999 - William Kopper - 53 First Avenue
- APPLICATION - 24-1999 - Clifford & Michele Brenner - 64 Rogers
- APPLICATION - 21-1999 - Carmen Triggiano - 26 N. Main Street

- 4.- APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

Marie Applegate, Secretary  
Manasquan Planning Board

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PLANNING BOARD

COLLEEN SCIMECA  
Municipal Clerk

NOTICE OF DECISION

The Planning Board of the Borough of Manasquan, New Jersey, after a public hearing on April 6, 1999, denied the application of James Brown to construct an inground pool approximately 4' from the side property line, on property located at 19 Euclid Avenue, Manasquan, more particularly known as Block 82, Lot 17.01.

The resolution has been filed in the office of the Secretary of the Planning Board and is available for inspection by the general public at 15 Taylor Avenue, Manasquan, Monday through Friday, 8:30 a.m. - 4 p.m.

Signed by:

*Marie Applegate*  
Marie Applegate, Secretary  
Manasquan Planning Board

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**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736  
**PLANNING BOARD**

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Please consider the following agenda for Tuesday April 20, 1999,  
Special meeting at 7:30 P.M., in Manasquan Borough Hall, 15  
Taylor Avenue, Manasquan, N. J..

AGENDA - MANASQUAN PLANNING BOARD

APRIL 20, 1999 - SPECIAL MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

SALUTE TO FLAG

7:30 P.M. - APPLICATION - 23-1999 - Condon/Ludwig -  
433-435-439 E. Main Street

INFORMAL PRESENTATION - Melillo & Bauer

Very truly yours,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

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COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

MANASQUAN PLANNING BOARD

APRIL 20, 1999 - SPECIAL MEETING MINUTES

The Manasquan Planning Board held a special meeting on April 20, 1999, in Manasquan Borough Hall.

Chairman Christopher Rice opened the meeting at 7:30 P.M., stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

Mr. Rice asked all to stand and join in the Salute to the Flag.

ROLL CALL - PRESENT - J.Miller, P.Dunne, D.Place, C.Triggiano,  
N.Hamilton, Councilman Schmeling,  
J.Tischio, C. Rice, J.Burke.  
ABSENT - Mayor Winterstella, R.Zanes.

APPLICATION - 23-1999 - Condon/Ludwig - 433-435-439 E.Main St.  
Block 147, Lot 14.05,15,16,16.05.

Owner proposes to demolish all structures and subdivide property to create four new lots from three existing lots to construct four one single family dwellings.

This application is denied for the following reasons:

New Lot 14.05 - 107-27 - Lot Frontage - 50 ft. required, 44.11 feet proposed.

New Lot 15 - 107-27 Lot Frontage - 50 feet required, 44.11 feet proposed.

New Lot 16 - 107-27 Lot Frontage - 50 feet required, 55 feet proposed.

New Lot 16.05 - 107-27 Lot Frontage - 50 feet required, 18.06 feet proposed. A-5 Flood Zone. Bulk Variances.

Kevin Thomas put himself on record as attorney for the applicants. The meeting tonight concerns 3 issues relating to Block 147 lots 16,15,and 14.05. The application is requesting 2 forms of relief. One form of relief was concerning the determination of the Borough to deny certificates of occupancy, seperate certificate of occupancy to lots 15 and 16, which was set forth on Feb. 24 1999 letter of Mr. Cramer to Mr. Thomas. It is the position of the applicants that the lots in question did not merge, should not merge as a matter of law, for the following reasons: #1- the lots are now and always have been seperately assessed by the Borough of Manasquan. # 2 - the lots do now and have always conformed to the zoning of the Borough of Manasquan, as to lot area. That being the case, there is no reason for the lots to have merged. Mr. Thomas believes the Board has jurisdiction to hear the application tonight as to the merger doctorin, certainly the second issue as it relates to the 2 lot subdivision and finally as the minor subdivision for 4 lots.

Mr. Cramer stated there are two preliminary issues the Board has to consider. The first of course is the appeal from the determination that was made with respect to his clients request to have issued several determinations of the 4 existing lots. Mr. Cramer reviewed his letter of Feb. 24, 1999, in which he reviewed the history of the property. Mr. Thomas's clients were interested in whether or not these lots could be seperately conveyed into four individual lots. Charles Peters was sworn in by Mr. Cramer. He testified there are 3 water lines on the property and at least 2 sewer lines, and 3 seperate tax bills.

The meeting was opened to the public. Demetrio Olivo, 425 E. Main St., came forward stating he thought it was one parcel, 5 units and one was a 2 family.

Rev. Alexander Santora, 436 Euclid Ave., stating his back yard is right in back of this property. He wants to know what the options are if the developers want to develop this property. Mr. Cramer stated they would have to comply with the requirements for lots in the R-2 Zone. The R-2 Zone lots have to be a certain size. Any construction to take place on these lots have to observe certain setbacks.

Rev. Santora stated there was noting in the noticing, as to addresses and streets, it was only noticed as lots and blocks, and in the future it should be noticed as number and streets. The meeting was closed to the public.

Councilman Schmeling made a motion that the property be treated as 3 seperate lots, seconded by J. Miller, followed by the following vote: "YES" - J.Miller, P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, C.Rice. "NO" - J.Burke.

A 3 minute recess was taken at 8:25 P.M.  
The Board returned from recess at 8:33 P.M.

Mr. Thomas stated their intention right now is to develop, and the type of house is a scaled down version from the plans you will see here, but it is essentially the type of house that they will be placing on the lots, with the garage area to the front of the house.

Mr. Hilla stated the application he received for this review, did not have an application for this 4 lot subdivision. His concern is that this was not on file 10 days before the hearing and that it was unfair to the public that it was not on file. It is a very complicated application, and he doesn't feel the Board should go forward with this - the determination was proper, but not proper for the subdivision.

The applicants will come back on April 18, 1999 with new plans, and renderings and renotify property owners and publish in the paper.

The Rev. Santoro felt that the Board should at least hear what some of the neighbors have to say about this, and he felt the applicant should stay and hear them.

Mr. Cramer in addressing Rev. Santoro, said the problem here tonight, the applicant did not submit a form that this board uses in respect to his 4 lot subdivision, so there is no application for the Board to consider this evening. His noticing was not adequate in not mentioning the street address.

Michael Long, 53 Taylor Avenue wanted to know if he could submit an application "either - or" similiar to this application.

\* Mr. Rice stated there was a grant the town received, to study ways to accommodate, housing, flood plains, flood hazard zones, parking areas, beach trouble spots. Mellillo & Bauer were hired to come up with a redevelopment concept..

The regular meeting was adjourned at 8:30 P.M.

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

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PLANNING BOARD

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Please consider the following agenda for Tuesday April 20, 1999,  
Special meeting at 7:30 P.M., in Manasquan Borough Hall, 15  
Taylor Avenue, Manasquan, N. J..

AGENDA - MANASQUAN PLANNING BOARD

APRIL 20, 1999 - SPECIAL MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

SALUTE TO FLAG

7:30 P.M. - APPLICATION - 23-1999 - Condon/Ludwig -  
433-435-439 E. Main Street

INFORMAL PRESENTATION - Melillo & Bauer

Very truly yours,

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Municipal Clerk

PLANNING BOARD  
MANASQUAN PLANNING BOARD

MAY 4, 1999, - REGULAR MEETING MINUTES

The Manasquan Planning Board held their regular meeting on May 4, 1999, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan.

Chairman Christopher Rice opened the work session at 7:00 p.m. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - J.Miller, P.Dunne, C.Triggiano, N.Hamilton,  
Councilman Schmeling, R.Zanes, C.Rice,  
J.Burke.

ABSENT - D.Place, Mayor Winterstella, J.Tischio.

INFORMAL - Joseph Jackson - Bond Issue

Mr. Rice stated the request is to waive the Bond requirement for the Bed and Breakfast project. Mr. Triggiano made a motion to hold this over to the regular meeting, seconded by J.Miller and unanimously carried.

A motion to go into closed session on the Sprint matter, for 15 minutes was made, seconded and unanimously carried.

The Board returned from closed session at 7:35 P.M.  
Mr. Riced asked all to join in the Salute to the Flag.

ROLL CALL - J.Miller, P.Dunne, C.Triggiano, N.Hamilton,  
Councilman Schmeling, R.Zames. C.Rice, J.Burke, J.Tischio.

A motion by J.Burke to approve the minutes of March 25, 1999 seconded by C.Triggiano was unanimously carried.

A motion to approve the minutes of April 6, 1999 was made by J.Burke, seconded by C.Triggiano and unanimously carried.

RESOLUTION - 14-1999 - Joseph Carpinello - 86 Minnesink Rd.

A motion to memorialize was made by N.Hamilton seconded by Councilman Schmeling, followed by the following vote: "YES"-  
P.Dunne, C. Triggiano, N.Hamilton, Councilman Schmeling, C.Rice,  
J.Burke. ABSTAIN - J.Miller, J.Tischio, R.Zanes.

RESOLUTION- 13-1999 - Susan Ayers - 63 N. Jackson Avenue

A motion to memorialize was made by N.Hamilton, seconded by J.Burke followed by the following vote: "YES" - C.Triggiano, N.Hamilton, J.Tischio, J.Burke. "NO" - P.Dunne, C.Rice.  
ABSTAIN - J.Miller, Councilman Schmeling. R.Zanes.

A request from Joseph Jackson to waive the requirement of the Performance Bond, was made by C.Triggiano, seconded by J.Miller with the following vote: "YES" -J.Miller, P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, C.Rice, J.Burke. ABSTAIN - Councilman Schmeling, R.Zanes.

APPLICATION -16-199- Cont. Leonard Marotta -398-399 Beachfront. Councilman Schmeling excused himself from this application. J. Miller and R. Zanes both listened to the tapes of last month, and will be able to vote on this application. Kenneth Fortier, Attorney for the applicant came forward stating the applicant wants to build a deck on the beachfront. His client would like to build the deck coming in 1 ft. on each side with a width of 22 ft. and 14 ft. would be extending out on the beach front.

Mr. Marotta testified his house is 23.5 feet wide and the deck will be 22 feet. He testified the house at 401 is 18.2 wide and the deck goes right to the corners, house at 403 is 18.1 wide and the deck is 17.4, house at 405 is 18.7ft. and the deck is 18.7ft. wide. None of the houses meet the side yard setbacks.

Mrs. Dunne stated she hasn't heard anything about the 3 dwellings on one lot. She doesn't think this can be approved because the Master Plan doesn't let them do that. She hasn't heard anything about parking. Mr. Burke agrees with P. Dunne, but in this case, since there is no changing of the living areas within the house, he wouldn't consider it. The meeting was opened to the public with a unanimous vote.

David Duda, 401 Beachfront south of this application, and I oppose approval of this application. He stated he has lived there since 1949 every summer. He doesn't recall any issues of safety at this residence in going down stairs. By adding a non-conforming structure to a non-conforming lot makes it worse. He doesn't see how this is going to present undue hardship especially since it is going to be used solely for rental purposes. They aren't even living there, as they said under oath, they can't afford to live there.

Mrs. Marotta testified the steps are dangerous, as the door opens out and her daughter and baby fell backwards, as she had to step backwards to open the door. She also testified, they spend a lot of time there. It is only rented for 8 weeks.

A motion to close the public hearing was made and unanimously carried.

The Board proposed an 18x12 ft. deck with steps of 5 ft. wide to grade.

A motion to approve a use variance to construct the deck as stipulated by J. Burke, seconded by C. Triggiano, followed by the following vote: "YES" - J. Miller, P. Dunne, C. Triggiano, N. Hamilton, R. Zanes, C. Rice, J. Burke.

A motion to approve the deck at 18x12 ft. with necessary bulk variances was made by J. Burke, seconded by C. Triggiano, with the following vote: "YES"- J. Miller, P. Dunne, C. Triggiano,

N.Hamilton, R.Zanes, C.Rice, J.Burke, J. Tischio.

APPLICATION - 18-1999 - Suzanne Baldanza - 44 Fisk Avenue  
Suzanne Baldanza, 2519 Ramshorn Drive, Karen Baldanza, 44 Fisk Avenue and Reginald Gibson 44 Fisk Avenue came forward and were sworn in by Mr. Cramer.

Mr. Gibson testified they wish to construct an overhang over the front porch of the house. Right now the front stoop is at 22 ft.. Mr. Rice stated he has no problem with this as they are just making an improvement to the house. There were no comments from Board members.

Meeting was opened to the public. There being no comments from the public, motion to close the public hearing was made by J.Burke, seconded by C.Triggiano and unanimously carried.

Mr. Zanes made a motion to approve this application, seconded by J.Miller followed by the following vote: "YES" - J.Miller, P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, R.Zanes, C.Rice, J.Burke.

APPLICATION - 20-1999 - William Kopper - 53 First Avenue  
William Kopper, 53 First Avenue and Ann Kopper, 53 First Ave. were sworn in by Mr. Cramer.

Mr. Kopper testified, they have the same problem, with setbacks - there are 2 houses back 47 feet and everyone else is 21 feet. He testified they want to construct a shed roof over the front, but they have a water problem. He has had an awning there for 28 years, but the water still drives in.

Mr. Cramer marked photos as A-1. He testified it will not be enclosed and no lighting. The front yard setback is 19.2 ft..

The Board opened the meeting to the public. There being no comments, J.Burke moved to close the public meeting, seconded and unanimously carried.

Mr. Zanes made a motion to approve this application seconded by J.Miller, followed by the following vote: "YES"- J. Miller, P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, R.Zanes, C.Rice, J.Burke.

APPLICATION - 24-1999 - Clifford & Michele Brenner - 64 Rogers  
Michele Brenner - 64 Rogers Avenue and Clifford Brenner were sworn in by Mr. Cramer. Chairman C.Rice represents the Brenners, as he drew the plans, so he stepped down. Mr. Zanes will take over the meeting. Mr. Rice was sworn in by Mr. Cramer.

Mr. Rice stated the side yard setback is at 4.8 feet. An existing shed will remain. They wish to add a second floor. It will be aesthetically pleasing to the neighborhood. The Board had no problem with this application.

The meeting was opened to the public by J.Miller, seconded by

P.Dunne and unanimously carried.

There being no comments from the public, motion to close was made by J.Burke, seconded by J.Miller and unanimously carried.

A motion to approve this application was made by C.Triggiano, seconded by J.Miller followed by the following vote: "YES" J.Miller, P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, R.Zanes, J.Burke.

There was discussion on the new applications and the completeness of the applications. After Vito's report it will be sent out to Birdsall for the completeness report.

C.Triggiano had a question on the billing from Mr. Cramer. He feels that Mr. Cramer should not accept calls from T.J.Coan or any one that is not associated with the Board or Council. A motion to approve the bills was made by J.Burke, seconded by J.Miller and unanimously carried.

Mr. Schmeling said Ordinance 1796 was introduced last nite, which will change the zoning on the Curtis Avenue Property according to the resolution. Mr. Cramer will write a letter to Council, saying we support Ordinance 1796. A motion to approve was made by J.Miller, seconded by P.Dunne, and unanimously carried.

A motion to adjourn was made at 9:15 p.m. seconded and unanimously carried.

Respectfully submitted,

Marie Applegate, Secretary  
Manasquan Planning Board

**MEMORANDUM**

**TO: Mayor & Council  
Borough of Manasquan**

**FROM: Christopher Rice, Chairman  
Borough of Manasquan Planning Board**

**RE: Report on Zoning Ordinance Amendments Proposed for  
Adoption (Ordinance No. 1788-1999, Ordinance No. 1793-  
1999, and Ordinance No. 1796-1999)**

Please be advised that the Planning Board at the Board's regular public meeting of May 4, 1999 reviewed each of the above ordinances.

The Board recommends the adoption of Ordinance No. 1788-99 relative to special meeting fees and professional expenses incurred by the Board. The Planning Board ordinance amendment is consistent with recommendations previously made by the Board to Mayor & Council.

Additionally, the Board recommends the adoption of Ordinance No. 1793-1999 which ordinance amendment is consistent with prior recommendations made by the Planning Board.

With respect to Ordinance No. 1796-1999 the zoning map changes referenced in that ordinance amendment are consistent with the Board's previous suggestions. The Board has unanimously recommended the adoption of each of the above referenced amendments.

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

Incorporated December 30, 1887

732-223-1480  
FAX 732-223-1300

JOHN L. WINTERSTELLA  
Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD  
MANASQUAN PLANNING BOARD

MAY 18, 1999 - REGULAR MEETING MINUTES

The Manasquan Planning Board held their regular meeting on May 18, 1999, in Manasquan Borough Hall.

Christopher Rice opened the meeting at 7:00 P.M. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - D.Place, C.Triggiano, Councilman Schmeling,  
R.Zanes, C.Rice,  
ABSENT - J.Miller, P.Dunne, Mayor Winterstella,  
J.Burke, J.Tischio.

For the record - N. Hamilton arrived at 7:15 P. M..

INFORMAL - Robert Dombal - 66-68 Ocean Avenue.

Keith Henderson put himself on record as Attorney representing the applicant.

Mr. Henderson stated originally these properties were split length-wise, and the hearing before the Board of Adjustment, the Board subdivided the property. Part of that subdivision the Board merged the 2 front lots which were originally separate and created an easement down the middle for access to the back property. Mr. Dombal uses the back property for a summer home, intends to retire there. Recently he had occasion to become fed up with summer rentals, and wanted to put heat in the 2 front buildings, but could not do that since it would be an expansion of a non-conforming use because there is now 2 houses on the front lot. The question on an informal basis is whether or not the Board would entertain a request to convert this to 3 lots, 2 having the original configuration with half of the easement being on each lot. To the back property there would be no changes, perhaps a bulk variance for the air conditioner and heating units going in, and he would convert them to year round. There is a future hope that these are all going to be owned individually. If the Board looks at the photographs which were submitted as an exhibit, you will see that these are exceptionally maintained properties. Summer rentals were just not happy things for the Dombals.

Mr. Dombal stated that the winter rentals have broken windows and one tenant tried to set fire to one of the buildings, and there is a police report to substantiate that. We would just like some one on the premises in the winter to watch the property. He stated they have owned them for 20 years, and hope his son will inherit them at some time. It is his intention within the next 3 to 5 years to take the houses off the summer rental market, because our son, nieces and nephews are all asking if they can rent one of the houses for the summer. One will be upgraded for family use. The subdivision was perfected in 1996, so we are not seeking a further subdivision. Mr. Dombal stated they pay 3 tax bills and 3 water bills. The only changes on the property are 2 compressors.

Mr. Schmeling said he would rather have them come in for a Use Variance than a subdivision. The Board went along with Mr. Schmeling.

INFORMAL - Squan Historical Society

Keith Henderson, Attorney representing the applicant.

Requesting if the Board would entertain an application for a waiver of site plan approval.

1. We believe we satisfy the criteria set forth in the Ordinance for a waiver.

2. The proposed use of the property is of such a limited nature, that it should have no more impact on the surrounding neighborhood than a single family home which is exempt from Site Plan Approval. In fact, the purpose of the Society is to preserve the property as one of the original single family homes in the Borough.

3. The Society's purpose in acquiring and restoring the property is wholly eleemosynary and for the benefit of the citizens.

4. If the property were owned by the Boro as are historically preserved building in most surrounding communities, it would be exempt.

5. Because of the limited sources for funding the society, the requirement of a full Site Plan with attendant engineering costs would be prohibitively expensive and would delay the public's access to the property.

To reiterate, the purpose of this request is to inquire whether the Board would entertain a formal request for a Waiver of Site Plan approval. In fairness to the surrounding property owners and consistent with the Hearings before the Board of Adjustment, if the Board is inclined to consider such a request, we would do it on notice to property owners within 200 feet on the regular agenda of the Board.

They will make a formal request and notice the people within 200 feet. The Board didn't see any problem with it. Mr. Zanes only problem was with a sign.

REGULAR MEETING

Mr. Rice asked all to stand and join in the Salute to the Flag.

ROLL CALL - PRESENT - D.Place, C.Triggiano, N.Hamilton Councilman  
W.Schmeling, R.Zanes, C.Rice, J.Burke.

ABSENT - J.Miller, P.Dunne, Mayor Winterstella.

APPLICATION - 22-1999 - MGM Construction Corp.-398 E. Virginia  
Keith Henderson, Attorney representing the Applicant, came forward. This application involves property known as Block 137 Lots 1 through 9, also known as 398 E. Virginia Avenue. The application is for preliminary and final major subdivision.

Michael Grille and Charles Lindstrom were sworn in by Mr. Cramer. Applicant desires to resubdivide an existing approved subdivision of four lots consisting of 3 lots of 50 foot width each and one is 75 Ft. in width to 4 lots of 56 feet in width. All lots will exceed the bulk requirements of the zoning ordinance.

Mr. Grille testified he and Michael Grant each are 50% share holders.

Mr. Lindstrom testified he is a professional engineer and planner in the State of N. J. for 25 years. He was accepted as an expert. He testified he prepared a subdivision plot under his direction by his partner John Dissner.

The property is located on the corner of S. Jackson and E. Virginia Ave. it is level and rectangle, 225 ft. of frontage on E. Virginia Ave. and 101 ft. on S. Jackson Ave.. Right now it contains 1 existing dwelling. Block lines are broken down on the tax map. They are 25 ft. wide lots, that comprise the track of 225 feet. The general use in that area is residential and the size lots are generally 50 x 100 or so. Lots proposed under this application are 56.25 ft. in width with a depth of 101.68 ft.. The area on each lot is 5719 sq. feet, 5000 is required and the width required is 50 ft. and we do exceed that with the 56.25 ft. There is no CAFRA requirement as we are not within the 150 ft. of high water line. The intention is to meet all the required zoning requirements.

Design waivers requested, are for curb, gutter, sidewalks, shade trees and street lighting.

Being there are no curb and gutters in this area, he feels that curb would cause some drainage problems, by directing water to low points that do not have any drainage in this area. There are no sidewalks in this area, that is the reason for the waiver. The lots do have a number of trees, which they will attempt to preserve as many as possible.

There ia a Jersey Central pole in the center of the street, which he believes is sufficient. He addressed the report by Alan Hilla.

Councilman Schmeling said the town is trying to push curbing, and being that area of town doesn't have it, he doesn't want to see water at the end of the properties.

Utilities will be under ground as testified by Mr. Grille.

Meeting was opened to the public with a motion seconded and unanimously carried.

John Regan, Pine Avenue, wanted to know the setbacks on the rear property line. Mr. Rice said it is 20 feet.

Mr. Burke moved to close the public portion of the meeting, seconded and unanimously carried.

Mr. Zanes proposed to approve this application with the stipulations that the utilities will go under ground and that they will meet the requirements of the Boro Shade Tree Commission, seconded by J.Burke followed by the following vote: "YES" - D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, R.Zanes, C.Rice, J.Burke.

APPLICATION - 21-1999 - Carmen G. Triggiano - 26 N. Main Street  
Mr. Cramer in addressing Mr. Thomas, attorney for applicant, stated as you can note from the constituency of the Board here this evening, we will have only 4 individuals able to vote. I would suggest that you might want to consider a request for a continuance. Mr. Thomas stated yes that is true. We would like to continue and request that the board waive the requirements that the meeting be renoticed and that the public here tonight for the application be advised that their only notice of the new hearing will be by tonites announcement and that it will be continued until the next regularly scheduled meeting of the Board, which will be June 1, 1999.

A motion by J.Burke to continue this application to the June 1, 1999 meeting, without necessity for publication, seconded by D. Place, followed by the following vote: "YES" - D.Place, Councilman Schmeling, R.Zanes, J.Burke.

APPLICATION 25-1999 - Charles & Carol Lane - 387 First Avenue  
Keith Henderson put himself on record as Attorney representing the applicant. Block 186.01, Lot 15.  
Owner wishes to demolish existing dwelling and construct new one-family dwelling. R-5 Zone  
Applicant denied for 107-27 Lot Area 2700 sq. ft. required, 2499 sq.ft. existing. Lot Frontage - 40 ft. required, 25 ft. existing. Side Setback- 5 ft. required, south- 3.45 ft. proposed. Maximum Bldg. Coverage - 35% allowed, 44.02% proposed. A-5 Flood Zone - building must comply. Bulk Variance

Mr. Henderson has 3 witnesses. Charles Lane, Richard Grasso and Craig Stires, were all sworn in by Mr. Cramer.  
Mr. Grasso, 171 Main St., testified the property is a rather narrow lot, located on First Avenue. R-5 zone. Bulk variances seeking are lot area variance, frontage, side setback on one side. Front elevation was marked A-1 into evidence.  
Craig Stires came forward testified, he has been at the site quite a few times, as he is the Lane's son-in-law. He testified there are 5 or 6 houses in this area that are 2½ stories high.  
The Lanes just want a house big enough for their children and grand children.  
Mr. Henderson stated the size of the lot based upon the new survey is 2589.9 ft. and obviously the proposal is going to be the same. The percentage of the lot occupied by the building is 35.1%, which is over .1% of the allowable 35%. Lot coverage

is 37.89 ft. the height of the building would be 33'2". The frontage is 26.7', the side yard setbacks are maintained, the rear yard has been changed to 33 ft.

Mr. Lane testified his parents have owned the house since 1958, and they are both deceased and it was left to him and his wife. He testified the house is too small for his family and he would like to enlarge so he can have all his family down together. He has never rented the property and never will. There are 3 bedrooms on the second floor and there will be 2 more in the 1/2 story. 1 bathroom on the first floor, 2 on the second and 1 on the 1/2 story. The ceiling will be 7' in the 1/2 story.

A motion by J.Burke to open the meeting to the public was made, seconded and unanimously carried.

Georgia VonLutchin, 391 First Avenue who owns the house to the south, stated they have no objections to this building. It will be a great improvement. The Lane's are lovely people and they maintain their property.

Joan Harriman, 574 Perch Ave. who is across the street, agrees they are lovely neighbors, but has one comment about pulling it back 6 inches, it will make a difference in the size of the bedrooms.

Bill Buble, 573 Whiting Ave. thinks it's a great idea what the Lane's are doing and anything that will improve the neighborhood is a great thing.

A motion by C.Triggiano to close the public portion of the meeting seconded by N.Hamilton, was unanimously carried.

Mr. Zanes made a motion to approve with 3 provisions - 1 that the building line conforms to both the north & southerly homes, 2 - some shrubery plan and 3 that the building conform with the lot coverage provision, seconded by D.Place, followed by the following vote: "YES" D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, R.Zanes, C.Rice. "NO" - J.Burke.

The Board voted for a 5 minute recess at 8:50 P.M.

The Board returned from recess at 8:55 P.M.

RESOLUTION - 16-1999 - Leonard Marotta - 398-399 Beachfront  
A motion to approve this resolution was made by C.Triggiano, seconded by J.Burke, followed by the following vote: "YES" C.Triggiano, N.Hamilton, Mayor Winterstella, R.Zanes, C.Rice, J.Burke.

RESOLUTION - 18-1999 - Suzanne Baldanzawq - 44 Fisk Avenue

A motion to approve was made by C.Triggiano, seconded by J.Burke, followed by the following vote: "Yes" - C.Triggiano, N.Hamilton, Councilman Schmeling, R.Zanes, C.Rice, J.Burke. ABSTAIN-D.Place.

RESOLUTION - 20-1999 - William Kopper - 53 First Avenue  
A motion to approve was made by Councilman Schmeling, seconded by N.Hamilton, followed by the following vote: "YES" - C.Triggiano, N.Hamilton, Councilman Schmeling, R.Zanes, C.Rive, J.Burke.

RESOLUTION - 24-1999 - Clifford Brenner - 64 Rogers Avenue  
A motion to approve was made by Councilman Schmeling, seconded by J.Burke, followed by the following vote: "YES" - C.Triggiano, N.Hamilton, Councilman Schmeling, R.Zanes, J.Burke. ABSTAIN - C.Rice.

A motion to approve the bills was made by C.Triggiano, seconded by J.Burke and unanimously carried.

Councilman Schmeling discussed the letter from Melillo & Bauer on the Redevelopment Concept, which was a grant for \$10,000. which was obtained by R.Zanes. The bill was submitted from them for \$15,000. and they are looking to see if they could receive any reimbursement for the over expenditure. Alan Hilla said there would be a small bill from them. Councilman Schmeling said the Council had nothing to do with this, it was through R.Zanes and R.Dunne.

Mr. Rice thought the presentation should be made to Council and the Planning Board before the public presentation is made.

Mr. Rice asked the Board to have Councilman Schmeling report back to the Council for two more presentations, one for Council and one for the public in the future and recommend to Council to find a way to pay for a portion or all of the fees.

Mr. Place went on record that he doesn't feel they should be paid \$5,000. more for 2 presentations, The work they did was outstanding and he really liked it, but there are ways of telling people that this is going to cost more than we originally anticipated and there are ways to handle it, but you don't handle it by making the presentation and then saying "by the way" I spent more hours than I thought I was going to.

A motion to approve the bills was made by J.Burke, seconded by C.Triggiano, and unanimously carried.

There being no more business, a motion to adjourn at 9:30 P.M. was made, seconded and unanimously carried.

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

Incorporated December 30, 1887

732-223-1480  
FAX 732-223-1300

JOHN L. WINTERSTELLA  
Mayor

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

**PLANNING BOARD**

Dear Manasquan Board Members:

Please consider the following Agenda for the May 18, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA  
MAY 18, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman  
ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings:
  - (a) Robert Dombal -66-68 Ocean Avenue
  - (b) Squan Historical Society
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Motion on Minutes
3. Consent Agenda
  - A. RESOLUTION - 16-1999 - Leonard Marotta-398-399 Beachfront
  - B. RESOLUTION - 18-1999 - Suzanne Baldanza- 44 Fisk Avenue
  - C. RESOLUTION - 20-1999 - William Kopper - 53 First Avenue
  - D. RESOLUTION - 24-1999 - Clifford Brenner-64 Rogers Ave.

END OF CONSENT AGENDA

APPLICATION - 22-1999 - MGM Construction Corp. 398 E. Virginia

APPLICATION - 25-1999 - Charles & Carol Lane - 387 First Ave.

APPLICATION - 21-1999 - Carmen G. Triggiano - 26 N. Main St.

- 4.- APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

Marie Applegate, Secretary  
Manasquan Planning Board

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BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
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PLANNING BOARD

COLLEEN SCIMECA  
Municipal Clerk

COMMUNITY BLOCK GRANT HEARING

June 1, 1999, 6:45 P.M.  
Manasquan Borough Hall, 15 Taylor Avenue  
Manasquan, N. J.

MINUTES

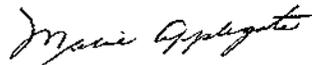
On June 1, 1999, a Community Block Grant hearing was held in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J.. Mayor John Winterstella called the hearing to order at 6:45 p.m., announcing that, as years past, this hearing was being held in conjunction with the regularly scheduled Manasquan Planning Board meeting. He stated it was an open public meeting which had been advertised according to law.

Mayor Winterstella stated a grant has been requested for the repaving, sidewalks and curbing on North Main Street between Sea Girt Avenue and Atlantic Avenue, which is a very needed project. It is the same application that they received support on last year, but last year they hadn't completed the application on the high school, so they had to withdraw.

The Mayor opened the public forum, but there were no comments.

There being no further business and no comments, the hearing was adjourned at 7:00 P.M..

Respectfully submitted,



Marie Applegate, Secretary  
Manasquan Planning Board

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15 TAYLOR AVENUE  
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Mayor

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

**PLANNING BOARD**

Dear Manasquan Board Members:

Enclosed please find a copy of the Minutes for the Special Meeting of April 20, 1999. Please consider the following Agenda for the June 1, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

**MANASQUAN PLANNING BOARD AGENDA  
JUNE 1, 1999 - REGULAR MEETING**

Sunshine Law Announcement - Chairman  
ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion: Approval of Applications
2. Informal Hearings:
  - (a)
  - (b)
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
  2. Motion on Minutes
  3. Consent Agenda
- A. RESOLUTION - 22-1999 - MGM Const. Corp.-398 E.Virginia
- B. RESOLUTION - 25-1999 - Charles Lane - 387 First Avenue

END OF CONSENT AGENDA

APPLICATION - 21-1999 - Carmen G.Triggiano - 26 N. Main Street  
APPLICATION - 17-1999 - Diane Noble - 125 Sea Girt Avenue  
APPLICATION - 19-1999 - James O'Neill - 76 Allen Avenue  
APPLICATION - 27-1999 - Harold Neill - 107 Colby Avenue  
APPLICATION - 29-1999 - Michael Ellery - 2 Pearce Court

- 4.- APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

Marie Applegate, Secretary  
Manasquan Planning Board

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Municipal Clerk

PLANNING BOARD  
MANASQUAN PLANNING BOARD

JUNE 29, 1999 - SPECIAL MEETING MINUTES

The Manasquan Planning Board held a special meeting on June 29, 1999, in Manasquan Borough Hall.

Chairman Christopher Rice opened the meeting at 7:30 p.m., stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

Mr. Rice asked all to stand and join in the Salute to the Flag.

ROLL CALL - PRESENT - P.Dunne, C.Triggiano, Councilman  
Schmeling, Mayor Winterstella, J.Tischio,  
R.Zanes, C.Rice, J.Burke.  
ABSENT - J.Miller, D.Place, N.Hamilton

Mr. Rice stated this is a special meeting for Sprint Corporation.

APPLICATION - 35-1998 - Sprint Corp. - 600 Sea Girt Avenue  
Raymond Shea, of Levin, Shea, Pfeffer & Topas, put his appearance on record as Attorney representing the applicant.  
Other council appearing are Scott Thompson, representing the Borough of Sea Girt and Thomas Alexander for Edgar's Pub.

Mr. Thompson stated he understands this is a remand from the Superior Court, based on Judge Lawson's orders. He's not quite sure what they are remanded here for, are we proceeding for a use variance for are we proceeding as a question of interpretation?

Mr. Cramer stated the Judge specifically states that the purpose of the remand was made for addressing if the use of the application was properly before the Manasquan Planning Board or if a Use Variance from the Zoning Board of Adjustment is required. It raises the very material issue of whether or not this use is proposed for the site of the Sprint Corp. is a permitted use in the terms of the zoning ordinance.

Mr. Thompson stated if that is in fact the case, he believes that this would be a zoning Board issue, because it would be and interpretation, as to whether or not this is a permitted use, in which case the Mayor and Council member would not be appropriate members of the body to make that determination.

Mr. Cramer stated the context of the Borough of Manasquan, there is no Zoning Board of Adjustment, as you may be aware. The Zoning Board of Adjustment was abolished and it's functions and powers were assumed and absorbed by the Planning Board. The Planning Board has all the powers that were previously vested in that Board of Adjustment, which would include review of the Zoning Ordinance and it's interpretation.

Mr. Shea stated in his view, the Judge's order essentially said

to the Boro of Manasquan and the applicants involved in the litigation, he wants to hear from the Board, why you felt it was not necessary to seek a use variance if you had jurisdiction, that was his understanding of the order. He said the purpose of their appearing before the Board tonight was to supplement the record on that very issue, so that you can be heard. It is his view that this is essentially your presentation, your show to the Judge in the Monmouth County Superior Court. It is his view that the Planning Board had jurisdiction because it was a permitted use. Mr. Shea made reference to two cases in New Jersey. It is his view that the Planning Board has jurisdiction to pass on this.

Mr. Cramer said the Judge made it specifically to the Manasquan Planning Board for the sole purpose of addressing whether this application was properly before it, and he believes that the fundamental issue before this board, and there is no indication here that this board is going to be convened as a Board of Adjustment to consider that remand. He believes Mr. Shea is absolutely correct on the law. He feels that this Board continue this hearing.

Mr. Shea stated for the record, since the date of the last hearing and the Judge's decision, the applicant obtained a new list of property owners, certified within 200 feet and a notice was mailed on June 18, 1999. In addition that very same notice was served upon all interested parties who were identified in the transcript and who appeared at the Board meeting on October 20, 1998, which included Counsel for the objectors, and any other parties who appeared and provided an address for that purpose.

Mayor Winterstella wanted to know, if he sits out, can he still testify. Mr. Cramer sees no reason why he should sit out. Mayor Winterstella would like to speak on this, as he thinks he has something to add to this. He was the one to sign this ordinance and he knows what the language was put in it to do. He would like some input, but he doesn't want to jeopardize this and have it come back again because it was heard by the wrong Board.

Mr. Shea said if the intent is to do justice and reach a just decision, he has no objections to the Planning Board sitting, reaching a decision and then convening as the Zoning Board went out, the two members who are disqualified by the statute, having a separate vote taken by the Zoning Board, that way all bases are covered and all down sizes are eliminated.

Mr. Thompson doesn't think it's acceptable to take 2 votes, he has never heard of that being done.

Mr. Cramer stated it was specifically remanded to the Manasquan Planning Board for the purpose of addressing. Only the Planning Board can take a vote to see whether or not it determines that this application is properly before it, or if a use variance from the Board of Adjustment is required. That's my legal opinion.

William F. Masters, Jr. who testified in Oct. at the earlier hearing as a Professional Planner was sworn in by Mr. Cramer. Edward Herbst, also testified in Oct. at the earlier hearing as a Licensed Architect in this field, was sworn in by Mr. Cramer.

Mr. Herbst testified he read the Judge's decision and realizes he is here for the purpose of examining the ordinance in question and looking at the evidence presented in this case and has reviewed the transcript. He testified, the ordinance specifically mentions telephone, telegraph communications office. This building is commonly known even by insurance underwriters, as a central telephone office, referred to as a central switching office, with the same contents as is in this facility. It involves people to support the equipment, the equipment itself, and standby equipment to run it in case of loss of service. This is a direct descendant of Morse Code.

Mr. Shea quoted from 107-13 Sub Paragraph A - "Telephone, telegraph and other similar communications office facilities". Mr. Herbst testified, this is squarely within that phraseology. He testified telephone and other similar communications office facilities describes it best. Marked for reference R-A1 was literature from Alexander Graham Bell the life and time of the man who invented the telephone. Mr. Herbst testified this building acts as a point at which telephone and data communications traffic is ensembled and processed in a way that it can be passed through the cable and signals received from Europe are then decoded and expanded out to data or voice communications, then distributed to carriers and distributed to the homes of people in this area and throughout the country. This is the latest technology, actually being developed and enhanced as we speak, so that the volume of traffic that is carried through any one conduit, the cable to Europe is the narrowest point of this whole circuit.

Mr. Cramer quoted from the B-1 Business Zone of Manasquan. "In the B-1 Business Zone, the following uses are permitted. A - Principal permitted uses # 7 - Telephone, telegraph and other similar communications office facilities".

Mr. Herbst stated there are 2 other offices that run 24 hours, they are Petat and Gemeni.

MR. Alexander in questioning Mr. Herbst, asked if in his opinion

that a switching station is an office? Mr. Herbst said he wasn't sure what a switching station is. Mr. Herbst stated for landing cables it is called cable head, cable terminal, there are switches, terminal facilities, there are a variety of names used.

Mr. Masters, Planner, came forward and testified he reviewed the ordinance in light of the testimony that he was present and listened to with respect to the application which was granted approval. Mr. Masters testified back in October 20, 1998, the original public hearing that the B-3 Use was a permitted use in the zone. The B-1 zone also provides under section 5 the permitted uses "business and professional offices", it's an important distinction that the governing body made the distinction that in addition to provide for business and professional offices they also saw fit to call attention specifically to telephone, telegraph and other similiar communications office facilities. His conclusion again, is that the use proposed by the applicant is a permitted use in the B-3 zone. He subitted copies of a section in the Planning Book The New Illustrated Book of Development Definitions, by Harvey Moskowitz and Carl G. Lindbloom, date of book 1993, page 187 which contains the definition of office, marked as exhibit R-A2 into evidence.

Mr. Thompson questioned Mr. Masters as to office definition. Mr. Alenander questioned Mr. Masters on a landing station. Mr. Masters stated beyond a landing station is an office, which would have qualified personel on duty.

Eugene Ginley, a stock holder in the corporation of Edgar's Pub, came forward and was sworn in by Mr. Cramer. He testified he was employed in the telephone communications industry for 17 years, starting out with N. J. Bell Telephone Co. and ending his career with Bell Atlantic in 1996. Prior to that he worked for the State of N. J. for the Board of Public Utilities and then for the Office of Administrative Law as an Administrator Law Judge. During the course of time with N. J. Bell he visted hundreds of facilities and those included many of the switching stations, and he has never heard them referred to as an office. They were generally referred to as class 5 switches, class 4 etc.. He testified he was on the record as one of the objectors. He testified he is an Attorney and a principal stock holder of Edgar's Pub. He was admitted as a licensed Attorney in N. J. in 1971. He testified he is on an inactive status at the present time.

Mr. Shea asked if he was aware that as an inactive attorney in the State of N. J., you may not represent a corporate client before a public meeting. Mr. Ginley didn't know what this has to do with the corporation. Mr. Thompson objected, as this is a public meeting and he has the right to speak.

Mr. Shea asked if he was on inactive at the meeting of October 20, 1998. Mr. Thompson objected. Mr. Shea stated if your refusing to answer the question, I'll move on. Mr. Ginley would like the Board Attorney to rule on the question.

Mr. Shea asked Mr. Ginley if he has some financial interest in the Pub and Mr. Ginley answered yes. Mr. Ginley testified he is a Corporate Officer of the Corporation, also a member of the Board of Directors.

Mr. Shea asked if he stands to benefit by the compute of this application. Mr. Ginley testified he does in the sense that the Corporation's opposed to it and has since the beginning. Mr. Ginley testified he was a participant in an agreement with Sprint regarding the purchase of property in Manasquan. Mr. Ginley testified they did enter into an option agreement at one time, but the option is not now valid.

Mr. Shea stated, based on the extensive testimony given at the hearing, given the identity and nature of this building and the use to which it is intended, that we more than satisfy your local ordinance. While I have no objections to the remand by the Judge, I respectfully submit to you without a shadow of a doubt everything you've heard should confirm that this is a communications office, supported by the testimony of Mr. Herbst and Mr. Masters tonight.

The Board took a 5 minute recess at 9:05 p.m..  
The Board returned from recess at 9:10 p.m.

Mr. Thompson said he grew up across the street from a telephone office, and this is not an office, telephone, telegraph, pony express or otherwise. This is simply a warehouse type facility, where a cable is coming out of the ground, it's being serviced and maintained by several employees who don't offer service to Manasquan, customers do not come to this building, it is not an office. He stated that is what you have to look at in terms of what your ordinance provides for. It's not an office facility, it's trying to be shoe horned into an office facility.

Mayor Winterstella felt that it was not the intent of the Planning Board and the Borough Council and certainly it has his signature on it, not to include this kind of a building and use in the definition of telephone, telegraph and other related communication facilities.

Mrs. Dunne was on the Planning Board at that time and she concurs that that was true with both Petat and Gemini and they never heard any objections to that type of an office facility.

Meeting was opened to the public for questions and comments on this application.

There being no comments the public portion of the meeting was closed.

A motion by C. Triggiano, as to whether or not the application that the Board heard in October 1998, was properly heard by the Board with the findings and conclusions being that the application as presented was for a structure and a use that was permitted in a B-3 Zone, seconded by J.Burke, followed by the following vote: "YES" - P.Dunne, C.Triggiano, Mayor Winterstella, R.Zanes, C.Rice, J.Burke. Abstain - Councilman Schmeling.

A motion to adjourn the meeting at 9:30 p.m. was made, seconded and was unanimously carried.

Respectfully submitted.



Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

Incorporated December 30, 1887

732-223-1480  
FAX 732-223-1300

JOHN L. WINTERSTELLA  
Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08736  
PLANNING BOARD

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Please consider the following agenda for Tuesday June 29, 1999,  
Special meeting at 7:30 P.M., in Manasquan Borough Hall, 15  
Taylor Avenue, Manasquan, N. J..

AGENDA - MANASQUAN PLANNING BOARD

JUNE 29, 1999 - SPECIAL MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

SALUTE TO FLAG

7:30 P.M. - APPLICATION - 35-1998 - Sprint Corporation  
Court ordered remand

Very truly yours,



Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

JOHN L. WINTERSTELLA  
Mayor

Incorporated December 30, 1887

**BOROUGH OF MANASQUAN**  
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COLLEEN SCIMECA  
Municipal Clerk

**PLANNING BOARD**

Dear Manasquan Board Members:

Enclosed please find a copy of the Minutes of the June 1, 1999, meeting. Please consider the following Agenda for the July 6, 1999 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA  
JULY 6, 1999 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion:
2. Informal Hearings:
  - (a) Brian Luther (Kevin Thomas, Esq.)
  - (b) James Bogan - extension of time for filing.
3. Private Session:
  - (a) Personnel Matters
  - (b) Litigation

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Motion on Minutes
3. Consent Agenda
  - A. RESOLUTION - 21-1999 - Carmen G. Triggiano - 26 N. Main
  - B. RESOLUTION - 17-1999 - Diane Noble - 125 Sea Girt Ave.
  - C. RESOLUTION - 19-1999 - James O'Neill - 76 Allen Ave.
  - D. RESOLUTION - 27-1999 - Harold Neill - 107 Colby Ave.
  - E. RESOLUTION - 29-1999 - Michael Ellery - 2 Pearce Court

END OF CONSENT AGENDA

- APPLICATION - 26-1999 - Michael Collins, Jr. - 82 Ocean Ave.  
APPLICATION - 28-1999 - Stephen Del Guercio - 46 Curtis Ave.  
APPLICATION - 30-1999 - Michael & Anne Marie Sniffen  
45 Beachfront  
APPLICATION - 31-1999 - Larisa Radke & Michael Wright  
46-47 Beachfront

4. - APPROVAL OF VOUCHERS
5. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS.
6. - REPORTS OF SUBCOMMITTEES OF BOARD.
7. - AUDIENCE PARTICIPATION.

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
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JOHN L. WINTERSTELLA  
Mayor

**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

~~MANASQUAN PLANNING BOARD~~  
PLANNING BOARD

JUNE 1, 1999 - REGULAR MEETING MINUTES

The Manasquan Planning Board held their work session and regular meeting on June 1, 1999, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J.

Mayor Winterstella called the Board to order at 6:45 p.m. stating a grant has been requested for the repaving, sidewalks and curbing on North Main Street between Sea Girt Avenue and Atlantic Avenue, which is a very needed project. It is the same application that they received support on last year, but last year they hadn't completed the application on the high school, so they had to withdraw. It will probably be about 9 months out before it will begin.

The public forum was opened, but there were no comments.

Chairman Christopher Rice opened the work session at 7:00 P.M. stating this is an open public meeting, held in accordance with the Open Public Meeting Act and held according to law.

ROLL CALL - PRESENT - J.Miller, P.Dunne, D.Place, C.Triggiano  
N.Hamilton, C.Rice, J.Burke  
ABSENT - Councilman Schmeling, Mayor Winterstella,  
R.Zanes, J.Tischio.

For the record, Mayor Winterstella arrived at 7:10 P.M.

The Board had discussion on the new applications. Mr. Miller stated this has been back and forth to the Boro Attorney's office 4 times, revised, revised, revised and finally sent back to him saying this is good. This has been going on for over a year. It was decided to have a sub-committee, consisting of N.Hamilton, P. Dunne and J. Burke to look it over for any errors and report back to the Board by the next meeting.

Mr. Cramer stated he has received a request from the Sprint Corp., for a special meeting, due to the Court remand. Mayor John Winterstella made a motion to schedule the special meeting for June 29, 1999 at 7:30 P.M. with a fall back date of June 22, 1999 seconded by J. Burke and unanimously carried.

REGULAR SESSION

Mr. Rice opened the regular session at 7:30 P.M. stating this is an Open Public Meeting, held according to the Open Public Meetings Act. and held according to law.

ROLL CALL - PRESENT - J. Miller, P. Dunne, D. Place, C.Triggiano,  
N.Hamilton, Mayor Winterstella, C.Rice,  
J. Burke.  
ABSENT - Councilman Schmeling, J.Tischio, R.Zanes.

Mr. Rice asked all to stand and join in the Salute to the Flag.

A motion to approve the minutes of April 20, 1999 was made by C.Triggiano, seconded by J.Burke and unanimously carried. Mayor Winterstella abstained.

APPLICATION - 21-1999 - Carmen Triggiano - 26 N. Main Street  
C. Triggiano stepped down as he is the applicant, C.Rice stepped down as professional involved in the application  
Vice Chairman Dave Place took over the meeting.  
Kevin Thomas put himself on record as Attorney for applicant.  
Witnesses sworn in by Counsel were - Carmen Tirggiano, Charles Gilligan, Professional Planner and C. Rice the Architect.

The following exhibits were marked into record - A-1 The application, A-2 the public notice, A-3 affadavit of publication from the Coast Star, A-4 Review letter of Vito Marinaccio A-5 Birdsall Engineering review of 4/29/99 by Alan Hilla, Jr. A-6 Four page set of plans, prepared by Christopher Rice of 1/20/99. A-7 Area map on board prepared by Gilligan Engineering, of subject property. A-8 Board of Adjustment Resolution 17-80.  
Mr. Triggiano testified he and his wife are the owners of the property at 26 N. Main St. He took title of the property in 1967 or 68 and has owned it continually since that time. They own the lot next to it Lot 1.05, block 32. There is a barber shop on the first floor and a 3 room 1 bedroom apartment along side of it, and a 4 room 2 bedroom apartment up stairs. The botton apartment is not rented, but the upstairs one is. Utilities for the first floor are separate and the utilities for the upstairs are also separate. He testified he had the approval for the barber shop back in 1980 and has been operating since 1981. He testified they propose to add a family room on the back of the property and are planning to move there permanently. Right now they reside at 50 Central Avenue. Mr. Triggiano is the operator of the barber shop. The downstairs apt. will be occupied by the Triggiano's and will keep the upstairs apt. as a rental. There is parking in the rear for about 6 or 8 cars and 2 in the driveway.

Mr. Charles Gilligan, Gilligan Engineering, came forward testifying he has reviewed the plans and application. This being in a B-1 zone, you are allowed to have an apartment above a business. That apartment has to be 800 sq. feet or larger. The access to the 2nd floor apartment is from the rear of the property. The stairs will be widened and brought up to code. Besides the use variance, a variance is needed for the excessory structure in the rear, which is approx. 1 ft. off the property line, also a building coverage on this property.

A motion and second to open to the public was made and unanimously carried. There being no comments from the public, a motion and second were made to close this portion to the public and unanimously carried.

J. Miller made a motion for a favorable resolution on this application as presented to the Board, along with a variance for the set backs for the accessory building, seconded by J. Burke, followed by the following vote: "YES" J. Miller, P. Dunne, D. Place, N. Hamilton, J. Burke.

A motion for a 2 minute recess was made seconded and unanimously carried.

The Board returned from recess at 8:10 P.M.

APPLICATION - 17-1999 - Diane Noble - 125 Sea Girt Avenue  
Douglas J. Widman, Widman, Cooney & Barrett, put himself on record as Attorney representing the applicant.  
Witnesses sworn in by Mr. Cramer, were Diane Noble, and Jim Higgins, a certified Planner.

Mr. Widman stated this application is before the Board, based on a violation notice that was sent, indicating there was a potential violation of ordinance 107-23 1. He stated there is no place in the ordinance which prohibits trees in the excess of 4 feet. They are proposing to go ahead with the application for variance.

Diane Noble testified she purchased the property in the fall of 1987. She knew the property was next to a business zone. She planted small trees along her line, to act as a buffer from the business property, to give her a little more privacy. She has 3 children, 2 are still living home. Photos were marked A-1 to A-10 for purpose of identification. A-3 shows the full growth of the hedge she planted. She testified she is willing to remove one tree that is closest to the street and will ammend her application. She will replace it with a 4 foot shrub. She would not have bought the house if she knew she couldn't plant the shrubs there.

Mr. Higgins, a Licensed Professional Planner and a Certified Landscape Architect, came forward and gave testimony on the property. Her proposal is to remove the existing shrub on the end and put a 4 ft. high shrub there, giving a line of site from the driveway. He suggested she put in a globe arborvitae.

C. Triggiano made a motion to open the meeting to the public, seconded by J. Miller and unaniously carried.

John Tawgin came forward stating he has the property next to Ms. Noble, and the issue here is whether it violates the zoning, as it obviously does, it is over 4 ft. and you can't see. The real issue is the safety issue, as you can't see when we are backing out of our driveway. If you remove 1 bush it's not going to help. As far as the business itself, we are closed at 5:30 every day and it's not open on weekends, and there is a safety problem with those shrubs.

There being no more coments C. Triggiano made a motion to close

the public portion, seconded by N.Hamilton and unanimously carried.  
Mrs. Dunne feels 2 trees should come out for safety reasons.

A motion to approve this application was made by J.Miller that the existing trees to a point of 15 Ft. from the outside of the curb line back along the easterly property line be removed and be replaced with globe arborvitae and maintained to a 4 ft. height, seconded by C. Triggiano, followed by the following vote: "YES"- J.Miller, P. Dunne, D. Place, C.Triggiano.  
N.Hamilton Mayor Winterstella, C.Rice, J.Burke.

APPLICATION - 19-1999 - JAMES O'Neill - 76 Allen Avenue.  
Mr. Burke stepped down as he has a financial conflict and Mr. Place also stepped down as he is an adjoining property owner, Mr. Rice stepped down as a personal professional.  
Mayor Winterstella took over for Mr. Rice.  
James O'Neill and Mr. Rice were sworn in by Mr. Cramer.  
Mr. O'Neill testified he resides at 76 Allen Avenue stating he would like to put a porch on the front of the property.  
With reference to the letter he received from Birdsall Engineering, on the Hardship criteria, if you look at the survey, "I can't move the house because of the property line, there is a creek in the rear and it is wet lands". The setback in the front is 35 ft. from the porch to the front of the property. The porch will have a hip roof and it will increase the look of the property.

A motion to open to the public by J.Miller, seconded by P.Dunne and unanimously carried. There being no comments from the public, a motion to close the public session was made by P.Dunne seconded by J.Miller, and unanimously carried.

A motion to approve this application with an updated survey was made by N.Hamilton, seconded by P.Dunne, followed by the following vote: "YES" J.Miller, P.Dunne, C.Triggiano, N.Hamilton, Mayor Winterstella.

APPLICATION - 27-1999 - Harold Neill - 107 Colby Avenue  
Owner wishes to construct a second floor and add a porch on the Colby Avenue side. R-2 zone. This application denied for 107-27 - Rear yard setback - 20 ft. required, 14 ft. existing & proposed. Maximum Building Coverage - 30% allowed, 31% proposed. The front yard is the yard abutting Stockton Lake Blvd. as that street is the major street. A-5 Flood Zone, construction must comply.  
Mr. Hamilton excused himself as he is within 200 ft. of the applicant.  
Erica Neill and Harold Neill were sworn in by Mr. Cramer.  
Mr. Neill testified they are before the Board for a Hardship variance, as they would like to add 2 bedrooms over the existing structure. Right now the structure is 1,000 ft., the proposed

would be to put 1,200 ft. on top of the existing structure. On the original application, they were going to put an addition to the garage and add a front porch, but they decided not to do that, and are going to stay within the existing envelope. We basically need space as we have 2 children. Have owned the property for 8 years. There will be 3 bedrooms up stairs, a family room downstairs. They will open up the walls in the downstairs structure, to make it a more enjoyable home. Mr. Neill testified he drew the plans. The Board decided to stay with Mr. Ratz's termination on the front of the house.

A motion to open to the public was made, seconded and unanimously carried. There being no comments, the session was closed to the public, with a motion and second and unanimously carried.

A motion for a favorable resolution was made by D.Place, seconded by P.Dunne, followed by the following vote: "YES"- J.Miller, P.Dunne, D.Place, C.,Triggiano, Mayor Winterstella, C.Rice, J.Burke.

APPLICATION - 29-1999 - Michael Ellery - 2 Pearce Court. Owner wishes to construct a 12 ft. x 18 ft. attached garage. R-3 Zone. Denied for 107-27 Side setback (corner) 7 ft. required, 1.77 ft. proposed., Rear setback - 20 ft. required, 7 ft. proposed. Maximum Building Coverage (buildable land)- 35% allowed, 41% proposed. A-5 Flood Hazard Zone. Michael Ellery, 2 Pearce Court, Paul Lawrence, Architect of Ricard P. Grasso, and Richard Masti, Monmouth County, were sworn in by Mr. Cramer.

Mr.Ellery testified on sheet A-1 Architecturals, the area most parallel to Main St. is a permanent construction easement to the Main St.Bridge construction. His intent 4 years ago was to build a garage, but due to the Main St. project, it was posponed, until he knew what property was going to be taken by the County. He testified there will be a fiberglass deck on the top, off the master bedroom, and he is trying to get as big a garage as he can get, with using what property he has.

Mr. Lawrence stated the garage is an improvement over the existing situation where it's covering the off street parking. It would get him off the street, give him additional storage, taking things out of the yard, which is a very small space. The adjacent properties are open and would be maintained as open areas. These setbacks while very small are not a detriment to the neighborhood. The wall along the bridge will be 6 ft. high which will give a little more privacy to the property, and a guard rail around to Pierce Court, that will protect more. Mr. Ellery testified there will be 5 ft. from the bridge to his garage. Bridge will be raised 3 ft.. He testified he has owned the property 4 years.

A motion and second to open this portion to the public was made and unanimously carried.

Tom White, owns the property across the street on Pierce Court, saying it would be good for the area.

John O'Byrne, 25 Perrine, believes it would be good for the area too.

No more comments from the public, a motion to close the public session was made seconded and unanimously carried.

Mr. Hilla felt that County Planning Board approval should be given before this application is approved.

Mayor Winterstella stated the County is well aware of this and to get the County Planning Board to sign off on this is going to be more of a Bureacratic change. The County Engineers office and the County Bridge Dept. is satisfied they have enough area. For the record, Mr. Masti testified he has looked at this project and has spoken to the County Engineer and there is no problem with this structure.

Mrs. Dunne feels this is not a good design and it will hit you right in the face as you walk across the bridge, it is too close to the walkway.

Mayor Winterstella made a motion to approve the application, seconded by J.Burke, followed by the following vote: "YES" J.Miller, D.Place, C.Triggiano, Mayor Winterstella, C.Rice, J.Burke. "NO" - P. Dunne and N.Hamilton.

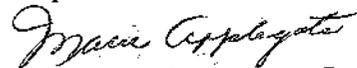
RESOLUTION - 22-1999 - MGM Const. Corp., 398 E. Virginia Ave.  
A moiton to approve the resolution was made by C.Triggiano, seconded by N.Hamilton, followed by the following vote:  
"YES" - D.Place, C.Triggiano, N. Hamilton, C.Rice, J.Burke.  
ABSTAIN - P.Dunne, Mayor Winterstella.

RESOLUTION 25-1999 - Charles Lane - 387 First Avenue  
A motion to memorialize the resolution was made by C. Triggiano, seconded by N. Hamilton, followed by the following vote:  
"YES" -D.Place, C.Triggiano, N.Hamilton, C.Rice.  
ABSTAIN - P.Dunne, Mayor Winterstella.

A motion to pay all invoices was made by P.Dunne, seconded by J.Burke and unanimously carried.

A motion to adjourn at 10:05 was made by C.Triggiano, seconded by J.Burke and unanimously carried.

Respectfully submitted,



Marie Applegate, Secretary  
Manasquan Planning Board