

MANASQUAN PLANNING BOARD -2000

Case No.	Name	Address	Hearing Date	Type of Variance	Approval Date	Denial Date
8-2000	Rostron, T.	Colby Ave.	01/04/00	Use & hardship	01/04/00	
9-2000	Adamczyk, Dr. Michael	353 Beachfront	01/04/00	Use & hardship	01/04/00	
44-1999	Gardner, L.	130 Union	01/04/00	Use & site plan	01/04/00	
10-2000	Pospisil, W.		02/01/00	Hardship		02/01/00
11-2000	Lisk, M & K	352 Cedar	03/07/00	Hardship	03/07/00	
12-2000	Robinson, S.	261 Beachfront/ 260 First Av	03/07/00	Use	03/07/00	
13-2000	H. Wright	189 Beachfront	03/07/00	Minor subdivision	03/07/00	
14-2000	Resolution					
15-2000	Tynday, L.	173 Beachfront	06/13/00	Use		06/13/00
16-2000	Sudol, M	129 Beachfront	04/04/00	Use & hardship	04/04/00	
17-2000	Sanguini, Virginia	130 Glimmer Glass Circle	04/04/00	Hardship	04/04/00	
18-2000	Polito, B.J.	40 Pearce Ct	04/04/00	Hardship	04/04/00	
19-2000	Ratification confirming resolution 14-2000					
20-2000	Hall, G.		05/02/00	Use & hardship	05/02/00	
23-2000	Flanders, LLC(Kirsch)	Beachfront/ First Ave. Main to Brielle Rd.	05/16/00		Continued 9/19/00 at special mtg.	
21-2000	Perone, N.	59 S. Jackson Av.	06/13/00	Hardship	06/13/00	
22-2000	Resolution appointing special professionals in Flanders case					
24-2000	Lopas, I.	456 Brielle	06/13/00	Hardship	06/13/00	
25-2000	DePalma, D.	81 Broad St.	06/13/00	Use, site plan	06/13/00	
26-2000	Gibson, R.	95-99 Atlantic Ave	06/13/00	Amended site plan		10/03/00
27-2000	Waring, A.	53 S. Jackson Av.	07/11/00	Hardship	07/11/00	
28-2000	Drew, J & F	23 Virginia	07/11/00	Hardship	Withdraw	

29-2000	Romanko, E	407 First Av	07/11/00	Hardship	07/11/00	
30-2000	Resolution – MGM – extension of time for filing resolution		06/13/00			
31-2000	Ellery, M.	2 Pearce Ct	07/11/00	Hardship	07/11/00	
32-2000	Glimmer Glass	Brielle Rd.	08/01/00	Major subdivision	10/10/00 carried to 2001	
33-2000	Baldwin/ Bennett	130 First Ave.	08/01/00	Minor subdivision	08/01/00	
34-2000	Cudney, J.	54 Church	08/01/00	Hardship	08/01/00	
35-2000	Wilderotter, Donald	66 Mohegan Road	09/05/00	Hardship	09/05/00	
36-2000	American Timber Co.	543 ½ Brielle Rd.	09/05/00	Use	12/05/00	
37-2000	McNulty, J	114 Union	09/05/00	Minor subdivision	09/05/00	
38-2000	Union Realty Partners, Inc	35 Euclid Avenue	08/30/00 (special)	Site plan	08/30/00	
39-2000	Forst, R.	447 Long	09/05/00	interpretation	09/05/00	
23-2000	Flanders LLC		09/19/00	Site plan & use	10/10/00 (carried to 2001)	
40-2000	Luther, B.	327 Perrine	10/03/00	Minor subdivision	10/03/00	
42-2000	Norris, R.	381 E. Main	10/03/00	Hardship	10/03/00	
43-2000	Miles Overall Maintenance (Sprint)	600 Sea Girt Avenue	10/03/00	Site plan	10/03/00	
44-2000	Ryan, A.	113 Beachfront	10/10/00 & 11/21/00	Use and hardship	11/21/00	
45-2000	Woszczak	566-568 E. Main St.	10/17/00	Subdivision and use	10/17/00	
46-2000	Hoffman, R.	12 S. Farragut	10/17/00	Hardship	10/17/00	
47-2000	Ocean Bay Properties	154 N. Main Street	10/17/00	Minor subdivision	10/17/00	
48-2000	Weaver, S.	117 Sea Girt	11/14/00	Hardship	12/19/00	
49-2000	Ogden, G.	34 Ocean	11/14/00	Hardship	11/14/00	
50-2000	Dana, R.	293 Beachfront	11/14/00	Use and hardship	11/14/00	
51-2000	Hunt, E.	405 First	11/21/00	Hardship	11/21/00	
52-2000	O'Boyle, M	60 Ocean	11/21/00	Flood relief	11/21/00	
53-2000	Donegan, J	101 Beachfront	11/21/00	Use and hardship	11/21/00	
54-2000	Gilligan, R	135 First	12/05/00	Hardship	12/05/00	
55-2000	Manto, C.	216 Fourth	Changed plans so did not have to go before			

			board			
56-2000	MarlinTuna Inc.	140 Main St	12/05/00	Hardship and site plan	12/05/00; returning 01/07/2001	
57-2000	Matthews & Coffey	127 Stockton Lake Blvd.	12/05/00	Hardship	12/05/00	
58-2000	Larkin, J.	143 Lake Av	12/19/00	Hardship	12/19/00	
59-2000	Grogan, D	4 Captains Court	12/19/00	interpretation	12/19/00; carried to 2001	

TOTALS:

RESOLUTIONS GRANTED: 45
 HARDSHIP VARIANCES: 28
 USE VARIANCES: 16
 SITE PLAN APPROVALS: 6
 MINOR SUBDIVISIONS: 6
 MAJOR SUBDIVISIONS: 1
 FLOOD RELIEF VARIANCES : 1
 INTERPRETATIONS: 2
 DENIALS: 3
 CARRIED OVER TO 2001: 2

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

JANUARY 4, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on January 4, 2000, 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, C.Rice.
ABSENT - D.Place, Mayor Winterstella, R.Zanes, J.Muly,
J.Burke.

INFORMAL- Cookie Lady - 24-26 Broad Street.

Mr. & Mrs. Wolf came forward for the cookie lady, as she was unable to attend. Mrs. Wolf stated they are the interested people to rent a retail space from her. Cookie Lady bakes cookies and has a lot of mail order with a small retail business in the store on Broad St. and she is basically trying to get out of that, so we want to rent part of her store for pet related items, not pets, nothing live. It would be more like Boutique things, like watches, planters that look like dogs etc.. She told us we would have to come before you before we could do anything.

Neil stated she was denied by myself and also Vito, the fact that there is no parking. We had a problem with 2 businesses going into one store. Mrs. Wolf stated she is strictly mail order, there won't be room for her retail business. She told Mr. Miller if someone comes in for cookies, they would be given a telephone number or E-Mail. Mr. Wolf said her sign would come down and theirs would go up.

Mr. Cramer stated he thought what they are looking for is a waiver of the site plan process. The only way to approve the waiver is to come before the Board with an application. He said he would hope the Cookie Lady would be here when they come back.

The Board took a 5 minute recess before the regular session started.

REGULAR SESSION

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

For the record, Mr. Burke arrived at 8:15 p.m..

A motion to approve the minutes of November 9, 1999, was made by N.Hamilton, seconded by C.Triggiano and unanimously carried.

RESOLUTION - 47-1999 - Barbara Amundson - 417 First Avenue
A motion to memorialize was made by J. Miller, seconded by C. Triggiano, followed by the following vote: "YES"- J. Miller, C. Triggiano, N. Hamilton J. Tischio, C. Rice.

RESOLUTION - 48-1999 - Sean & Debra Gleason - 99 Manito Rd.
A motion to memorialize was made by C. Triggiano, seconded by J. Miller, followed by the following vote: "YES"- J. Miller, C. Triggiano, N. Hamilton, J. Tischio, C. Rice.

RESOLUTION - 46-1999 - John & Mary Kelly - 427 Beachfront.
Mr. Cramer stated in the resolution there is a recommendation to the Mayor and Council, that the zoning for that portion of the property which is B-1 be revised to be consistent with the rest of the property which is R-4.
A motion to memorialize was made by J. Miller, seconded by N. Hamilton, followed by the following vote: "YES"- J. Miller, C. Triggiano, N. Hamilton, C. Rice.

RESOLUTION - 42-1999 - David Minnick - 105 Taylor Avenue
Motion to memorialize was made by C. Triggiano, seconded by P. Dunne, followed by the following vote: "YES"- P. Dunne, C. Triggiano, C. Rice. ABSTAIN -N. Hamilton.

APPLICATION - 44-1999 - Cont. Dr. Lawrence Gardner - 130 Union
Keith Henderson put himself on record, as Attorney representing the applicant. He stated last meeting testimony was presented regarding Use Variance and a number of bulk variances. The Board acted on the Use variance favorably, also favorably on a number of bulk variances. The Board asked that the applicant submit certain information under the bulk variance and site plan approval, and that information basically indicated what kind of light was going to be on the garage area, a buffer plus a fence separating the commercial zone from the residential zone, rethink the parking situation to see if they could get additional parking, as there was some concern by an objector on the number of parking spaces and they were asked to give an architectural sketch of the handicap ramp. He stated they are prepared to produce testimony on all the issues this evening.

Charles Gilligan came forward stating at the last meeting an elevation of the handicap ramp was requested. A poster board of same was marked A-3. Mr. Gilligan testified that he testified last month on this application. He testified he prepared a revised site plan as to the parking and a buffer. He testified they provided a curb cut to accommodate 4 parking spaces, 1 handicap space with an 8 ft. wide loading zone and 2 spaces in the garage with a total of 6 spaces, where 7 spaces are required. With respect to the buffer, by allowing to head in off Morris Avenue we were able to provide a strip that would be wide enough

to provide arborvitaes, also a fence that would buffer that residential property. The height of the fence is 4 ft. high, board on board, which complies with the ordinance. We are seeking a waiver from the setback from the parking area from the residential zone. The lighting will be typical residential character carriage lamp hung off the front of the garage. With respect to the parking area, there is a tree 18" maple and 18" oak which would necessitate being removed. He testified they can save the Oak tree by angeling an entrance into the first 2 spaces in the garage area. In reviewing the architectural plan submitted by Mr. Grasso of the ramp, Mr. Gilligan testified the ramp is on the southerly side of the property facing Morris Avenue, it would lead from the handicap space, which is larger than necessary, parallel to Morris Avenue to the front porch then into the structure. There are shrubs across the front of the ramp. The current existing use of the site are 3 residential apartments, and it is zoned for office. The first floor proposal will comply with the zone requirements and the proposed use on the second floor will be a residential apartment. There is nothing else to be done that hasn't been done to increase parking as testified by Mr. Gilligan. Mr. Henderson stipulated that there would only be 1 apartment on the second floor.

The Board opened the meeting to the public, with a motion by C. Triggiano, seconded by J. Miller and unanimously carried.

Lynn Stuart, 126 Morris Avenue, the third house from this property. She wanted to know if they require a variance to meet the setback from the property line for parking. Mr. Gilligan testified the parking is within the property.

Ms. Stuart wanted to know how many members there were on the Planning Board. Mr. Rice replied 9 and 2 alternates. She wanted to know why 3 out of 9 would be considered a quorum? Mr. Cramer stated the quorum is 5 people who are eligible to vote on this portion of the application and to approve it, it would take a majority of the quorum.

Ms. Stuart stated the original notice requested a use variance and a bulk variance and these are existing things that should have no problem with the variance. She does have some problems as it requested that the Board grant any and all other variances and waivers that the Board deems fit. The first application had 15 variances and or waivers unknown to the Board or the Public, that were not noticed in the notice. In this application before the Board, there are at least 9 that still have to be addressed by this Board. One of those is the amount of the off street parking, one is the access isle, the plan doesn't show curbing that she could note, sidewalks have not been addressed, the parking stalls dimensions have not been addressed, there was not a lighting plan and Birdsall letter does address that, there should be a lighting plan for review, before voting

on it. Setbacks for the right of way for the parking and setbacks from property line for parking, setback from the buffer zone for residential area, buffer zone landscaping, and just meeting the site plan standards. Those are issues that this Board should address according to the zoning ordinances of this town". She read from the zoning ordinance on parking. She believes there should be 10 spaces not 7. She would like to have it clarified. She stated if there should be 10 instead of 7 it is almost impossible for this Board to approve.

MR. Henderson stated a Medical & Dental clinic is 1 for every 200 ft. of gross area or 5 for each Doctor or Dentist and I'm sure that is what Sandy ruled on. She stated a clinic is for the treatment of out patient and or a group practice in which several physicians work - she doesn't believe Dr. Gardener fits the position of a clinic.

Ms. Stuart went into the definition of parking spaces and she doesn't believe they have the right amount of spaces, and parking cannot be met, unless they take down the garage and shed. She believes 9 waivers that they are asking for at this time is just too many.

Mr. Henderson asked if she made an application before this Board and she stated yes, she did and it was for a site plan to install the roadways, the curb, sewer connections. The subdivision was done back in the 1800's. She wanted to know what her site plan 10 years ago has to do with this.

Mr. Cramer put Ms. Stuart under oath. She testified the site plan was to improve a public street that the town had not improved on the section in front of her properties. She testified she made the improvements and agreed to pay the professional fees for the Borough of Manasquan and testified she has done all those things. She testified the town still has not paid her for their fair share of the improvements. There are a few outstanding bills that were in question based upon what the town owes me and a credit for those bills would have paid for those bills quite a long time ago. She wanted to know from Henderson what this has to do with this application, unless your trying to knock down my character. She testified the town owes her over 60,000. in fees.

Scott Ernst, 125 Morris Avenue, came forward and he feels parking is not adequately addressed. He feels the parking will be down towards their residence.

Steve Dardinella, 343 Beachfront, agrees with Stuart on the parking.

Sarah Sweeney, 124 Morris Avenue, stated they only have a shared driveway and one spot in front of our house, and if this is approved we probably won't be able to park in front of our house

again.

A motion by J.Miller to close the public portion of the meeting, seconded by C.Triggiano and unanimously carried.

A motion for an approval of this application going with plan B on parking and leaving the tree, also that curbs and sidewalks be installed along the secondary road of said property was made by J.Miller, seconded by C.Triggiano, followed by the following vote: "YES" - J.Miller, C.Triggiano, N.Hamilton, J.Tischio, C.Rice.

The Board took a 5 minute recess.
Board returned from recess at 9:00 p.m.

REORGANIZATION

MR. Rice stated his resignation was accepted by Council at their meeting on 1/3/00 and he was appointed 2nd Alternate. John Burke goes from 1st alternate to a regular member and John Muly to the 1st alternate.

He stated the appointments will be for Attorney, Planner, Engineer and Secretary.

Resolutions were prepared based on the thoughts of the Board at last months meeting, which were Birdsall Engineering/Planner, Geoffrey Cramer, from McLaughlin, Bennett, Gelson & Cramer for Attorney and Marie ~~Applegate~~ would stay as Secretary, David Place would become Chairman and John Burke as a regular member would become Vice Chairman.

*from meeting of 1/3/00
of Burke*

Mr. Triggiano thinks we should have the same engineer and planner as the Borough has which is T & M Associates. He believes we would save some money if we have the same as the Borough.

Mr. Miller has no problem with Birdsall as Engineer, but bring in a planner as needed he would be more agreeable too. He would also like to see a committee to be formed headed by C.Triggiano, to sit down with Birdsall on their fees. The following committee was set up - N.Hamilton, C.Triggiano and the next chairman.

- RESOLUTION - 2-2000-Appointment of Attorney,
- RESOLUTION - 6-7-2000 -Appointment of Engineer/Planner.
- RESOLUTION - 5-2000 - Appointment of Secretary.

A motion to approve Geoffrey Cramer as Attorney, Birdsall Engineering, Inc, as Engineer/Planner and Marie Applegate as Secretary was made by J.Miller, seconded by J.Burke followed by the following vote: "YES" - J.Miller, P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, C.Rice, J.Burke.

RESOLUTION - 4-2000 - Official Newspapers.

A motion to approve The Asbury Park Press and The Coast Star as the official newspapers, was made by J. Miller, seconded by J. Burke, and unanimously carried.

Mr. Miller stated it was brought to his attention, that Mr. Place has serious reservations as to the time he has to give as Chairman to this board.

Mr. Rice spoke to Mr. Place a couple of times today, and if there was rumor as Jim stated it would have to be known tonight, and he expressed without doubt that he wanted to be appointed Chairman and would like to be appointed tonight.

RESOLUTION - 1-2000 Appointment of Chairman & Vice Chairman.

Councilman Schmeling moved to appoint D. Place Chairman, and J. Burke Vice Chairman, seconded by P. Dunne, followed by the following vote: "YES" - P. Dunne, C. Triggiano, N. Hamilton, Councilman Schmeling, C. Rice, J. Burke. "NO" - J. Miller. ABSTAIN - J. Tischio.

RESOLUTION - 3-2000 - Public Meeting Dates.

August 1st was changed to August 8th, and January 2, 2001 was changed to January 9, 2001.

A motion to approve the meeting dates was made by J. Burke, seconded by J. Miller, and unanimously carried.

For the record, J. Miller left at 9:15 P.M.

For the record Mr. Rice has stepped down and Councilman Schmeling has stepped down on the next application.

Mr. Burke, Vice Chairman, will now take over the meeting, in the absence of Mr. Place.

APPLICATION - 9-2000 - Dr. Michael Adamczyk - 353 Beachfront
354 First Avenue.

The property in question is located between the beach walk and First Avenue, approximately 200 ft. north of the Whiting Avenue ramp. This location is within the Residential Zone 4 (R-4). The parcel is a 4,668 sq. ft. lot currently containing one 2½ story garage apartment and on 1½ story frame dwelling. The applicant wishes to perfect a front-to-back subdivision and construct a second story addition to the beachfront structure. The existing use, proposed First Avenue lot, and existing and proposed structures were nonconforming for the zone; however, the proposed use and the proposed beachfront lot are conforming for the Zone.

Joseph Lane put himself on record as the Attorney representing the Applicant. Dr. Michael Adamczyk, the applicant, Mr. Gilligan, the Engineer/Planner and C. Rice, Architect were sworn in by Mr. Cramer.

Mr. Adamczyk testified he resides at 353 Beachfront with his

wife and 2 children, ages 13 and 14. He has resided there since he purchased the property in early September 1999. He testified there are 2 houses on the property, one on First Ave. and one on the Beachfront. He testified he plans to live in the Beachfront house on a year round basis. The reason to renovate is for his family to live comfortably, as it is too small.

Charles Gilligan came forward and a tax map, a subdivision map and zoning criteria chart, one side and adjacent structures on the reverse side, he had marked as exhibit A-1. He testified the applicant wants to subdivide the property into 2 lots over 2100 sq. feet as required by the ordinance. A variance is required for the First Ave. lot, for frontage set back, side yard and building coverage. Beachfront - variances required for front yard setback, side yard north and south, rear yard, building coverage and lot coverage. He testified all adjoining lots have the same percentage of coverage. He testified there are 4 parking spaces totally in the structure on First Avenue. First floor of garage is only garage space. An easement for the off street parking for the beachfront structure in the garage. He testified there is no negative criteria, it is only making it better. The positive criteria outweighs the benefits of the building criteria.

Mr. Rice came forward his exhibit was marked A-2. He testified they are doing the option B, which is below the 35 ft. height. There will be a dormer on the west, a dormer on the south for the stair well and a dormer on the north for which we are asking a variance. They are only asking for a second floor addition only, the first floor will stay the same, they will have to re-layout the inside of it.

The second floor is a master bedroom, 2 walkin closets, a bath and 2 additional bedrooms. The third floor will be used as a loft, to look up from the master bedroom. The downstairs will be a guest bedroom, they are not adding any more bedrooms then there are now. Mr. Rice testified there is no access stairway from the second floor leading out side, it is a single family residence. Mr. Schmeling wanted to know if there was a reason the dormer had to come out that far. Mr. Rice stated only to get windows in it. They are keeping it within the sea shore colonial look.

Dr. Adamczyk testified he will be living in the First Ave. structure while the construction is going on. He has no plans for that building right now. It has been used as a rental prior to his purchase. Showing on the plans on page 3 there is an existing wooded porch, above ground level, level with the door to go into the structure. On the back of the beachfront house any porch is within the foot print of the house.

A motion by P.Dunne, seconded by N.Hamilton to open the meeting to the public, was unanimously carried.

Bernadetta O'Grady, 303 Beachfront, wanted to know if this house was going to be torn down or is the second floor just going up? Mr. Rice said the second floor is just being added. She wanted to know if there was going to be piling. Mr. Rice answered yes. She wanted to know if there were accommodations for fire rating, as those houses are so close. Mr. Rice said it will have fire rated glass block. She said it was wonderful someone is improving the beachfront house, and she totally agrees with everything he wants to do, but her concern is the subdivision.

Mr. Burke stated "the town council a few years ago allowed for a change in the zoning regulations to allow east, west subdivision and primarily what it's for, is so that people who own both sets of property, can subdivide the property and sell off the house on First Avenue and use that money to improve the house on the beachfront, under the hope that the sell off of the house on First Avenue goes to a family and eliminates a rental from the area. That's what it's designed to do".

Gordon Bird, 367 Beachfront, came forward stating he is in favor of the house on the beach, it's a good idea, but questioned Mr. Rice on how they are going to put pilings in. Mr. Rice stated they contacted a company who will drive 30' pilings down through the house as the roof is coming off and will create a new girder system to support what's there, basically taking the existing foundation out of the loop. It's a tremendous job and very expensive, but has to be done. Mr. Bird said he is not totally in favor of the subdivision, as he doesn't see the purpose of it.

A motion by Mr. Schmeling to close the public session, seconded by N. Hamilton and unanimously carried.

Mr. Rice stated they will not need CAFRA approval, as they are not expanding the foot print of the existing structure, they are not moving east, we're simply going up, and are getting permit by rule from the Construction Official.

Mrs. Dunne would like to see the air condition removed from the side yard setback. Dr. Adamczyk testified after all the work is done he will remove the air conditioner on the side yard and put all new landscaping in.

Councilman Schmeling made a motion to approve the application with the stipulation that what ever was agreed on by P. Dunne, to remove the air conditioner unit from the First Avenue residence, seconded by C. Triggiano, followed by the following vote: 'YES"- P. Dunne, C. Triggiano, N. Hamilton, Councilman Schmeling, J. Tischio, J. Burke.

Mr. Rice stated in the event of approval, Mr. Cramer would draw up a resolution and wishes the Board would act on that tonight, so it would save them 30 days for the bulk heading company.

Mr. Triggiano noted the address of the Asbury Park Press is Neptune not Asbury Park, which will be changed on the resolution.

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

C.Triggiano said the resolutions should be done one at a time, on the Chairman and Vice Chairman, as he couldn't vote for the one he wouldn't have voted for.

Mr. Cramer stated on the Sprint Case in Freehold, they are waiting for the Judge to assign a hearing date on the Sprint appeal. On the tower, there has been discussions between Comcast and the Boro of Sea Girt, but noting concrete has come to his office with respect to the tower.

Mr. Cramer noted for the Board's attention, there will be another law suit forthcoming. Papers have not been served yet, but he has received copy of claim, with respect to the Moore application. Mr. Cramer said there is a question as to whether or not she has any standing at all as the title of the property has passed.

Mr. Burke stated there is a starting date to bring across the trans atlantic cable that is going into the Sprint building it is about 80 miles off shore, and will be making connections on March 12, and will take about a month to connect both cables.

RESOLUTION - 9-2000 - Dr. Michael Adamczyk - 353 Beachfront
Mr.Cramer has a resolution framed that provides for the approval of a subdivision request together with the variance of the conditions noted,

Motion to approve was made by P.Dunne, seconded by N.Hamilton, followed by the following vote: 'YES"- P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, J.Burke.

A motion to adjourn at 11 P.M. was made by P.Dunne, seconded by N.Hamilton 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
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 January 4, 2000 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA
JANUARY 4, 2000 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion: REORGANIZATION
2. Informal Hearings:
 - (a) Cookie Lady - 24-26 Broad 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 - 47-1999 - Barbara Amundson - 417 First Ave.B.
 - B. RESOLUTION - 48-1999 - Sean & Debra Gleason - 99 Manito
 - C. RESOLUTION - 46-1999 - John & Mary Kelly - 427 Beachfront.
 - D. RESOLUTION - 42-1999 - David Minnick - 105 Taylor Avenue.

END OF CONSENT AGENDA

APPLICATION - 44-1999 - Cont. Dr. Lawrence Gardner - 130 Union

APPLICATION - 44-2000 - Dr. Michael Adamczyk - 353 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 OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
COLLEEN SCIMECA, Municipal Clerk

PLANNING BOARD

FEBRUARY 1, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on February 1, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

John Burke opened the work session at 7:05 p.m..

INORMAL - Mayor Winterstella - State Grant Master Plan.
Mayor Winterstella stated basically withdraw that, what it was we were applying for a \$25,000. grant to revamp our zoning code to conform with CAFRA regulations, so we would be able to have most CAFRA permits issued in house here. Once we found out what it was entailing, plus the grant that we were able to get was only \$10,000., so basically we're not going to pursue that, we will keep things the way they are and CAFRA permits will have to come from the State.

Mayor Winterstella stated he would like to use the time to introduce Jeff Cerenian, our COA Council, as we have to update our COA application or plan. This is a project, every 6 years we have to update our plan, to conform. He stated on March 6th, there will be a joint meeting with Boro Council and the Planning Board to approve this.

Mr. Cerenian stated there is an agency out there that is called New Jersey Council for Affordable Houseing otherwise known as COA. Every 6 years they come up with a new set of regulations. The first set that they came up with went back to 1986 and 1987. Manasquan submitted their plan and we were able to save Fisherman's Cove which was approved on March 14, 1994. Every plan has a 6 year life. It means you are protected for 6 years from developers coming in here and suing you. American Timber was a developer that sued back then, and we were able to defeat them through the COA process and get a plan approved which was called certification, and that certification insulated Manasquan for 6 years from another developer coming in and filing a law suit compelling you to change your zoning for them.

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

FEBRUARY 1, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on February 1, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

John Burke opened the work session at 7:05 p.m., in the absence of Chairman D. Place.

INFORMAL - Mayor Winterstella - State Grant Master Plan.
Mayor Winterstella stated basically withdraw that, what it was we were applying for was a \$25,000. grant to revamp our zoning code to conform with CAFRA regulations, so we would be able to have most CAFRA permits issued here in house. Once we found out what it was entailing, plus the grant that we were able to get was only \$10,000., so basically we're not going to pursue that, we will keep things the way they are and CAFRA permits will have to come from the State.

Mayor Winterstella stated he would like to use the time to introduce Jeff Surenian, our COA Council, as we have to update our COA application or plan. This is a project, every 6 years we have to update our plan to conform. He stated on March 6th, there will be a joint meeting with Boro Council and the Planning Board to approve this.

Mr. Surenian stated there is an agency out there that is called New Jersey Council for Affordable Housing otherwise known as COA. Every 6 years they come up with a new set of regulations. The first set that they came up with went back to 1986 and 1987. Manasquan submitted their plan and we were able to save Fisherman's Cove which was approved on March 14, 1994. Every plan has a 6 year life. It means you are protected for 6 years from developers coming in here and suing you. American Timber was a developer that sued back then, and we were able to defeat them through the COA process and get a plan approved which was called certification, and that certification insulated Manasquan for 6 years from another developer coming in and filing a law suit compelling you to change your zoning for them. That approval is about to run out in March of this year. COA adopted new regulations in 1994 which provides guidance for what you need to do, to address your responsibilities under this new housing circle. The plan Mr. Surenian is about to describe is based on these new regulations.

There are two issues involved with any affordable housing plan. One issue is what's my number, what's your quota for fair share. The other question is how you go about satisfying your number. As to what's my number, the way it works is COA assigns every municipality in the State with a 3 credited number. That's a number without any credits you may be entitled to or any adjustments. In the case of Manasquan, the pre-credit number was 175. If you were a clean slate, had vacant land, were imposed no credits, you'd be required to address a 175 unit

number. That number has 2 parts, one part is a rehab part and one part is a new construction part. The rehab part is 26 and the new construction part is 149. Now you're entitled to credits against that number and you're entitled to adjust that number. If you examine the 26 unit rehab part you're entitled to 6 units of credits, which means you have 20 units that you have to address, and you can address it to a rehab program. The remaining part, new construction is 149. Our position is shown, do you have any land, so our position is you're entitled to adjust that 149 down to 0. The position that we intend to take in the plan is that on the question what's my number, is that, we are entitled to rehab credits to get our rehab component down to 20 and are entitled to an adjustment to get our 149 new component adjusted down to 0.

The second question - how you go about satisfying your number. The plan they have been working on, they propose that the rehab part, you address that part by running a rehab program, which means you have to advertise the program, make the public aware of the existence of the program and you need to pay for that program and the average cost is generally \$10,000. per unit and you need to have those monies available so low and moderate income households living in deteriorated units can have their units brought up to code. As to the new construction component we'll be taking the position that you're entitled to adjust your number from 149 down to 0. COA has regulations that talk about the portion of the fair share that's been adjusted away. What COA says, is that to the extent that there's development and re-development, we want you to be looking for ways to try to create affordable housing to the extent practicable in view of the fact, that there's no vacant land. There are 3 things that COA will look at and may require you to do any of a combination. One thing they may require, is that you zone for accessory apartments or apartments. Another thing that they may require, is that you have an over zone or you seek to encourage the production of affordable housing or monies for affordable housing to an overlay ordinance.

The third thing that the COA regulations say that they may require, is that you adopt what is called a fee ordinance. The law now permits municipalities to adopt ordinances that impose fee on new development and you can require that fee be dedicated to a Mount Laurel trust fund and that money can be used for Mount Laurel purposes only, such as, your rehab program.

Our position is that it would be appropriate to have a development fee ordinance on new construction, vacant land and on sites where site plan approvals require and major subdivision approval is required, and we will attempt to give COA something with respect to the 149 units that's been adjusted away, by saying that we are going to adopt such an ordinance, and we will use that money strictly for affordable housing purposes.

On our position on apartments and accessory apartments, we're going to make our argument as to why that's not appropriate, why that may be appropriate in some other communities, but why that's not appropriate in Manasquan, and we're going to take the same fact on the over-lay and we're going to try and get your plan approved on that basis.

Mayor Winterstella stated in our terms it translates into the fact that we currently have a rehab program in place we already rehabilitated 6 homes, we operate through Monmouth County, we pay Monmouth County and they execute the program. On a rehab this will translate into major developments who come in to require a site plan or sub-division, will have to pay an additional fee, a percentage of the project, which will go into the fund to do this rehab or to do other things. It just does not seem practical to encourage accessory uses on our properties, because they are so narrow and so small and most are in flood zones.

Mr. Triggiano wanted to know what accessory uses are. Mayor Winterstella said it would be garage apartments, apartments on second floors, mother daughters.

Mr. Burke wanted to know when they talk about open land, would it be vacant lots, or open basic land, as in Wall Township?
Mr. Surenian said you need a minimum size lot that would accommodate at least 6 units

There will be a joint meeting on March 6th for Council and the Planning Board to go over this whole thing. Mr. Surenian will have something to hand out to all the members for that meeting.

Mr. Surenian stated the fee involved will be a 1/2 % of equalized assessed value for residential development, so if you have a \$200,000. house it's a \$1,000.00. and 1% on non residential.

Next item - Mr. Huff has requested a special meeting. Mr. Hamilton stated the Board cannot override a decision of a special meeting. He stated they are trying to work it out - they have 2 options, he maxed out the building of 30%, on the bay windows he went to 24" which put him over on the building percentage. The overhang is only allowed 18". The chimney on the house right now, they are trying to pull it back 6" which will bring it into the building coverage conformity. It is being worked out right now between Sandy the contractor and an engineer. They seem to think this will work out and they won't need a special meeting. Neil stated if this should fail, the Board should plan for a special meeting.

A motion was made by P.Dunne for a special meeting, if needed, on February 22, 2000 at 7:30 p.m. seconded by C.Triggiano, followed by the following vote: "YES" - P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, J.Muly.

REGULAR SESSION

J.Burke, Vice Chairman will conduct the meeting in the absence of the Chairman, Mr. Place.

J.Burke 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, C.Triggiano, J.Tischio, J.Burke, J.Muly.

ABSENT - J.Miller, D.Place, Councilman Schmeling, Mayor Winterstella, R.Zanes, J.Rice. N. Hamilton.

A motion to approve the minutes of December 7, 1999, was made by P.Dunne, seconded by C.Triggiano followed by the following vote: "YES" - P.Dunne, J.Tishchio, J.Burke, J. Muly.

The minutes of January 4, 2000, there was an objection by Mr. Burke to correct "Marie for Secretary against J.Burke's wishes was only said in joking - he did not mean that and would like it taken out" motion to approve was made by P.Dunne, seconded by C.Triggiano followed by the following vote: "YES" - P.Dunne, C.Triggiano, J.Tischio, J.Burke, J. Muly.

APPLICATION - 8-2000 - Tom & Karen Rostron - 27 Colby Avenue
Owner wishes to construct second floor addition, change roofline of existing second floor and change use of second floor from residential to business. B-1 Zone.

This application was denied for the following reasons:

107-27 - Front Setback - 10 ft. required, 5.2 ft. existing.
Rear Setback - 5 ft. required, 2.6 ft. existing. (NOTE: Side setback required is 3 ft. unless fireproof construction is used. Existing and proposed setback is 0.1 ft. The existing and proposed construction will be concrete block).

Maximum Bldg. coverage - 40% allowed, 58% existing (no change)

Maximum Lot Coverage - 60% allowed, almost 100 % existing (no change). 107-36 - Off street Parking - none shown. 107-52 - Site Plan approval required. A-5 Flood Zone, construction must comply. Hardship Variance and Site Plan Approval.

C.Kevin Callahan, Marriott, Casagrande, Callahan, Blair & Greer, put himself on record as Attorney representing the applicant.

Mr. Rostron the applicant and Richard Graham the Architect were sworn in by Mr. Cramer.

The original site plan by R.Graham dated 12/17/1999, made up of 3 sheets was marked A-1. Supplemental site plan sheet by R.Graham, dated 2/1/00 was marked A-2. Survey of Charles O'Malley dated 1/13/00 was marked A-3. Poster Board with 12 photos was marked A-4.

Tom Rostron testified he has owned the property with his wife a little over 3 years. They operate an HVAC business Heating,

Ventilating and Air Conditioning. He testified before buying, he rented on 105 Curtis Avenue for approximately 7 years. The prior use of 27 Colby Ave. which he purchased from Bill Kelly who operated a janitorial service, became semi retired and rented an apartment upstairs which he operated his business with one truck and rented the downstairs space to 2 different people, one was a mason and one did auto detailing. He testified he was before the Board on an informal hearing and the recommendations from the Board were that they would like to see the roof lowered, as low as possible, which we changed our plans to make it as low as I could possibly make it. They asked if I would be willing to get rid of the residential apartment upstairs. The tenants moved out in October and he testified he is eliminating the apartment from the second floor. Mr. Rostron testified he took the photos which were marked A-4 and described all photos to the Board.

On the second sheet of exhibit A-1 Mr. Rostron testified the first floor area in the rear is storage and garage, unit # 3 is a shop where we keep sheet metal and duct work for jobs, and there are 3 offices and a small filing room and bathroom. Unit # 1 is a rented space to painting unlimited. His office is on the first floor now and would relocate his office to the second floor. The second floor existing is a living room kitchen combination with a bath and 2 bedrooms and an outside deck, where we would like to put the addition. The 2 bedrooms will become offices, the bathroom will remain and the kitchen will probably remain.. He testified they need the storage so they can buy from the supply house in bulk and they will have everything they need for a job instead of going out to buy as they need it. They had a problem last year where all the supply houses ran short of air conditioning equipment, this way they can stock before hand. He testified they added a power pit wall to hide the existing air conditioning equipment to make it look nicer.

He currently has 14 employees. They all assemble at 7:15 with their trucks which Mr. Rostron owns, and take them home with them at night. They are at the store for about a half hour in the morning, as they have to be on the job at 8:00 a.m.. The only ones remaining are 3 people all day and he testified he is there 75% of the day. He testified the kitchen is a very small kitchen and not in bad shape and intends to keep it there so the employees can have lunch there.

Mr. Graham came forward and testified he was retained by Mr. Rostron to prepare the plans marked A-1 and A-2. He testified

the foot print is not being changed by the addition. He testified there were 5 adjustments to the plans since Mr. Rostron came before the Board on an informal. The wall will be fire rated and no additional windows will be added. The height of the highest part of the new roof will be 34 feet and the second

level, the old roof will be 27 feet. They are asking for a waiver of the parking as they have 10 spaces and the ordinance calls for 11 spaces. They can stack the trucks on the double width driveway and he has been given permission to park on N.J. Transit property. There are 2 spaces in front of his property.

A motion by C.Triggiano to open the meeting to the public was made, seconded by J.Muly and unanimously carried. There being no comments from the public the meeting was closed to the public, seconded and unanimously carried.

Mrs. Dunne is pleased with the design of the building, but her concern is the amount of lot coverage and impervious surface that exists in the whole area. She would like to see some landscaping in the area, and she was hoping you would not need the shed and put some landscaping back there, or put something in the driveway. Mr. Rostron stated in the back by the fence he put in crushed stone for drainage and has never had a problem with water. Mr. Rostron said he would like to put a planter between his property and Doolittles and some shrubs around. He testified he will do what ever he can to make it look nice.

A motion to approve this application with the stipulation that some landscaping be included and any possible impervious surface that can be removed, was made by P.Dunne, seconded by J.Muly, followed by the following vote: "YES"- P.Dunne, J.Triggiano, J.Tischio, J.Burke, J.Muly.

A motion by P.Dunne, to take a 5 minute recess, seconded by J.Muly was unanimously carried.

The Board returned from recess at 8:50 p.m..

ROLL CALL: P.Dunne, C.Triggiano, J.Tischio, J.Burke, J.Muly.

APPLICATION - 10-2000 - William Pospisil - 452 Cedar Avenue
William Pospisil and Charles Gilligan were sworn in by Mr. Cramer.

Mr. Burke stated "for the record, the Board has received numerous letters from people in the area on this application, but we are not allowed by law to read letters from anyone into the minutes of the meeting that are not present in the audience, as you cannot cross examine a piece of paper. They will be put in the file but cannot be used by the Board to form their decision on this application tonight".

Mr. Gilligan testified the applicant has a structure on property at Block 119, Lot 20, the north west corner of Cedar Ave. and Holly Ave., which covers 30% of the site, which is the maximum building coverage permitted in the R-2 zone. He is proposing to put a garage, which would be approximately 12'x22', a single garage that would come off Holly Avenue, which puts the application over 4.7% over the total permitted building coverage. The impervious coverage is still within the 40% permitted by

the site. He stated they are seeking a C-2 variance. He stated there are many structures in this area, that are well over the 30% permitted, one has a shed that makes it over the 40%. The immediate neighbors adjacent to the North & West, exceed the 40% in coverage, we're only proposing 34.7%. As a benefit to the area, the applicant is proposing to put a storm drain at the intersection of Holly and Cedar Avenues at a low point which would get rid of the standing water after a storm, put it into two pipes which would put it underground and let it percolate into the area. The garage will conform in setbacks and height, it is approximately 264 sq. ft. itself. He testified the applicants garage will abut a 2 car garage. Mr. Pospisil testified he didn't have the garage in the plans, as he knew he would need a variance and he wanted to get the house built before summer. There will be a porch on the rear to hold the air conditioner so it's off the ground. He testified the house is for speculation.

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

Allan Greenberg, 453 Euclid Avenue came forward who lives in the rear of this property. Mr. Burke stated we received letters from neighbors with complaints, but they cannot be read into the minutes. Mr. Greenberg stated he had conversations with Mr. Cunningham and Mr. Heiser and they object to the proposal. Mr. Greenberg feels that the builder should have built a garage under the front if he wanted a garage. He stated all the houses around there have garages under the house. There is a problem of flooding, and now it is worse. The drainage from the apron goes directly on to his property. For the record, their testimony on the Cunninghams house not being in compliance, he feels is wrong, as they have no proof that the Cunninghams have exceed their land use, it doesn't sound right to him. If Mr. Cunningham were here today, he would tell you his house does comply or he would have been in for a variance if it didn't. He said he would like to see that the zoning laws were created to stop builders and land owners from doing exactly what this proposed variance is all about - he's encroaching on my yard, he will make an alley way between my house and the garage, no light no air. As Board members we request that you provide this protection and deny this variance.

Michael VanStolk, 440 Cedar Avenue, came forward stating he lives 4 houses west of the proposal. He believes this is a hardship for the people here today. He stated he has lived there since 1990 and it has always been a problem with flooding and now it has gotten worse. He and his wife were surprised to see the house going up without a garage, and knew it would be up before the board. He is concerned that future owners of this property are going to need a place to store their stuff, and the house wasn't built with that in mind.

Mr. Greenberg asked the board if the Builder would have the off-street parking in front of the house and not in the back yard, so there aren't a lot of cars parked as he looks out his back window. He would have no problem with a shed being put in the back as long as there is no drive way.

Mr. Burke asked Councilman Dunne who was in the audience, if the rumors that Council was going to put in drainage on the corner of Cedar and Holly was true? Mr. Dunne said he couldn't comment on that specifically, as they are in the process of trying to develop a CAFRA plan for street improvements etc.. He stated they did have a discussion with their engineer, relative to the properties south of Main St. from Farragut East. They are trying to do something with the drainage on Potter and Euclid. He stated that whole area is virtually flat, there is no slope to it, so putting in drainage without a drainage network, is just moving it from one place to another. There is a problem in that particular area of the Boro.

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

Mr. Birdsall stated the porch is included in the calculations, and within the ordinance there can be a shed on this property, as long as there is no foundation. The Board's concerns were no garage, grading plan to see that the water would not run off on any of the other properties, but they would go along with a shed.

Mr. Gilligan spoke to Mr. Posposil and they agreed to withdraw the application for a garage and go along with a shed without a permanent foundation. The shed can be 10 x 10'.

RESOLUTION - 44-1999 - Dr. Gardner - 130 Union Avenue.

The resolution was read by Mr. Cramer. A new site plan is to be provided, also a notation that the multi family use of the apartment will be abandoned, which will have to be submitted before any permits are issued by Mr. Ratz, and approval is made by Mr. Hilla.

A motion to approve this resolution was made by C. Triggiano, seconded by J.Tischio followed by the following vote: "YES" C.Triggiano, J.Tischio.

RESOLUTION - 9-2000 - Dr. Michael Adamczyk-353 Beachfront.

The resolution was read by Mr. Cramer.

A motion to approve this resolution was made by P. Dunne, seconded by C.Triggiano, followed by the following vote: "YES"- P.Dunne, C.Triggiano, J.Tischio, J.Burke.

A motion to approve all vouchers was made by C.Triggiano, seconded by P.Dunne, and unanimously carried.

The Board approved ordinances 1809-2000 and 1811-2000 and with respect to 1810-2000, this ordinance is undergoing further drafting with respect to the deliniation of impervious surfaces for which permits would be required. The Board recommended that the provisions be subject to further review to the satisfaction of Mayor & Council prior to it's referral to the Board for it's input.

The Board went into executive session at 10:10 P.M. with a motion by C.Triggiano, seconded by J. Muly, followed by the following vote: "YES" - P.Dunne, C.Triggiano, J.Tischio, J.Burke, J.Muly.

The Board returned from executive session at 10:40 P.M..
A motion to adjourn was made, seconded and unanimously carried 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
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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

February 1, 2000, Executive Session - 10:10 P.M.

The Board went into executive session with the following members present:

P.Dunne, C.Triggiano, J.Tischio, J.Burke, J. Muly.

Mr. Cramer enlightened the Board members on the Moore / Librizzi Court Complaint to use the Quonset Hut for retail use. The complaints at the regular meeting were on the deterioration and rust of the quonset hut. Monmouth Tool did use the building for quite a few years, but then it was abandoned. The members voted to turn the case over to Mr. Cramer to take care of it.

MR. Triggiano stated he and Mr. Miller have a problem with the way the election went. He said the elections should be done different. Chairman and Vice Chairman should be done seperately. The slate should be presented in October and voted on in December. He has no objection to the Chairman & Vice Chairman that were elected.

Mr. Cramer stated there were no laws broken - resolutions were passed out before the meeting with the names of Chairman and Vice Chairman, and there were no objections from the floor at that time. Next year the Board can appoint a nominating committee if they wish.

They decided to pick a nominating committee in October, nominate in November, vote in December and Attorney and Chairman sworn in in January.

Mr. Tischio stated it was very embarrassing to the Board tonight when Mr. Miller came in and told the Board and Mr. Burke that they were wrong in the way they did the election. He felt that it was wrong in what he did in front of the audience and it did not look good for the Board. If Mr. Place is not able to accept the nomination, he should tell the Board.

Mrs.Dunne felt it is wrong to talk about Mr. Place when he isn't present to defend himself. She is sure that if he weren't able to fill his obligation he would have told us so.

The Board came out of executive session at 10:40 P.M.

Marie Applegate Scully

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JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736
PLANNING BOARD

COLLEEN SCIMECA
Municipal Clerk

February 18, 2000

The Coast Star
13 Broad Street
Manasquan, N. J. 08736

Att: Legals

Dear Sir:

Please publish the following legal in your edition of February 24, 2000.

**BOROUGH OF MANASQUAN
PLANNING BOARD
NOTICE**

A joint meeting of the Manasquan Governing Body and Planning Board will be held on Monday, March 6, 2000 at 8:00 p.m. in Council Chambers, Borough Hall, 15 Taylor Avenue, Manasquan.
Agenda Item: Adoption of COAH Plan

Marie Applegate, Secretary
Manasquan Planning Board

BOROUGH HALL
15 TAYLOR AVENUE
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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 February 1, 2000, regular meeting. Please consider the following Agenda for the March 7, 2000 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA
MARCH 7, 2000 - REGULAR MEETING

Sunshine Law Annocement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion: C. Keith Henderson, Esq.
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 - 8-2000 - Tom Rostron - 29 Colby Avenue
- B. RESOLUTION -

END OF CONSENT AGENDA

APPLICATION - 12-2000 - Sarah Robinson - 261 Beachfront
260 First Avenue.

APPLICATION - 11-2000 - Matt & Karen Lisk - 352 Cedar Ave.

APPLICATION - 13-2000 - Henry Wright - 189 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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Municipal Clerk

PLANNING BOARD

MARCH 7, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on March 7, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N.J..

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

The Board went into executive session at 7:05 p.m. to go over pending litigation against the Town and the Board. Mr. Burke stated our regular meeting will start at 7:30 P.M..

The Board returned from executive session at 7:30 p.m.. Mr. Burke asked all to stand and salute the Flag

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

A motion to approve the minutes of February 1, 2000 was made by C.Triggiano, seconded by P.Dunne, followed by the following vote: P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, J.Muly. ABSTAIN - Councilman Schmeling, C.Rice.

Chairman David Place arrived at 7:35 P.M. and took over the meeting.

Mr. Rice was sworn in as # 2 Alternate member.

APPLICATION - 11-2000 - Matt & Karen Lisk - 352 Cedar Avenue. John Carton, Esq. came forward as attorney for the applicant. Mr. Lisk, and Tim Gerhardt the builder were sworn in by Mr.Cramer.

Owner wishes to tear off existing roof and add second floor consisting of new roof pitch with two bedrooms and bath. The property in question is located on the north side of Cedar Avenue, between McClelland Ave. and 350 feet northwest of Jackson Ave. This location is within the Residential Zone R-2. The parcel is a 50 x 100 foot lot containing a one story wooden fram dwelling. The existing and proposed uses are conforming for the zone; however, the existing and proposed principal and accessory buildings are non-conforming for the zone.

Mr. Lisk testified, the house is a two bedroom house and they plan on having a family, so the house is too small.

Tim Gerhardt testified they are planning to tear off the existing roof and raise the pitch of the roof so they can gain height

upstairs to add 2 bedrooms and a bath. The foot print of the house and any bearing walls will not be changed. The garage will remain as is. The building was built in 1940. The roof height will be approximately 23 feet when finished.

A motion to open the meeting to the public was made by J.Burke, seconded by C.Triggiano and unanimously carried. There being no comments from the public, the meetin was closed with a motion and second and unanimously carried.

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

APPLICATION - 13-2000 - Henry Wright - 189 Beachfront. Owner proposes to sub-divide property. The property in question is located on the east side of First Avenue and backs up to the beachwalk, between Main St. & Riddle Way. Residential R-4 Zone. The parcel is a 57 x 144 foot lot currently containing a single two-story framed dwelling. The applicant wishes to sub-divide the property to create two distinct lots. The existing principal structure on the property is not conforming for the zone.

Timothy B. Middleton, Attorney for the applicant put himself on record. Henry Wright and Reggie Hyde were sworn in by Mr. Cramer.

Mr. Middleton stated the applicant is proposing to sub-divide Block 170, lots 5 & 6 into 2 separate lots. They request one lot fronting on the Beach front and one lot facing First Avenue. There would be an easement running for the benefit of the lot fronting on the beach front from the First Ave. lot for access. The applicant is requesting several variances. One is for the existing encroachment on the Boro property by 4.3 ft. on the beach front. The other variance involves the impervious coverage and they think they can eliminate that with sand and a garden. The applicant proposes to put gravel in the driveway instead of concrete. A map showing the impervious surface was marked A-1.

Reggie Hyde testified that A-1 is the existing property outlining the sub-division. He took green marker and eliminated all the concrete. All concrete and slate will be removed and replaced with sand which will make it more aesthetically pleasing. The house will be a single family home. The easement will be private access to the beach for benefit of lot 5.02 to go through lot 5.01. The driveway to the home will probably be paving block.

Questions on curbing - Mr. Schmeling felt they should put the

curbing in and an apron for the driveway.

Mr. Place had a question about parking. Mr. Hyde testified on the proposed lot 5.01 the house has a 2 car garage under the home, and has ample parking for at least 2 more cars in that area. Lot 5.02 would also have a minimum of 2 cars under the home pulling in from First Avenue.

Mr. Hyde testified the proposed house would be within the building envelope, keeping with the height and building coverage ordinances of the town and lot coverage ordinances.

Parking for at least 2 cars will be provided for that house. The only ordinance for 5.02 will be the curb cut.

Mr. Schmeling stated since the house isn't built, why couldn't the curb cut be wide enough on First Ave. to just have one cut on the right hand side to allow you to use the existing driveway and just make it wide enough to come into the house from the street. Mr. Wright testified they would keep the drive for the First Ave. house as far to the north as possible, so they wouldn't have the 2 driveway cuts next to each other.

Mr. Schmeling stated due to the encroachment, they will have to get a license, to allow the encroachment which will be good for 10 years, and will be renewable.

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

There being no comments from the public a motion to close the public session was made by W.Schmeling, seconded by J.Burke and unanimously carried.

A motion to approve this application was made by W.Schmeling, subject to execution of the license agreement with the Borough Council, that they will comply with the recommendations of the Engineers letter and that the impurveous surface will be changed to the drawing of A-1 and that the curb cut of lot 5.02 will not exceed 20 feet, seconded by J.Burke, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, W.Schmeling, J.Tischio, J.Burke, J.Muly.

Mrs. Dunne congratulated them on removing the impurveious surface.

A motion for a 5 minute recess was made, seconded and unanimously carried at 8:20 p.m..

Mr. Rice and Councilman Schmeling left at 8:20 P.M..

APPLICATION -12-2000- Sarah Robinson -261 Beachfront,
260 First Avenue

Owner wishes to make structural alterations to the first floor and make an addition to the second floor of 261 Beachfront and convert the first floor rental at 260 First Ave. into a two-

car garage with work and storage space and keep the existing second floor residence. This property currently has two structures consisting of three dwelling units. One unit is 261 Beachfront and two units are in 260 First Avenue. The end result will be two units, one in 261 Beachfront and one unit in 260 First Ave. R-4 Zone. The parcel is a 26' x 140' lot. The existing and proposed uses for the lot are non-conforming for zone. Use Variance.

Keith Henderson, C.Keith Henderson & Assoc. put himself on record as Attorney representing the applicant. Sarah Robinson, Brook Robinson Planner, and Charles Gilligan, Architect were sworn in by Mr. Cramer.

Sarah Robinson came forward and testified she has owned the property since June 15, 1999. She testified her permanent residence is the Beachfront structure. There are 2 structures on the property, the Beachfront house and the First Ave. structure is a 2 story building housing 1 garage bay and 2 rentals. She testified her intention is to change that configuration and increase garage and storage space on the lower unit, so she would eliminate the lower rental unit and keep the upper rental with the intention of converting that with kind of a spill over for her extended family. She testified she has 4 children, 6 grand children. The First Avenue apt. on the lower unit has 2 bedrooms, the upper has 3 very small bedrooms. The plan will eliminate the the lower rental and allow for 2 garage bays and storage.

Charles Gilligan came forward and testified he has been retained by this applicant as planner and engineer. In referring to Mr. Hilla's letter of 2/7/00 regarding the variances, one is the use variance, which has 2 dwellings on a single lot, also several bulk variances that are existing conditions. He stated a concrete deck on the Beachfront will be changed to a wood deck, it is 6.5' from the property line, we would like to go out to 5.5 ft. where 10' is required. He testified there is 1 parking space on site and 2 that are useable spaces from the corner of the garage to the white line on First Ave. is 20 feet. As the application is presented, there will be 2 garage spaces on the vacated unit on First Avenue and 2 on street that presently exists. The structure will be put on pilings, which will be driven through the floor.

Mr. Gilligans poster board was marked as exhibit A-1.

Brook Robinson, a registered Architect in the State of N. J. came forward and testified he designed this plan. Exhibit A-3 are the elevations on the improvements on the beachfront structure. Mr. Robinson in refereing to A-3, he testified they are elevations of improvements of the structure. On the east side the second story portion was set back in consideration

of the neighbors, not to block their views and air. The reasons to extend the front patio which is grade level and concrete, which extends 10' from the existing structure. The existing patio is in poor condition and would like to replace that with the same exact size from the building and the width of the existing structure. Because the deck was raised up 12" from the grade, we need to provide a step down. The step they are asking for protrudes 1' beyond the existing current patio. The second reason they are extending that additional step is because they are also installing a raised platform for planters that is 2' deep, and that reduces the usable area of the deck down to 8'. The height of the building from the crown on the beachfront property is approximately 29 ft.. The total cubic area of the dormers that protrudes beyond the allowable building area is approximately 140 cubic feet, whereas we're not utilizing about 6000 cubic feet of the allowable building area.

He testified this will allow more open air, light and ventilation. The improvements being made to the First Ave. property, they are eliminating a living unit from the first story and making it a 2 car garage and working storage area. The second story is essentially remaining as is, with 3 bedrooms, and in the future replacing the roof and putting on new siding, installing new electrical panel, replacing railings. Mr. Robinson testified there will be no living area on the lower level of the property on First Avenue. Mrs. Robinson testified, the upper unit of First Ave. will be rented for a few more summers, but not in the winter and then maybe putting heat in for her use and family members only.

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

Gordon Bird, 367 Beachfront came forward, wanting to know if the structure was coming down. Mr. Robinson stated part of the structure will be removed, the roof and a portion of the floor so they can drive the pilings down. If the removal of more than 50% of the structure, Mr. Burke felt that would go into CAFRA.

Mr. Robinson stated his understanding of CAFRA is that as long as you are building within the existing envelope and existing structure, the CAFRA approval is not required. They are staying within the original foot prints. He testified their intent is to salvage as much of the existing structure as possible.

Steve Dardinelo 343 Beachfront came forward and wanted to know how this is going to affect the encroachment on Boro property. He was told there is no encroachment.

Marie Breunig, who is directly to the south of this property said she wants to express her appreciation how Mrs. Robinson and her son have worked to design a house that would have a

minimum of impact on us. Our second floor windows will be blocked, but will gain by them flattening out the roof in front and I know it was done just for us. She has done everything possible to keep the impact upon us at a minimum. She has a question about the pilings - what exactly happens if something happens after tonights meeting with the pilings. Mr. Burke stated if somthing should happen with the walls while they were doing the work, they would have to see Mr. Ratz and say they will have to replace this, but if he determines that the changes are more than just structural changes, then he will revert it back to us.

There being no more comments, C.Triggiano made a motion to close the public session seconded by J.Burke and unanimously carried.

Mrs. Robinson testified she would like to put in pavers for the aprons in front of the garage and extend the easement walk ways to a curb.

Mrs. Dunne suggested that it be pavers, not concrete or asphalt especially in that area. She also said she is not in favor of the two structures on one property, certainly the town is not, the question is why you don't sub-divide this property and then you wouldn't have to go for a use variance.

Mr. Henderson stated they talked about that, but in this case they are going to keep this as a family situation and to not use it as a rental.

Neil Hamilton thought this was a good application, the applicant is going to fix it up and bring it up to code which is what the town is looking for.

Mrs. Robertson testified she has put a lot of money into the Beach house, new windows, started new siding and she is not looking to demolish it. We are looking to preserve what has already been put into the front part of the house and continue to do that.

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, J.Burke, J.Muly.

A motion to open the meeting to the public was made by J.Burke, seconded by N.Hamilton, and unanimously carried. Gordon Twadell, 69 Beachfront, had some questions about sub-divisions.

Mr. Dardinella came forward and suggested the Board walk the beach and first Ave. to see what is really going on. Some of the sub-divisions that were granted have for rent signs on them, so it isn't true that they are not going to rent and live there themselves.

Mr. Place said the beach front is a unique situation, and we try and handle each one as we best see fit. He believes this

board has taken major steps in improving the beach front.

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

RESOLUTION 8-2000 - Tom & Karen Rostron -29 Colby Avenue
A motion to memorialize was made by J.Burke, seconded by C. Triggiano, followed by the following vote: "YES" - P.Dunne, C.Triggiano, J.Tischio, J.Burke, J. Muly.

RESOLUTION 10-2000 - William Pospisil - 452 Cedar Avenue
A motion to memorialize to allow Mr. Pospisil to withdraw his application was made by C. Triggiano, seconded by J.Burke followed by the following vote: "YES" - P.Dunne, C.Triggiano, J.Tischio, J.Burke, J.Muly.

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

Mr. Keith Henderson came before the Board with a non-specific question or appeal to the Board and it pertains to the Board's policy on CAFRA, which has been essentially that you want CAFRA approval in place before you want to hear an application. Part of that stems from the Draw Bridge project. He would like to clarify what happened there, because he believes a lot of the Board members were under a misrepresentation of what the history of that project was. Mr. Place didn't think we should be discussing this. Mr. Cramer said Mr. Henderson is seeking some procedural issue pertaining as to why you are making an applicant get CAFRA approval first and why it is becoming a problem. Mr. Cramer said if Mr. Henderson is looking for some kind of input from the Board as to whether of not it is going to change, as it's a long standing policy of encouraging applicants to get their CAFRA approval first before coming to the Board.

Mr. Henderson said it pertains to the recent Court Decision regarding informal hearings. I can no longer take any applications before this board on an informal basis and then take that impup down to CAFRA. His suggestion is that when the Board has a CAFRA application, the Baard would at least undertake to hear a preliminary application if not a final, so that the applicant would have the opportunity to have the give and take which usually takes place between CAFRA and the municipality. Right now, because of our inability to have informal hearings on applications, we're caught in between, we don't know what the town wants and you don't want to talk to us until we talk to CAFRA, and CAFRA wants to know what you want.

Mr. Cramer told Mr. Henderson the Board is discussing and will be considering the possible establishment of a technical review committee.

Mr. Henderson stated is all he is looking for is something to start the process. I don't anticipate that some of these applications are going to be resolved in one meeting. I anticipate that I'm going to get some input from the Board to go down to CAFRA. At least I'll get the process started so I know what you want. I want to work with the town and I need some way to start.

Mrs. Dunne "said she would like to clarify when she raised the issue of the 2 properties, she stated she was not trying to jeopardise, if you realize that application was a use variance and you know, to pass a use variance, you need what is a majority of votes from the Board. Most lawyers would say if a full board isn't here, they would leave. It is a very difficult thing to get".

C. Triggiano, stated Mr. Cramer's contract is fine but on Mr. Hilla's, on the date, you have Jan. 1, 2000, terminating on Jan. 31, 2000, should be December 31, 2000. Mr. Hilla will change. On page 7 paid for services, he objects to # 5. Mr. Hilla stated if it's not in Mr. Cramer's he will take it out. He questioned # 9, and Mr. Hilla stated he will strike it out also.

Mr. Hilla stated he will take the 1½% fee out of the contract and change the date of termination to December 31, 2000.

A motion to approve Mr. Cramer's contract was made and unanimously carried

A motion to approve Mr. Hilla's contract subject to reviewing by Mr. Cramer, taking the 1½% fee out and changing the termination date to December 31, 2000, was unanimously carried.

Carmen Triggiano would like to see the Board send a letter to Council requesting them to use the figure before the fees come in of \$100,000. for remodeling etc..
Mr. Place agrees with Carmen, but suggested we wait.

The Board agreed to charge Mr. Tynday another fee with the new application he is coming in with.

There being no more business a motion to adjourn was made, seconded and unanimously carried, at 10:20 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

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the March 7, 2000, regular meeting. Please consider the following Agenda for the April 4, 2000 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA
APRIL 4, 2000 - REGULAR MEETING

Sunshine Law Annocement - 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 - Motion for Ratification

- A. RESOLUTION - 11-2000 - Matt & Karen Lisk -352 Cedar Ave.
- B. RESOLUTION - 12-2000 - Sarah Robinson - 261 Beachfront
- C. RESOLUTION - 13-2000 - Henry Wright - 189 Beachfront

END OF CONSENT AGENDA

- APPLICATION - 12-1999 - A 5 Partners -217 Hwy. # 71 (Ahern's)
APPLICATION - 18-2000 - Betty Jane Polito - 40 Pearce Court
APPLICATION - 17-2000 - Virginia Sanquini - 130 Glimmer Glass
Circle
APPLICATION -16-2000 - Matt & Julia Sudol - 129 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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JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

COLLEEN SCIMECA
Municipal Clerk

PLANNING BOARD

APRIL 4, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on April 4, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

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

The meeting was opened with discussion on Ordinance No. 1821-2000. Mr. Triggiano at our last meeting suggested that the Board send a letter to Mayor & Council requesting them to use the figure before fees come in for \$100,000. on remodeling. At the meeting Mr. Place agreed with Mr. Triggiano and suggested we wait, well we did wait and meanwhile the Council came up with an ordinance and their figure is a lot lower. Mr. Triggiano would like to poll the Board and see if the figure should be higher and recommend that the Council change it to the higher figure.

After discussion the Board would like it changed to \$80,000, if it can be done without additional cost. Mr. Triggiano stated if we do have something like this in the future, we should poll it right then and there and not hold off on it. Mr. Cramer will right a letter to the Boro Clerk stating the requested change.

Mr. Burke had a question as to the scheduling of the Main St. First Avenue project. Mr. Burke thought that at the last meeting we were going to schedule them at a special meeting not at our regular May 2nd meeting.

The Board set a date of May 16, 2000 for an additional meeting on the Kirsch property, at 7:30 P.M. at the High School or Grammer School, which ever one is open on that date. Mr. Cramer will write to Paul Szymanski and Melillo & Bauer to have them come in for the meeting. The motion was made by P. Dunne, seconded by C.Triggiano, and unanimously carried.

The second part is the hiring of a Planner and Planner Landscape Architect to testify for this Board at said meeting on May 16th,, motion made by P.Dunne, seconded by C.Triggiano and unanimously carried.

REGULAR MEETING

Mr. Burke opened the regular meeting at 7:30 P.M. in the absence of Chairman D. Place, 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 join in the salute to the Flag.

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

A motion to approve the minutes of March 7, 2000 was made by C.Triggiano, seconded by P.Dunne and unanimously carried.

APPLICATION - 12-1999 - A-5 Partners, 217 Hwy. # 71, (Ahern's)
Keith Henderson, Esq. put himself on record as representing the applicant.

He stated this is an application for an amendment for a site plan which was previously submitted by the Board. He stated this is a problem that arose which involves a field change in an application that was previously approved. The exterior of the building was converted from having 8 roof dormers, 4 on the north, 4 on the south to 2 on one side which are now shed dormers. A letter from Architect Michael James Munroe which is self explanatory, and plans consisting of 4 sheets was marked as exhibit A-1. The applicant recommended that the application be amended to accommodate this change, which was really discovered after construction had commenced. The architect and the applicant didn't realize the change in the architectural plans which didn't change the footprint of the building would require amendment to the site-plan, Sandy picked up on it and requested that they re-apply. They are asking for approval for that slight architectural modification.

Mr. Munroe was sworn in by Mr. Cramer. He testified the change was due to adding 2 interior stairs. Meeting was opened to the public on this application. There being no comments, motion was made, seconded and unanimously carried to close the public portion.

Councilman Schmeling moved the application be approved, seconded by P.Dunne, followed by the following vote: "YES" -P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, J.Burke, J.Muly, C. Rice.

APPLICATION -18-2000 - Betty Jane Polito - 40 Pearce Court.
Michael J. Pifko, Esq. put himself on record as representing the applicant. The applicant wishes to construct a second story addition. Property in question is located on the southeast side of Pearce Court, R-3 Zone. Irregular lot has dimensions of 38 feet by 77 feet. Lot contains one-story wooden frame dwelling. The existing and proposed uses are conforming for the zone; however the existing and proposed structures are non-conforming to the zone.

Betty Polito was sworn in by Mr. Cramer. She testified she is the owner of the property. She would like to put a second story consisting of 3 bedrooms and bathroom, and use as primary residence. She testified her setback on the front is basically the same as the neighbors on the block. Immediately to the rear of her property is the water. She testified she plans for Aluminum siding and fixing up the outside. There will be no change in the foot print, it is staying the same. She testified

the reason for almost doubling the size of the house, is she has 3 teen age children and a very small bath room and 2 very small bedrooms down stairs (8x7). The first floor will be a kitchen, living room, dining area and leaving the bedrooms down there. It will be her primary residence.

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

There being no comments, the public portion was closed by motion, seconded and unanimously carried.

P.Dunne had a question on the shower on the side, she would like it moved to the other side or in the back. They agreed to a condition that it would be moved.

A motion to approve this application with the stipulation that the encroachment on the side yard setback be eliminated was made by P.Dunne, seconded by C.Rice, followed by the following vote:

"YES" -P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J. Tischio, J.Burke, J.Muly, C.Rice.

APPLICATION - 17-2000 - Virginia Sanquini - 130 Glimmer Glass Virginia Sanquini was sworn in by Mr. Cramer. She testified she moved to Manasquan 4 years ago. She testified she would like to add a bedroom on the first floor, a bathroom and extend the deck on the back so everything is level on one floor. The addition will be on the side of the house, which will project 11 ft. into the side set back ending up with a 5 ft. side set back.

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

Pat Queen, who lives in back of applicant came forward stating we all live very close together and it is the only open space that she can see from her house is where the addition will be built. She doesn't think it will look so great from her view.

Tom Ketcham, 131 Glimmer Glass Circle, came forward stating he lives across the street from applicant, stating that what most in the neighborhood are worried about, is it going to be aesthetically sound, as they don't want the value of the houses going down. He would like the Board to take their time to look at the plans before they approve it.

Fred Riccio, 132 Glimmer Glass Circle, neighbor on the side of the new addition, stated they just moved into Squan about a year ago, and is the last person to create an issue between neighbors, but his concern is similar to Mr. Ketcham in terms of aesthetically how it is going to set up, beyond that if this is approved he is concerned what it is going to curtail, the summer is coming, we have daughters, grandchildren who are

going to enjoy the shore, and what extent this construction is going to effect our property. I am concerned as to where we are now and what the future is going to hold.

MR. Burke stated in our resolutions, it will be in there that any construction will not infringe on your property at all.

Ray Shephard, 1404 Bay Plaza, Wall, came forward stating he is the contractor going to build this addition and as far as the aesthetics, it is the only way we can add this room on, as far as having a shed roof. Mr. Shepard was sworn in by Mr. Cramer.

Mr. Shephard testified, the only roof style possible, is a shed roof, as far as time frame. We can start in 14 days and be finished in 40 days, if this is approved tonight.

Mr. Burke stated if you should receive approval tonight, you will not get your resolution until next month, and you cannot get a construction permit until after that meeting. After that meeting there is a 45 day appeal period, you may build within that 45 days, but if anyone appeals this decision during that 45 day period, you could be asked to stop work, you could be asked to take every thing down, if the appeal goes against you.

MR. Rice stated he thinks he can understand some of the neighbors concerns about aesthetics, because looking at the plans, your not lining it up with the front of the house, your back about 2 feet.

Joann Zaksewski, 104 Glimmer Glass Circle, came forward stating she is an original owner on the inner circle. She believes the set backs are about the same. There was noting unusual when she purchased the house.

Richard Queen, 106 Glimmer Glass Circle, had a question as to why the owner can put a shed roof on instead of putting a pitched roof on to match the rest of the house and neighborhood.

Catherine Kolon, 147 Glimmer Glass Circle, she was not noticed as she is not within the 200 ft. radius, she just came as it is in her community. She stated she is confused, as she has a friend that lives in an older part of Manasquan, who came before the Board a few months ago to get approval for variances and there were exact architectural plans drawn up so you knew exactly what she was going to do. This sounds like the contractor isn't quite sure what he is going to do, so how can the people in the community make an objective decision whether they oppose or not oppose, if they don't know exactly what the architectural design is going to be. I just hope that what I heard when I moved into this Circle, that the people in this Circle got a little more preferential treatment than the other

people, and I hope that this is not so, what ever the rules and restrictions are for Manasquan, that they are upheld every where.

A motion by C.Rice, for a 5 minute recess, seconded by C.Triggiano, was unanimously carried at 8:35 P.M..to see if the original plot plan can be found to answer some questions on the location of this house.

The Board returned from recess at 8:40 P.M. with the following roll call: P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, J.Burke, J.Muly, C.Rice.

Mr. Hamilton stated he pulled two deck applications out and they do conform to 5 ft. setbacks, so we can confirm that, and the other is a 20 ft. setback on both of those applications as well. We have to research the sub-division to see if by chance stipulation was put in on rear yard set backs. He believes Sandy was here at that time and Sandy's very sharp on recalling numbers. Until we research that, we can't give you a determination as to whether or not you should be here.

Mr. Schmeling stated he agrees with the audience, the structure should be changed, the side of the house has no windows, so there should be a gable roof on that side.

Mr. Burke stated we are here tonight to approve a variance that will allow the applicant to build an addition.

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

Neil said he will research what the perimeters are for the sub-division, the board needs to know that, and with the drawings tonight and a little confusion as far as set backs, shed roof and aesthetics of property, as to how it is going to look from the street and the rear, he thinks we really need a more professional rendering of what the finished product will be.

The board was confused about the drawings and how it was going to look when finished. They suggested the applicant come back with a more accurate set of plans, they also requested that they put in a gable roof rather than a shed roof, as it might be more pleasing. Mr. Burke requested that they answer these questions and return at our next meeting on May 2, 2000.

Mrs. Sanquini testified she will get a better set of plans and she is willing to change the roof to a gable

A motion by P.Dunne to continue this application to the next meeting,also consent for extension of time for the Board to take action on the application, seconded by C.Triggiano, followed by the following vote: "YES" - P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, J.Burke, J.Muly, C.Rice.

Mr. Rice excused himself from the next application and Councilman Schmeling also excused himself from the meeting. Mr. Place, Chairman will take over the meeting and Mr. Burke will step down.

APPLICATION - 16-2000 - Matt & Julia Sudol - 129 Beachfront
The applicant wishes to: 1) construct an additon to the second floor to the Beachfront residence, and 2) convert the first floor rental at 128 First Avenue into a two-car garage and keep the existing second floor residence. Zone 4 (R-4). the parcel is 24.76 foot by 148.94 foot lot. The property has a two-story two unit, wooden frame dwelling and a single family, 1½ story, wooden frame dwelling.

Mr. Keith Henderson, Esq. put himself on record as Attorney representing the applicant. Christopher Rice, Architect and Charles Gilligan, Engineer & Planner, and Julia Sudol were sworn in by Mr. Cramer.

Mr. Henderson apologized for the error on the application, but the board had a new amended one which was distributed to each member.

Mr. Henderson stated the applicant is Matt & Julia Sudol and the owner of the property is Barry & Peggy Ivins.

Julie Sudol came forward and testified she resides at 128 First Avenue the subject property. Currently there are 2 buildings. Herparents Barry & Paggy Ivins own the property. There are 1 living units in the front building and 1 in the rear building. She testified, her plans are to renevate the front beach house and add a second story. No one is living in the beach house at the present time, and she and her husband live in the First Ave. house. She testified, after the construction, she and her husband will live in the beach house and the First Avenue house will be her Mom and Dad. She testified they would not like to sub-divide the property, as they are all family and the only ones that are going to live there. She testified they would be willing to deed restrict this property against the rental of either unit until such time, if ever, if the property were sub-divided, if the Board requested this in their approval.

Mr. Gilligan stated he is a Licensed Engineer in the State of N.J.. He testified he was employed by the Applicant. Being sought here is a Use Variance for 2 single family dwellings on one lot, and they are here to put an addition on the beach house. A poster board of tax map was marked A-2 into evidence. Most of the lots around this property all have the same set backs. He stated there would be no detriment to the public good. Max. lot coverage is reduced to 8% and building coverage reduced to 6%.

Christopher Rice, submitted a double sided board of the plans,

which was marked into evidence as A-3 and A-4. A-3 is the floor plan. He stated they are making an effort to reduce the lot coverage and building coverage by taking the existing structure and taking footage off the back of the house. The bedrooms are going up stairs, and no more bedrooms down stairs. The west side of the house will be taken off, Existing foot print will not change with the exception of the subtraction of that area. The second story addition will consist of 2 bedrooms and a den and bathroom. They are taking 5½ ft. of the second story and pulling it in from the side. He stated they are not doing a third floor, there will not be dormers up there. The house will be on pilings. The roof will come off, the walls come down and the first floor will be ripped off, the foundation will be left, dry pilings put in, so it's a new house. There will be 4 parking spaces.

A motion to open the meeting to the public was made by C.Triggiano, seconded and unanimously carried. There being no comments, J.Burke made a motion to close the public session, seconded by N.Hamilton and unanimously carried.

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

RESOLUTION - 11-2000 - Matt & Karen Lisk -352 Cedar Avenue
A motion to memorialize was made by J.Burke, seconded by J.Muly followed by the following vote: "YES"- P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, J.Muly.

RESOLUTION - 12-2000 - Sarah Robinson - 261 Beachfront
A motion to memorialize was made by N.Hamilton, seconded by P.Dunne, followed by the following vote: "YES"- P.Dunne, D.Place, C.Triggiano, N.Hamilton.

RESOLUTION - 13-2000 - Henry Wright - 189 Beachfront.
A motion to memorialize was made by P.Dunne, seconded by N.Hamilton, followed by the following vote; "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, J.Muly.

RESOLUTION - Christopher Rice
Resolution was read by Mr. Cramer.
A motion to approve was made by D.Place, seconded by J.Burke, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, J.Muly.

RESOLUTION - 12A-1999 - A-5 Partners, L.L.C.
A motion to approve was made by C.Triggiano, seconded by C.Rice, followed by the following vote: "YES" - P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, J.Muly, C.Rice. ABSTAIN -D.Place.

The Board decided to set a date in September to talk about the Master Plan.

A motion to pay all vouchers, was made by C.Triggiano, seconded by J.Burke, and unanimously carried.

Mr. Triggiano commented that if the members would look over the vouchers, you'll see that the case with Moore is costing a lot of money, but Jeff is doing a good job in preparing defense against their allegations.

Mr. Cramer stated the original return date for their motion to dismiss their complaint has been continued to April 14th.

There being no more business, J.Burke made a motion to adjourn, seconded by C.Triggiano, and unanimously carried at 9:50 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
PLANNING BOARD

COLLEEN SCIMECA
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the April 4, 2000, regular meeting. Please consider the following Agenda for the May 2, 2000 meeting at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

MANASQUAN PLANNING BOARD AGENDA

MAY 2, 2000 - REGULAR MEETING

Sunshine Law Annocement - 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

APPLICATION - 46-1999 - John C, Kelly -Modification of Resolution

APPLICATION- 20-2000 -Gerald & Christine Hall - 30 Marcellus

APPLICATION- 17-2000 -Cont.- Virginia Sanquini-130 Glimmer Glass

- A. RESOLUTION - 12-1999 - A 5 Partners - 217 Hwy. # 71 (Aherns)
- B. RESOLUTION - 18-2000 - Betty Jane Polito - 40 Pearce Court
- C. RESOLUTION - 16-2000 - Matt & Julia Sudol - 129 Beachfront
- D. RESOLUTION - Appointment of Special Planner & Architect in connection with Application of Flanders, L.L.C.

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

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NEW JERSEY 08736

COLLEEN SCIMECA
Municipal Clerk

PLANNING BOARD

MAY 2, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on May 2, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

The Board went into closed session at 7:05 P.M and returned at 7:30 P. M..

David Place, Chairman 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. He asked all to stand and salute the Flag.

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

APPLICATION - 46-1999 - John C.Kelly - Modification of Resolution Keith Henderson, Esq. - C.Keith Henderson & Assoc. came forward stating he is the Attorney representing the applicant. The Board previously approved the application, during construction the applicant requested an architectural change of his architect, which did not require an additional variance, but Mr. Ratz indicated he would feel more comfortable if the applicant came back to the board, because variances were involved in the original application, and he wasn't clear whether the resolution incorporated specifically by reference to those plans.

Mr. Wright, the Architect was sworn in by Mr. Cramer. Mr. Wright testified, the owner made a visit to the site and when he was up on the 3rd. level which is under the roof line, it's a half story. There were 3 sky lights in the original plans and looking out he said the view was so beautiful he would rather have a vertical wall with 3 windows, instead of 3 sky lites to look out. Mr. Wright designed a shed dormer which is less intrusive and blends more into the roof line. The original roof line is the same, they are simply adding a small portion of roof in this vertical section of wall. By adding this vertical section of wall they are able to get 3 windows on the southern part of the building. They are not expanding beyond the footprint, didn't exceed the building height, everything is conforming to the prior plans for area and height.

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

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

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

J.Muly, C.Rice.

APPLICATION - 20-2000 - Gerald & Christine Hall - 30 Marcellus
For the record, Mr. Rice excused himself from this application.
Keith Henderson, C.Keith Henderson, Associates, put himself
on record as Attorney representing the applicant.
Mr. Henderson stated this is for property, Block 69 Lot 9, 30
and 30½ Marcellus Avenue.
Gerald Hall, 30 Marcellus Ave. and Charles Gilligan, Engineer
were sworn in by Mr. Cramer.

Mr. Hall testified he resides at 30 Maarcellus Avenue, and has
lived there approx. 12 years, and recently purchased it from
his Mother-in-law. The agreement with her was that she would
get the total rent from the back apartment, which she has life
rights to that income. There are 2 buildings on the property
now and the Hall's live in the front house. He testified the
reason for the addition is a family tragedy, and they have
custody of their 2 year old grandson. The downstairs is very
small, living room, dining room, kitchen and half bath. Right
now the dining room is a play room, as there is a yankee basement
and they can't put anything down there. They just want to put
on a family room so their grandson has some room to play. Photos
taken by Mr. Hall were marked as exhibits A-1 and A-2.
Mr. Hall referring to exhibit A-1 is a photo of the front house.
A-2 reflects the back house. Mr. Hall testified the back garage
was build around 1920, the front house was built by Van Arsdale
around 1876. The rear house is rented to a married couple.

Mr. Charles Gilligan a licensed Engineer & Planner came forward
and testified the addition does not cause any new variances.
He felt a use variance is not required as indicated by Sandy
Ratz. The reason he feels that way is there are 2 principle
dwellings on the site, and one has to be conforming. The dwelling
to the back is the non conforming structure, we would be hard
pressed if we were trying to expand that and put an additional
bedroom on. The principal structure to the front is a conforming
structure and conforming use and the addition is still
conforming as far as the use is concerned. Mr. Henderson said
he is prepared to present testimony that we are entitled to
a use variance if the Board requires one.

Mr. Hall testified there will be a separate cellar under the
new addition, which will be a play area and a new heating system
for the new addition and storage area for storing winter clothes.
There will be a fire place in the family room. He testified
there are separate gas meters and electric meters.
Mr. Triggiano would like to see separate lines going into the
houses, but Neil didn't think that was necessary.

A motion by C. Triggiano to open the meeting to the public was

seconded by P.Dunne and unanimously carried.
Colleen O'Connor from the Coast Star wanted to know the size of the new addition. Mr. Gilligan stated it was approximately 14 x 25'.

Joan E. Smith who has been a neighbor for 20 years came forward stating their home is just beautiful, they keep it in mint condition, they truly really need this for their grandson. The home is very small, and I hope you grant it to them they really need it.

John Quigley, 25 Marcellus Ave. stated he has no objections to this addition. It seems fair to him, they really need it.

A motion by C.Triggiano to close the open session, seconded by N.Hamilton was unanimously carried.

The Board having no problem with the addition, a motion by J.Burke was made to approve the required use variance, seconded by P.Dunne, followed by the following vote: "YES" - P.Dunne, C.Triggiano, D.Place, N.Hamilton, R.Zanes, J.Burke, J.Muly.

J.Burke made a motion to grant this application with the stipulation that the sidewalks be repaired, seconded by C.Triggiano, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, R.Zanes, J.Burke, J.Muly.

For the record, Councilman Schmeling arrived at 8:15 P.M..

APPLICATION - 17-2000 - Cont.Virginia Sanquini - 130 Glimmer Glass Circle.

Mrs. Sanquini testified, she did revise the plans and is willing to put on a gable roof, a window in the front. It is the same foot print.

The public portion was opened - there were no comments, - the public portion was closed with a motion by J.Burke, seconded by C.Triggiano and unanimously carried.

Councilman W.Schmeling made a motion to approve the application with the plans provided today, seconded by P.Dunne, followed by the following vote: "YES" - P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Burke, J.Muly.

The resignation from James R. Miller as of May 1, 2000 was read by Mr. Place.

Mr. Burke made a motion that the Board regreatfully accepts the resignation of Mr. Miller., seconded by C.Triggiano, and was unanimously carried.

A motion by J.Burke to pay all bill, seconded by Councilman Schmeling was unanimously carried.

A motion to approve the minutes of April 4, 2000 was made by J.Muly and seconded by C.Triggiano, was unanimously carried.

RESOLUTION - 16-2000 - Matt & Julia Sudol - 129 Beachfront Resolution was read by Mr. Cramer. A motion to memorialize this resolution was made by C.Triggiano, seconded by N.Hamilton, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Burke, J.Muly.

RESOLUTION - 18-2000 - Betty Jean Polito - 40 Pearce Court. Mr. Cramer read the resolution. A motion to memorialize this resolution was made by N.Hamilton, seconded by Councilman Schmeling, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Burke, J.Muly.

RESOLUTION - 46A-1999 - John C. Kelly - Modification of Resolution. A motion to memorialize was made by C.Triggiano, seconded by J.Burke, followed by the following vote: "YES" P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Muly.
ABSTAIN - J.Burke, Councilman Schmeling.

A perpetual resolution to appoint a special Planner & Architect in connection with Application of Flanders, L.L.C. was approved, by motion of J.Burke, seconded by N.Hamilton, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, R.Zanes, J.Burke, J.Muly.

Mr. Burke suggested that Mr. Szymanski and Melillo & Bauer submit reports before the special meeting of May 16th., at the High School Auditorium.

A motion to adjourn was made by C.Triggiano, seconded by J.Burke and unanimously carried at 9:00 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
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COLLEEN SCIMECA
Municipal Clerk

May 2, 2000

The Coast Star
13 Broad Street
Manasquan, N. J. 08736

Att: Legals

Dear Sir:

Please publish the following legal in your edition of May 4,
2000.

NOTICE
MANASQUAN PLANNING BOARD

A special Planning Board meeting will be held Tuesday May 16,
2000 at 7:30 P.M. in Manasquan High School Auditorium for the
purpose of hearing the Development Application of Flanders,
L.L.C., (Estate of Irving B. Kirsch) and taking testimony with
respect there-to and possible taking of official action with
respect to that application.

Marie Applegate, Secretary
Manasquan Planning Board

Marie Applegate

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Mayor

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NEW JERSEY 08736

COLLEEN SCIMECA
Municipal Clerk

PLANNING BOARD

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the May 2, 2000 and May 16, 2000 meeting. Please consider the following Agenda for the June 13, 2000 meeting at 7:30 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA

JUNE 13, 2000 - REGULAR MEETING

Sunshine Law Annocement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

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

7:30 P.M. - REGULAR PUBLIC MEETING

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

APPLICATION -21-2000 -Nick Perone - 59 So. Jackson Ave.
APPLICATION -24-2000 -Ismal & Florence Lopas - 456 Brielle Rd.
APPLICATION -25-2000 -Denis & Linda DiPalma - 81 Broad Street
APPLICATION-23-2000 -Flanders, L.L.C. Application for Development
Set Date continued public hearing.
APPLICATION -26-2000 -Reginald Gibson - 95/99 Atlantic Ave.
APPLICATION -15-2000 -Lawrence & Sheila Tynday-173 Beachfront

Request for Special Meeting - Michael Ellery - 2 Pearce Court.

- A. RESOLUTION - 20-2000 -Gerald & Christine Hall-30 Marcellus
- B. RESOLUTION - 17-2000 - Virginia Sanquini - 130 Glimmer Glass

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 08738
PLANNING BOARD

COLLEEN SCIMECA
Municipal Clerk

MANASQUAN PLANNING BOARD
MAY 16, 2000 SPECIAL MEETING MINUTES

The Manasquan Planning Board held a special meeting on May 16, 2000 at the Manasquan High School, Broad Street, Manasquan, NJ.

Chairman David Place opened the meeting at 7:30 p.m., stating that this was an open public meeting held in accordance with the Open Public Meetings Act and held according to law. Mr. Place asked all in attendance to join in the Salute to the Flag.

ROLL CALL: Present – Board Members Patricia Dunne, David Place, Carmen Triggiano, Neil Hamilton, Councilman William Schmeling, Mayor John Winterstella, Robert Zanes, John Burke, Christopher Rice, John Muly and Gordon Twadell. (Mr. Twadell was sworn in as second alternate at the meeting)

Also in attendance were Board Attorney Geoffrey S. Cramer, Board Engineer and Planner Alan Hilla, Jr. of Birdsall Engineering, Special Planner Paul Szymanski and Landscape Architects/Planners Thomas Bauer and Scott Taylor of Melillo and Bauer; and acting Board Secretary Sharon Bogie.

A motion was made, seconded and unanimously carried to approve the April 4, 2000 regular meeting minutes.

APPLICATION 23-2000 – The Flanders LLC, Inc., West Paterson, NJ. – First Avenue between Main Street and Brielle Road, aka Block 179, Lots 1-6, 8, 10 and 15 - Use Variance and Site Plan Approval – The Board recognized C. Keith Henderson, attorney for the applicants, who are contract purchasers of the subject property, presently owned by the Estate of Irving B. Kirsch.

Mr. Henderson introduced the professionals for the applicants, Robert Richardi (of the Flanders LLC), Raymond Liotta and Mark Zelina, who were sworn in as architect/planner, landscape planner and engineer/planner respectively.

Mr. Henderson offered a brief description of the project. The applicants requested relief

so they may construct nine frame dwelling each containing four condominium units. The building permit was denied by Construction Official Albert P. Ratz, Jr. under Section 107-27 in the following areas: Maximum Permitted Density (16 dwellings per acre or 26 units allowed; 36 units proposed), Side Setback on Corner Lot (15 feet required, 10 feet proposed from E. Main Street, 7.1 feet proposed from Brielle Road), Maximum Height (2 ½ stories allowed, three stories proposed as well as 35 feet allowed, 38 feet proposed) and Maximum Building Coverage (40 percent allowed, 40.5 percent proposed). Mr. Ratz also cited Section 107-52 - Site Plan approval required. The properties are located in the R-PM Zone and the V-6 and A-5 Flood Zones. The subject parcel is 73,616 square feet (1.69 acres).

Mr. Richardi gave his credentials and was recognized as an expert witness. He noted that the contract to purchase was contingent on the site plan approval. He then proceeded to give some background on the present uses of the subject parcel, stating his was a mixed use of "some business, some residential." An artist's rendering of the project was marked by Mr. Cramer for the record. Mr. Richardi then went on to discuss the drawings and plans for the units, which would each have ocean and First Avenue views. There would be four three bedroom units per building, each with one floor of living space as well as storage space and garage space on the first level for approximately 1700 square feet of total area per unit. The First Avenue elevation also depicted the parking and storage areas for the property, with each unit having three parking spots, two inside the first level garage and one outside the garage. Each building would have two separate bays.

Mr. Richardi explained the project was designed with density in mind to to make it "as close in feeling" to a single family unit "as you can get." There were also financial considerations, he stated; by planning the project in this manner, the units could be functional in stages (as each building was built it would be self-sufficient), making the project easier to finance. He also stated the four unit make up is very popular and successful, citing Ocean City, where a single unit in such a plot would go for approximately \$400,000.

The façade was also discussed, with Mr. Richardi stating it was designed so "not to resemble a row of garages." He also noted the character of the neighborhood, noting the mixture of business (such as the Osprey, Manasquan Pizza and the Bayou Café) and residential uses in the area.

Mr. Richardi also referred to the rendering of the building, which he stated was of a "Nantucket" design. The depiction showed the buildings on the site looking like each other and placed approximately 10 feet apart.

After Mr. Richiardi concluded, Mr. Liotta commented on use issues, variance issues, including the variances for density and height as well as present and proposed setback violations; and case law, including precedents regarding conservation of land values. The site plan map was also marked for the record and discussed.

The Board and applicants' professionals debated height requirements. Referring to the rendering, Mr. Liotta noted the roof peak on the beachfront elevation was 32 feet high while the First Avenue peak was 38 feet; averaged put, this came to a height of 35 feet, which meets zoning requirements. The Board, however, questioned this assessment, with Mr. Burke citing recently passed Ordinance 1811-2000, which defines building height envelopes and amended height criteria (as has previously been set forth in Chapter 107).

The Board and professionals discussed the definition of story. Mr. Rice asked what types of materials would be used.

The applicants' professionals further addressed parking issues, offering the opinion that they "went above" ordinance requirements in providing three spaces for each unit when only two were required. They did this, it was noted, because they felt it was what the condo owners would desire.

It was also noted throughout the course of their presentation that it was the applicants' position the project was "consistent" with the Borough's Master Plan.

Mr. Henderson once again noted that his clients were only looking for "feedback" at this meeting and that his professionals have not addressed reports done by the Borough professionals because they had just been received.

The Borough's professionals offered their opening opinions, each addressing issues in their individual memos.

Mr. Hilla commented on the parking, noting that while each unit would have three spaces, there would actually be a loss of parking because one of the existing uses is a parking lot. His memo also dealt with infrastructure (utilities and improvements such as lighting and sidewalks/curbing), parking and proposed traffic flow issues.

Mr. Taylor also commented on traffic patterns in the area. The memo from his firm also expressed concerns over the overall design and architecture of the project and suggested a "less imposing," more open concept be submitted. Both this memo and the comments of Mr. Hilla expressed concern about the proposed loop turnabout at the end of Main Street. Mr. Taylor felt any traffic circulation should be done on site. He also reflected on the

scope and density of the project. The firm also recommended more landscaping be required and made suggestions for the planting of trees and other shrubs. Other issues noted included signage, accessibility, trash disposal and the possibility of adding balconies to the plans.

Mr. Szymanski addressed the issues set forth in his memo, including the intent of creating the R-PM zone in the 1992 Master Plan. In his opinion the development was not in line with the intent of R-PM zone nor the "Coastal Planning Study." He expressed concerns over the density of the project, which he felt did not provide enough separation between units and was an attempt to maximize development of the parcel. He also noted the problems with the parking design and the stacking of cars but also noted that the plan allowed for more parking than ordinance requirements. He also commented that he felt the applicant could find ways to comply with all the setback requirements.

Mr. Rice stated that there were "two major issues" in his eyes, those being aesthetics and density. He felt the project could "lose a few buildings" and stated "the style was a step in the right direction, but..." He noted privacy issues and the need for railings. He then commented that he would like to see less of an impact in height and some space between the buildings. "Out of respect for all the work you have done, maybe we were envisioning."

Mr. Zanes also expressed concerns about the density. "Will it enhance or not enhance redevelopment in the beachfront area?" he asked, stating he felt the density would hinder the vision of redevelopment in terms of open space.

Mr. Muly expressed concerns over the loss of commercial uses in the area.

Mayor Winterstella stated he would like to see the project have more character and look less like one building.

Mr. Burke expressed concerns about the parking situation in the area of the project and felt such development, including the plans to "stack" the cars on the property, which would lead to shifting of vehicles and backing up onto busy First Avenue, could worsen an already dangerous situation.

Mr. Place also discussed his opinions on the façade. He expressed concerns about the possibility the building might end up looking like a wall and felt the project should be scaled back.

After the Board Members commented, Mr. Henderson offered notations from the Master

Plan, commenting that the document wished to encourage "economically viable redevelopment." He expressed a willingness to work with the Board and show flexibility about issues such as traffic, but the Board needed to recognize the financial aspects of the project. "We will try to redesign and address as many concerns ... (in) an economically feasible way," he stated.

A motion was made, seconded and carried for a recess at 9:25 p.m. The meeting reopened at 9:35 p.m. The meeting was opened to public questions of the professionals.

Carol Broderick, Parker Avenue, commented on the project, reminding the Board that when calculated out, there is a possibility that 216 people could be living on the site, based on the three bedroom plans.

William Buble, Whiting Avenue, read a letter from the Manasquan Beach Improvement Association regarding the project. He stated that the MBIA, while approving of redevelopment in the area and the possibility of increased parking, was concerned about density and the look of the project.

Patricia Walsh, Stockton Lake Boulevard, expressed concern over the size of the project and stated the Board should "hold firm" and adhere to zoning requirements.

Alice Hemphill, Fletcher Avenue, chairwoman of the Manasquan Environmental Commission, discussed her concerns with overdevelopment and about the design of the building.

Bob Briant, Virginia Avenue, expressed concerns over parking, density and effects on infrastructure.

Mike Benjamin, Parker Avenue, expressed concerns over runoff and whether it would be better if the runoff was spread over the entire lot.

In response to questions from Bob Berger, Perrine Boulevard, Mr. Henderson cited suggestions from the Master Plan.

Anastasia Michals, president of the Manasquan Board of Education, felt the Board should consider the ramifications of such development on the already filled school system.

T. J. Coan, Curtis Avenue, expressed concern over the possibility that these units would become rentals.

Nancy Forman, Brielle Road, discussed the façade and was concerned over the single building look of the project.

Marilyn Jacobson, Fletcher Avenue, questioned the garage storage area and whether this could end up being used as living space. Her husband Ronald Jacobson also expressed concerns about the project.

Marie Bruenig, 264 Beachfront, also commented on the loss of commercial uses frequented by tourists in the beach area.

Joann Forbush, E. Main Street, asked what it would take to bring the density down. Mr. Henderson replied it would take "going back to the drawing board."

Other members of the audience expressed concerns about the aesthetics and density of the project.

There being no further public questions, Mr. Rice moved to close the public hearing; motion seconded and unanimously carried.

Mr. Henderson discussed the CAFRA situation with the Board, stating that sometimes CAFRA wants to hear the status of the project before the local board while the local board wants to hear about CAFRA.

Mr. Henderson stated his client would go "back to the drawing board" and wished to come back to submit just the amended concept plan and set a date for the next hearing in approximately a month. He stated it could be available for the regular Planning Board meeting of June 13, 2000 and at that meeting the matter could be carried over to date of choice. Mr. Rice suggested the case be heard at a series of special meetings. The Board agreed to this course of action and, there being no further items for discussion, unanimously voted to adjourn at 10:35 p.m.

Respectfully submitted,



Sharon Bogie, acting 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 the May 16, 2000 meeting at 7:30 P.M. in Manasquan High School Auditorium, Broad St., Manasquan, N. J.

MANASQUAN PLANNING BOARD AGENDA

May 16, 2000 - SPECIAL MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:30 P.M. - SPECIAL PUBLIC MEETING

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

APPLICATION - 23-2000 - The Flanders, L.L.C. - First Avenue
(Between E.Main St. & Brielle Rd.)

BOROUGH HALL
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Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

COLLEEN SCIMECA
Municipal Clerk

PLANNING BOARD
JUNE 13, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on June 13, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N.J..

Mr. Burke opened the meeting at 7:00 P.M. explaining the Board would go into closed session due to some litigation they have to discuss. Regular meeting will start at 7:30 P.M.

A motion was made, seconded and unanimously carried to go into closed session.

The Board returned from closed session at 7:30 P.M. Mr. Burke opened the regular meeting 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, C.Triggiano, N.Hamilton, Councilman
W.Schmeling, J.Tischio, J.Burke, J.Muly.
ABSENT - D.Place, Mayor Winterstella, R.Zanes, C.Rice
G.Twadell.

Mr. Burke asked for a moment of silence for a long time member of the Board of the Adjustment - Edward Lyons, who passed away last week.

A motion was made, seconded and unanimously carried to approve the May 2, 2000 regular meeting minutes.

A motion was made, seconded and unanimously carried to approve the May 16, 2000 Special meeting minutes.

APPLICATION - 21-2000 - Nick Perone - 59 So. Jackson Avenue.
Owner proposes to construct an 8 x 10 three season porch to existing dwelling. The property in question is located on the southwest corner of Jackson Avenue at the intersection of Pine Avenue. Residential Zone R-2. The parcel is a 55.9' x 100' lot currently containing a one story framed dwelling and a framed shed. The applicant wishes to construct an 8'x10' patio room to the existing principle structure. The existing and proposed uses are conforming, however, the existing and proposed structures are non-conforming for the zone.

Nicholas & Carmelita Perone, 59 So. Jackson Avenue were sworn in by Mr. Cramer.

Nick Perone testified he would like to put a patio room on the south side of the house. In his other house he had one and he really misses it on this house. Diagram submitted was marked into evidence as A-1. Photos (3) were marked as A-2-3-4. There may be heat at some time but not now and only electric out there.

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

There being no comments, a motion to close the public session was made by C.Triggiano, seconded by P.Dunne and unanimously carried.

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

Chairman David Place arrived at 7:45 P.M. and the meeting was turned over to him by Mr. Burke.

APPLICATION-24-2000 -Ismael & Florence Lopas - 456 Brielle Rd.
Owner wishes to construct new one family dwelling. Property in question is located on the north side of Brielle Road between Deep Creek Drive and Fourth Avenue. This location is within the Borough's Residential Zone R-3. The parcel is a 40 foot by 100 foot lot that is currently vacant. The applicant proposes to construct a two-story single family dwelling on the property. The existing and proposed uses are permitted in the zone; however, the proposed structure is non-conforming for the zone. Side yard (east side) 5' required, 3' proposed. Rear yard 20' required, 14' proposed. Building coverage -35% maximum allowable, 35.45% proposed. Variances will be required.

The Board recognized Joseph M. Rigolio, Esq., North Haledon, N.J. Attorney for the applicant.

Ismael & Florence Lopas, 516 Second St., Fair Lawn, N. J. were sworn in by Mr. Cramer.

Mr. Rigolio offered a brief description of the project.

Architectural rendering of front elevation was marked as Exhibit A-1. Plot Plan.

Mr. Rigolio stated there was previously a 3' side set back on the original house and the owner at 460 Brielle Rd. built an attractive fence which affords privacy, so the 3' set back should not affect the house on the east side. Grading plan was marked as exhibit A-2, which shows parking for 2 cars.

Balance of front yard grading will be gravel.

Mr. Burke was concerned about the stoop and stairs on the side with the 7' set back is part of the building, so there aren't 7 feet on that side of the building. Mr.Rigolio stated the stoop can be omitted, but the step would like to remain going into the house. The over-hang on the front of the house, 2nd floor will be taken off. The lot coverage is 48%.

Mr. Burke wanted to know why they have to build a house this large with all the variances, where if they stayed within the foot print of what was there they wouldn't need all these variances.

Mrs. Dunne stated this was a very difficult 2 family house,

the most troublesome house (the one removed) in the area. She feels the board has to give a little leeway to these people that are coming in to a very bad situation that has been improving over the years, and they are willing to invest in the town.

Mr. Schmeling has no problem with this application, but he feels that they should meet the side setbacks of 5 feet on each side.

A motion by J.Burke to open the meeting to the public, seconded by J.Tischio was unanimously carried. Carol Broderick asked the size of the lot. Mr. Rigolio stated it was 40x100. She feels there should be no variances, as they can meet the side setbacks.

A motion to close the open session by W.Schmeling, seconded by C.Triggiano was unanimously carried.

P.Dunne wants them to move the house over so there are 5' on each side. It is a wonderful addition and the design is very good, she likes it. She said it's not true that we always make them move to have the 5' setback, because up on the beach on new construction with 1' set back we made them put a fire wall up, because they were so close.

Mr. & Mrs. Lopas made reference to the new construction on Captains Court, they believe those houses are closer than 5'. She couldn't believe these houses were constructed like that.

N.Hamilton stated we need to address the setback, he doesn't know why they can't move that house over to meet that variance. Eliminate the stairs on the side of the house will give you opportunity to have the 2 on side parking spaces. He could approve the rear yard setback but no others. The rest of the Board agrees with Neil and Pat move the house over to meet the setback, they have no problem with the other variances.

Mrs. Lopas would like an overhang over the step as it would look more pleasing.

Mr. Burke stated as long as it is a step not a stoop, he could go along with that.

Mrs. Lopas testified they will call up the Architect to have the house set at 5 ft. on each side, one or two steps not a stoop and an overhang over the steps.

P.Dunne made a motion to approve the plans as amended, which includes centering the house on the property with 5' on each side, and not allowing a porch on the side, but allowing the steps to the mud room with an overhang over the steps, seconded

by Councilman Schmeling, followed by the following vote: "YES" P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, J.Burke, J.Muly.

APPLICATION - 25-2000 - Dennis & Linda DiPalma - 81 Broad Street Keith Henderson, put himself on record as Attorney for the applicant. He stated the DiPalma's are contract purchasers of property known as Lot 27, Block 35, which is next to the First Aid building.

Owner wishes to convert a building containing an existing manufacturing business into an electric contractors office and storage of contractors equipment. Dennis DiPalma and Charles Gilligan were sworn in as witnesses by Mr. Cramer.

Mr. DiPalma testified he is an electrical contractor. Their primary business is industrial. He has 7 employees. Right now he is located in Manasquan and has been for 8 months. He was located in Howell and sold to get back into Manasquan, as this is where he lives. He has 6 trucks at present.

Mr. Gilligan, Planner & Engineer from Brielle, testified he has been retained by the applicant. He testified this application needs a site Plan approval, use variance, as it is a non permitted use in this zone - R-2. No building expansion is proposed but there are existing variances that go with the existing building. Front set back - side yard set back, lot coverage, which we are slightly increasing to make a handicap parking out front off of Broad Street. Presently there is about 53% impervious coverage, and we are going to increase that to 56.5%. There is also a variance requirement for abutting a residential use - 15 ft. required, we are proposing 2 ft. with a 6' high stockade fence. There will be a small office in front of the building and storage in the rear.

There will be a 6' fence on the westerly side with arborvitae. There will be 8 parking spaces, 2 inside, 4 in the rear parking area and 2 out front. The parking area in the rear will be gravel. Operations will be from 6:00 A.M., workers come in take a van, leave their car on site and go out on the job, they are gone all day and return at 4:30 or 5:00 p.m. leave the van and take their car. They are trying to keep the maple tree on the property but if not a new one will be replaced. Delivery trucks, will side load at the two over head doors on the south, probably one a day which will be mid day and 1 or 2 employees on site. The same sign that is there will be used.

A motion to open the meeting to the public was made by J.Burke, seconded by P.Dunne and unanimously carried. Richard Hingston, trustee for the Manasquan First Aid came forward stating they have no objection to Mr. DiPalma having

his business there, but questioned the parking, will there be a problem with the trucks coming in in the morning and changing cars. He stated they are having the parking lot stripped and the driveway between the first aid building and his building will be a fire lane and there are 3 or 4 parking spaces along there also. Mr. DiPalma said there would be no problem.

Tony Cavallero, Trustee of the Library, stated bear in mind this is a High School, Elementary School area, there are kids going past certain times of the day, also parents driving past he wanted to know where those trucks are going to park. Mr. DiPalma stated in the rear yard. Mr. Cavallero said there should be restraints on this business as to parking on the First Aid property, or blocking emergency vehicles. Mr. Henderson stated his applicant would be willing to put up signs, warning children of the trucks exiting, and there will be no retail business at this site. Mr. DiPalma testified the trucks leave at 6:30 A.M. and do not come back until 4 or 4:30 P.M..

Carol Broderick, Parker Avenue, asked about the kind of fence being put up and what is it going to look like from the front. Mr. Gilligan said the fence will be way in the front and a wood fence, 2 six ft. gates that will swing open. It will match the dentist office fence. She would like to see as many trees as possible saved.

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

A motion to approve this application with the stipulations made, was made by J.Burke, seconded by C.Triggiano, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Burke, J.Muly.

APPLICATION - 23-2000 - Flanders,L.L.C. - Set Date for hearing. Mr. Henderson, Attorney representing the applicant, asked for time to give a concept plan presentation. We tried to answer the Board's concerns. He stated he brought the developer and Architect here tonight. Mr. Cramer stated the Board is only going to set a date for a public hearing. He also said they could give us an over-view of what is going to be presented at the hearing.

Mr.Henderson stated they were at the last hearing and heard your suggestions, we have modified our concept, but don't want to go the full engineering if it isn't what your looking for. The last rendering was \$10,000., and we don't want to do that if we're not getting closer to what your looking for. Mr. Ricciardi testified they listened to the Board and the public, and heard the density was the concern of the borad and public. We decided to come back with 26 units which is the allowable density which doesn't require a use variance. He testified they

have taken 2 buildings off, which reduced it down to 7 buildings, 5 buildings will have 4 units in it and 2 buildings will have 3 units in it for a total of 26 units. All front yard setbacks have been eliminated on First Ave., Main & Brielle Rd., by reducing the buildings. We are now down to 32% on Building Lot coverage, so there will be no variance for that. Another concern was the 9 driveways that were on First Ave., With the reduction of the buildings we now have 3 points of entry into the complex off First Avenue. We will come into an interior court and park on either side of the buildings, so all maneuvering happens internal. We also have an area where cars can back into, so that everyone is pulling out onto First Ave. forward. There will be 59 parking spaces. The variances requested with this application will be for height, only where they have the garages. They need about 27 ft. before the roof starts instead of 21 ft.. He stated they are taking the grade of the boardwalk, bringing it in between the buildings, and then sloping down in front of the buildings. A planter will be in front of each of the buildings. We are looking for 6 ft.. variance where the garage doors are - on the interior courts. They are providing steps up through the embankment going to the boardwalk in 3 locations. Now that we are changing the locations of the garage doors, we are giving them individual garage doors 12' wide 40 ft. deep. We may need a variance for the gables or dormers, but they don't need a variance for the garages, or the fronts. For single family houses, they could build 23 conforming lots, with easements coming through between them. Everyone who would buy these, would build to the maximum, with dormers on one side. The entire property would be demolished before they begin to build.

The Board agreed there was quite a change in this presentation from the first, but there will be a lot of questions to be answered.

Secretary will check to see where the special meeting will be, either the High School or First Aid, on Tuesday the 25th, at 7:30 P.M..

A motion by J.Burke to take a 5 minute break at 10:05 p.m. seconded by C.Triggiano, was unanimously carried.

Board returned from break at 10:10 p.m.

A letter requesting a date for Glimmer Glass L.L.C. was put on our meeting for August 1, 2000.

APPLICATION 26-2000 - Reginald Gibson -95/99 Atlantic Avenue
Mr. Gibson came forward and was sworn in by Mr. Cramer, also his landlord Michael Constantino was sworn in.
Mr. Gibson testified he is the owner of the Home Town Market.
Upon Mr. Cramer's questioning, he testified he is a corporation,

named KDRG, Inc.. Mr. Cramer stated in N. J. a Corporation has to be represented by an Attorney if it appears before a Board of Adjustment or Planning Board. He stated the Board is not going to be able to entertain this application this evening, it is going to have to be adjourned for Mr. Gibson to be given a chance to obtain an Attorney. Mr. Cramer stated we can set a new date so you don't have to renote, or publish notice in the paper.

This application will be heard on July 11th, no further notice will be required for the property owners within 200 ft. and will not have to publish notice of the hearing in the paper.

APPLICATION - 15-2000 - Lawrence & Sheila Tynday - 173 Beachfront Richard A. Fazzari, Attorney for the applicant came forward. He stated they were previously here on this application in November 1999, at that time issues arose regarding the outside shower and air conditioner. He stated they investigated the issues, filed an amended application, as to allow the central air conditioning unit to stay in the side yard and the shower. Since that meeting the air condition unit has been removed from the side yard and will probably be moved to the back yard, so that will not be a problem. The next issue to deal with will be the shower. Testimony back in November was that there was always a shower on the side, not in the same manner, but it was enclosed. The shower has now been under-mined, because of construction on the building next door. The shower is level with the deck which we are seeking a variance for, which was added on to square off that deck. He stated they would like to ask for approval for the shower, so that when the owner next door is finished with his building they could resecure the shower and let it stay the way it is. If the Board wants them to remove it, they will move it but they are having a hard time trying to see where they can move it to. As far as fire access, there is going to be fire access, because there is going to be the space between the next door property fence. There is access from the beach back to the shower and then around the shower to the back of the First Avenue property. We ask you to allow us the variance to maintain the shower where it is as we don't know exactly when it was enclosed, it is shown on one survey and it's not shown on the other survey. That's basically the testimony of the previous application submitted. The only place to move the shower is on to the deck and we don't think that is feasible or a reasonable alternative.

Mrs. Dunne stated the concrete in the rear was a concern of the Board's. The Board felt some of the concrete should be removed. Mr. Fazzari stated all the neighbors, the existing property next door all have the back cemented. It would be an unreasonably high cost to remove that cement, also next door the Board approved an inground swimming pool and they are probably going to put pavers or cement around that pool, so

if we start to take concrete we will be disturbing what is already there regarding existing properties, the cost will be exorbitant, we would have to bring in an awfull lot of sand to fill it in, and sure, we should not have done the deck without a permit, we are here admitting our wrong, but we feel it is unreasonable to impose that type of a condition on us.

Mrs. Dunne feels it is a very reasonable request, because if any neighbors came in for a request, we would try and have them remove some of the concrete. She feels it is reasonable to take out 10x10' of concrete and make some purvious coverage there.

Mr. Fazzari said you'd have a sand box for kids, that's all you'd have. She stated that's what it's supposed to be. You can't expect us to approve a lot that is 87% concrete on the beachfront. Mr. Fazzari said to take up a 10x10' section of concrete would cost approximately 3500. or 4,500. dollars.

C.Triggiano suggested that the shower be removed. Mr. Burke didn't agree that it would have to go on the deck, it could be moved around to the back corner of the deck, it is on the ground. Mr. Fazzari said the air conditioner is going next to the steps, and it isn't a good place for a shower.

Mr Tischio would like the shower removed and also remove some of the concrete.

Mr. Tynday testified he has owned the property for 20 years and the concrete was there at that time.

A motion by N.Hamilton to open the meeting to the public, seconded by J.Burke was unanimously carried.

Carol Gardell, 171 Beachfront, next door neighbor was concerned about the over-crowding on the property, and you seem to be overlooking the part that he added on the deck. It makes it impossible for people to walk from the street to the houses. There are 7 units up there that use this common walk way.

She testified he put the deck up 3 different times and never got approval, plus the shower was put up the same way. I hate doing this as he is my neighbor, but now that this extra part of the deck is there, next to the common walk way, it's just over crowded. This is the 3rd summer that we're going to put up with this deck that should have been removed and it's still there. I think you should make him remove the last part of the deck. She claims his deck is right on the property line. Board member J.Burke stated he is 3 ft. from his line.

Bob Gardell, 171 Beachfront commented that Mr. Tynday built this deck 3 ft. from the line, and you stated that if any one came before you, you wouldn't allow it. Mr. Tynday said it only cost him \$100.00, so make him remove it and he's only out \$100 bucks.

Mr. Tynday testified that Mrs. Gardell indicated he was blocking

the right of way to the beach, but Mrs. Gardell who purchased the property about 21 or 22 years ago, has 7 units in there and has turned them into Condo's, he stated he has 2 units. If you notice, her house is 18 inches on one side from my property line and 12 inches on the bottom. Every year she puts her furniture out on my property. They congregate in there and that's not common area to the conds's. I am 3 feet from both property lines with my deck.

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

Neil stated he didn't know whether or not the Board can do anything about the concrete. Many of these properties up there side by side are fully maxed out as far as impervious surface, concrete. He thinks it is a little late to have it removed now. As far as the air conditioner it should be in the rear, the shower it should not be there. The deck if we were to hear this application we would require a 5 ft. setback, and if we were to approve the addition to this deck chances are we would have the deck set back to meet the 5 ft. requirement. The deck is not needed, it was built without the consent of this Board and no permit to do so., I would suggest that portion as small as it may be, it should be removed, the 70 sq. feet.

P. Dunne stated she knows we're late, but it's better late than never, she would grant him the deck if he would take out some of the concrete. J. Tischio agrees with Neil, J. Muly also agrees with Neil.

J. Burke stated if we deny him the deck, he can put the shower and air conditioner where ever he wants, as he came in for the deck and I was the one that brought up the shower and air conditioner.

Mr. Cramer stated the application was to approve the deck, but if the Board declines to approve the application, obviously the deck becomes a legal issue that it's going to be removed but the shower and air conditioner item were raised by the Board in connection with it's review of the application itself.

N. Hamilton made a motion to deny that the shower's not permitted on the side and the air conditioning unit not permitted on the side location, it has to be placed in the rear and the portion of deck that was constructed approximately 70 sq. ft. has to be removed, seconded by C. Triggiano, followed by the following vote: "YES" - P. Dunne, C. Triggiano, N. Hamilton, J. Tischio, J. Muly. "NO" - D. Place, J. Burke.

Request for a special meeting by Mr. Ellery to put a second floor on a garage that is being constructed for a master bedroom and bath. The Board decided to put Mr. Ellery on the July 11, 2000 meeting. Mr. Cramer will try to have the resolution ready

for that night also.

RESOLUTION -20-2000-Gerald & Christine Hall-30 Marcellus Ave.
A motion to memorialize was made by C.Triggiano, seconded by
J.Burke, followed by the following vote: "YES" P.Dunne,
C.Triggiano, D.Place, N.Hamilton, J.Burke, J.Muly.

RESOLUTION-17-2000- Virginia Sanquini-130 Glimmer Glass Circle.
A motion to memorialize was made by N.Hamilton, seconded by
J.Muly followed by the following vote: "YES" - P.Dunne,
C.Triggiano, N.Hamilton, J.Burke, J.Muly.

Motion to approve all the bills was made by J.Burke, seconded
by P.Dunne and unanimously carried.

There being no more business, a motion to adjourn the meeting
ast 11:00 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

June 30, 2000

The Coast Star
13 Broad Street
Manasquan, N. J. 08736

Att: Legals

Dear Sir:

Please publish the following legal in your edition of July 6, 2000.

NOTICE
MANASQUAN PLANNING BOARD
SPECIAL MEETING

A Special Planning Board meeting will be held Tuesday July 25, 2000, at 7:30 P.M. in MANASQUAN FIRST AID BUILDING, 65 Broad Street, Manasquan, N.J., for the purpose of hearing the Development Application of Flanders, L.L.C., (Estate of Irving B. Kirsch) taking testimony with respect there-to and possible taking official action with respect to that application. "Revised plans are available for inspection by interested members of the public at the Board Secretary's Office, Borough Hall, 15 Taylor Avenue, Manasquan, N.J. during normal business hours ten (10) days prior to the scheduled hearing date."

Marie Applegate, Secretary
Manasquan Planning Board

Marie Applegate

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Mayor

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COLLEEN SCIMECA
Municipal Clerk

PLANNING BOARD
JULY 11, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on July 11, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Mr. Triggiano took over the work session in the absence of Chairman Dave Place.

Mr. Cramer stated a letter from Michael Landis, Attorney for Reginald Gibson, who was to appear this evening requested that the case be held put off until October 3, 2000. The Board agreed to the October 3rd. date.

Mr. Rice suggested the Board have 2 meetings for the next couple of months. As of now, the agenda is filled until October, and there are quite a few applications ready to be given dates. Mr. Rice felt that any one coming in for an addition should not have to pay for a special meeting, because we are so backed up.

Mr. Zanes felt we should have CAFRA report on Flanders, L.L.C, before we hear any more on this application, as CAFRA may not approve their application as it is.

Mr. Cramer stated we do not know what contract dead-lines the Flanders people are under with respect to the Kirsch property, and obviously it's a little unfair for the Board to set any type of procedural outline in motion without some opportunity given to the applicant to come before the Board to present what ever time constraints argue in favor of this Board proceeding with the application as presented.

Mr. Hamilton stated from now on if CAFRA is required, we do not hear any case what so ever, until we get all our approvals.

Mr. Hamilton in reference to 2 meetings a month, which may go to 3 meetings, the Board has to committ themselves to being available to attend, or they will need a good reason not to be here.

REGULAR SESSION

Chairman David Place opened the regular meeting stating this is an open p ublic 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,
J.Tischio, R.Zanes, J.Muly, C.Rice, .
G.Twadell.
ABSENT - Councilman Schmeling, Mayor Winterstella,
J.Burke.

APPLICATION- 26-2000 -Reginald Gibson -95/99 Atlantic Ave.
A letter from applicants Attorney, Michael D. Landis requesting the application be adjourned to a later date. The Board set the new date for October 3, 2000.

APPLICATION - 27-2000 - Andrew Waring - 53 So. Jackson Avenue
The property in question is located on the northwest corner of South Jackson Avenue at Pine Avenue Residential Zone R-2. The parcel is a 55.85' x 100' lot containing a two story frame dwelling. The appliant wishes to construct a 9'x17' proch to the front of the Jackson Avenue side. The existing and proposed uses of this property are conforming for the zone; however, the existing and proposed structures are non-conforming for the zone.

Application denied for the following reasons:

107-27 - Front setback - 25.0' required, 24.8'existing. Side setback (corner lot) -15.0' required, 10.09' proposed. Rear setback - 20.0' required, 14.1' existing. Hardship variance.

Andrew Waring and wife Ann Marie Zirrith were sworn in by Mr. Cramer. Mr. Waring testified they are proposing to enlarge the existing porch 6'x 7½' to 17'x9'. It will encroach on the side set back which is a corner lot. He testified they have 2 small children and would like to have a covered open porch. A photo of what they would like was marked as exhibit A-1. Other photos submitted were marked A-2 thru A-7.

Mrs. Waring testified the house is 90 years old and they are renovating it, putting on an addition up stairs, new windows and would like a new porch, which would be an addition to the neighborhood rather than a detriment to the neighbors.

Mr. Waring testified he purchased the house 10 years ago and he wasn't married, now he is with 2 children and they need the room.

Mr. Hilla would like to see them bring the building coverage into 30% which is allowable. Mr. Waring testified that would not be a problem.

A motion to open the meeting to the public was made by Mr. Zanes, seconded by C. Rice, and was unanimously carried.

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

Mr. Zanes made a motion to approve this application, with 2 small changes, one that the building coverage meet the code and that the driveway if replaced be of purvious service, seconded by P.Dunne, followed by the following vote: "YES"- P. Dunne, R.Zanes, "NO" -D.Place, C.Triggiano, N.Hamilton, J.Tischio, J.Muly, C.Rice, G.Twadell. ABSTAIN - W.Schmeling.

Mr. Hamilton made a motion that the application be approved, bringing the building coverage back to 30% or less, seconded by C.Triggiano, followed by the following vote: "YES" - D.Place, C.Triggiano, N.Hamilton, J.Tischio, J.Muly, C.Rice, G.Twadell. "NO" P.Dunne, R.Zanes. ABSTAIN - W.Schmeling.

APPLICATION - 28-2000 - John & Frances Drew - 23 Virginia Avenue. The property in question is located on the south side of Virginia Avenue, approximately 245' east of South Street. This location is within the Residential Zone (R-2). The parcel is a 50'x150' lot, containing a two-story frame dwelling. The applicant wishes to construct a two car detached garage at the rear of the property. The existing and proposed use are conforming for the zone; however, the existing and proposed structures are non-conforming for the zone.

John Drew and Frances Drew were sworn in by Mr. Cramer. Mr. Schmeling stated the first issue should be the memo from Mr. Hamilton "the code dept. records indicate a two-family home - upper/lower with two water/sewer charges. Two annual rental C.O.'s are on file with current status."

Mr. Cramer stated your application approached it as a Hardship Variance. The Board has always interpreted situations where you have more than 1 residential unit on a residential zoned lot, as a situation where your expanding a non-conforming use to add on to the existing structure, where you change the property in any fashion. Your in a single family residential zone, where only single family homes are a permitted use. You have a non-conforming use, in that you have a two unit residence. You as the applicant are required to notice and to notify property owners within 200' not only as a bulk variance but also as a use variance.

Mr. Cramer stated the Board does not have jurisdiction to hear your application this evening, in so far as it relates to a use variance until you satisfy the statutory criteria until you notify property owners within 200' and publish in the paper, not only that you are requiring bulk variance but use variance also. Mr. Cramer said you are looking for a use variance.

Mr. Hilla stated there was nothing in the applciation that it was a 2 family unit.

Mr.Cramer is recommending the Board not to vote on this application tonight in any respect until after noticing and proof of publication on a use variance has been received. The Board has given them the date of Sept. 5, for their return.

APPLICATION - 29-2000 -Edward & Marie Romanko - 407 First Ave.

C. Rice excused himself from the Board and Councilman Schmeling stated he and Mr. Moore worked together in a company he was working for, but he doesn't see any conflict. The same with Mr. Hilla, Mr. Moore worked for his company many years ago, but there is no conflict there.

Owner proposes to demolish structure and construct new one family dwelling. The property in question is located on the west side of First Avenue, approximately 380' south of Whiting Ave. This location is within the Residential Zone R-5. The parcel is a 33'x100' lot, currently containing a one-story frame dwelling and a frame garage. The applicant proposes to demolish the existing structures on the property and construct a new one-family dwelling with a detached garage. The proposed use is conforming for the zone; however, the existing lot, proposed principal structure, and proposed accessory structure are non-conforming for the zone.

Edward Romanko and Ann Marie Romanko were sworn in by Mr. Cramer. Mr. Moore, Architect for the Romanko's came forward and explained the project. There will be an enclosed porch on the front, a Master Bedroom, Bath, kitchen, dining room and living room across the rear. Upstairs a sitting room in the front, 2 bedrooms a bath and bunk room for their children when they come down.

Mr. Hilla stated they have 2 front yards, the front yard on Timber Lane requires 10' for the garage set-back, as well as the front yard on First Avenue for the proposed porch. There is a 2 car garage on the line which is shared by the next door neighbor. It is proposed to come down, eliminating the variances on this property and the neighbors property. Mr. Hilla suggested that they eliminate the curb cut. Mr. Romanko testified he would do that if the Board requested it.

Mr. Schmeling had a question on the veranda, he would like to see if there was some way to have that taken out to bring the building coverage down. Mr. Moore said the building coverage is less than 35%.

Mr. Schmeling made a motion to open to the public, seconded by N. Hamilton, was unanimously carried.

Emery Hunt, 405 First Avenue, next door neighbors came forward stating when he was before the Board last year, his survey showed 4 parking spaces and 3 in the rear for both of them. By closing that curb cut, we are losing 4 spaces for parking. Talking about that shed, half of that is mine and I have no intentions of taking it down right now.

Mr. Moore produced a copy of easement. He stated when the garage gets eliminated, the easement goes away.

Mr. Cramer quoted from the Easement Agreement, "there is a perpetual non-exclusive joint easement burdening Block 185.01 lots 7 & 8 for pedestrian and vehicular ingress and egress between First Avenue and the frame garage straddling the property line between said lots, as depicted on exhibit A45 attached. Additionally it goes on to provide that the owners of Lot 8 are to have an easement on the Lot 7 for the location of the northerly half of the garage so long as the garage shall exist"

Mr. Cramer stated you will have to sort this out with a separate document as to how you propose to proceed. If Mr. Hunt does not agree to taking down his portion of the shed, the Board is going to have to see some type of memorialization in writing. Mr. Moore agreed with the Board's request to get it in writing.

Charles King, 409 First Ave. who lives just south of the applicant sees no problem with the application.

Mrs. Hunt stated they are here to support the Romanko's. She doesn't want to hold up their application, but right now they can't replace their shed, but I want Romanko's to be able to do what ever they have to do.

Frank Diana, 401 First Avenue, who is 3 doors north of the applicant and 2 doors north of Hunt's. For 25 years we have lived on the same block in So. Plainfield. As Mrs. Hunt said, they have been good friends for 25 years and we'd like to get this settled without any hard feelings. He stated it's been a common driveway for the last 50 or 60 years since that shed was built. The curb cut on First Ave. is less than 12', so your not really going to pick up a parking space on First Avenue. Your going to loose 3 or 4 on private property, which will take a burden off First Avenue. Their application will be a great improvement in the neighborhood.

A motion to close the public hearing was made by W.Schmeling seconded by P.Dunne, and unanimously carried.

A motion to approve this application subject to the condition that the shed not be knocked down entirely and a wall be put up on the remaining part of the shed and the curb cut stay on First Avenue, was made by Councilman Schmeling, seconded by P.Dunne, followed by the following vote: "YES"- P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Tischio, R.Zanes, Councilman Schmeling, J.Muly, G.Twadell.

Mr. Hamilton will only support this application if the easement is taken into consideration after the other half of the shed is taken down and should the neighbor come in for a garage, that a variance is sought for the garage. He hopes because there is a prior easement on this property that it's not going

to set a precedent down the beach because we have two property owners who get together and want to park cars between their houses. It's a bad move, for this current property to park vehicles in the rear on Timber Lane, he thinks it's a fire hazard. Mr. Twadell agreed with Neil.

APPLICATION -31-2000 - Michael Ellery - 2 Pearce Court.
Owner wishes to construct second floor over attached garage. R-3Zone. Denied for the following reasons;
107-27 - Side Setback (corner)-7.0' required, 1.77' proposed.
Rear Set-back - 20.0' required, 7.0' proposed. Maximum Lot Coverage - 35% allowed, (buildable Land) 41% proposed. A-5 Flood Zone. This property was the subject of a variance granted on July 6, 1999 by the Planning Board for the construction of the 10'8"x22' attached garage. This proposed addition is instead of the fiberglass roof deck approved by the Board.

Michael Ellery and Paul Lawrence, Architect were sworn in by Mr. Cramer.

Mr. Lawrence stated he was approved for the garage construction and since he has gotten married he and has come to the conclusion that a deck does not work as well as increased living area. He now wants to put a master bedroom over the garage. The foot print which was approved is not being changed. The elevation has changed on his property, prior to what it was before the new bridge was built. There is a construction easement and there is the actual easement, so in reality there is 7 feet from the garage to the bridge. Going down on the South east corner it is more like 10 feet.

A motion to open the meeting to the public was made by W. Schmeling, seconded by R.Zanes, and unanimously carried.

There being no comments, the meeting was closed to the public by W.Schmeling, seconded by C.Triggiano, and unanimously carried.

A motion to approve this application was made by W.Schmeling, seconded by R.Zanes, followed by the following vote: "YES" - D.Place, C.Triggiano, Councilman Schmeling, R.Zanes, J.Muly, G.Twadell.

RESOLUTION - 15-2000-Denial - Lawrence Tynday-173 Beachfront.

A motion to approve the Denial was made by P.Dunne, seconded by C.Triggiano, followed by the following vote: "YES" P.Dunne, C.Triggiano, J.Tischio, J.Muly.

RESOLUTION - 21-2000 - Nick Perone - 59 So. Jackson Avenue

A motion to memorialize was made by C.Triggiano, seconded by P. Dunne, followed by the following vote: "YES" P. Dunne, C.Triggiano, J. Tischio, J.Muly.

RESOLUTION - 23-2000 - Ismal & Florence Lopas-456 Brielle Rd.
A motion to memorialize was made by D.Place, seconded by P.Dunne,
followed by the following vote: "YES" -P.Dunne, D.Place,
C.Triggiano, J.Muly.

RESOLUTION - 25-2000 -Denis & Linda DiPalma -81 Broad St.
A motion to memorialize was made by C. Triggiano, seconded by
P.Dunne, followed by the following vote: "YES" - P.Dunne,
D.Place, C.Triggiano J.Muly.

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

The Board went into Executive session at 9:15 P.M.
The Board came out of executive session at 9:40 P.M.

A motion to adjourn the meeting was made, seconded and
unanimously carried at 9:45 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
PLANNING BOARD

COLLEEN SCIMECA
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the June 13, 2000 meeting. Please consider the following Agenda for the July 11, 2000 meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA

JULY 11, 2000 - 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)
 - (b)

7:30 P.M. - REGULAR PUBLIC MEETING

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

APPLICATION -27-2000 -Andrew Waring - 53 So. Jackson Ave.
APPLICATION -28-2000 -John & Frances Drew - 23 Virginia Ave
APPLICATION -29-2000 -Edward & Marie Romanko - 407 First Ave.
APPLICATION -31-2000 -Michael Ellery -2 Pearce Court
APPLICATION -26-2000 -Cont.Reginald Gibson -95/99 Atlantic Ave.

- A. RESOLUTION 25-2000 -Denis & Linda DiPalma- 81 Broad St.
- B. RESOLUTION -21-2000 - Nick Perone - 59 South Jackson Avenue
- C. RESOLUTION -23-2000 - Ismael & Florence Lopas - 456 Brielle
- D. RESOLUTION -15-2000 - DENIAL - Lawrence Tynday -173 Beachfro

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

BOROUGH HALL
15 TAYLOR AVENUE
POST OFFICE BOX 199JOHN L WINTERSTELLA
MayorBOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736COLLEEN SCIMECA
Municipal ClerkPLANNING BOARD
JULY 11, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on July 11, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Mr. Triggiano took over the work session in the absence of Chairman Dave Place.

Mr. Cramer stated a letter from Michael Landis, Attorney for Reginald Gibson, who was to appear this evening requested that the case be held put off until October 3, 2000. The Board agreed to the October 3rd. date.

Mr. Rice suggested the Board have 2 meetings for the next couple of months. As of now, the agenda is filled until October, and there are quite a few applications ready to be given dates. Mr. Rice felt that any one coming in for an addition should not have to pay for a special meeting, because we are so backed up.

Mr. Zanes felt we should have CAFRA report on Flanders, L.L.C, before we hear any more on this application, as CAFRA may not approve their application as it is.

Mr. Cramer stated we do not know what contract dead-lines the Flanders people are under with respect to the Kirsch property, and obviously it's a little unfair for the Board to set any type of procedural outline in motion without some opportunity given to the applicant to come before the Board to present what ever time constraints argue in favor of this Board proceeding with the application as presented.

Mr. Hamilton stated from now on if CAFRA is required, we do not hear any case what so ever, until we get all our approvals.

Mr. Hamilton in reference to 2 meetings a month, which may go to 3 meetings, the Board has to committ themselves to being available to attend, or they will need a good reason not to be here.

REGULAR SESSION

Chairman David Place opened the regular meeting 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,
J.Tischio, R.Zanes, J.Muly, C.Rice, .
G.Twadell.
ABSENT - Councilman Schmeling, Mayor Winterstella,
J.Burke.

APPLICATION- 26-2000 -Reginald Gibson -95/99 Atlantic Ave.
A letter from applicants Attorney, Michael D. Landis requesting the application be adjourned to a later date. The Board set the new date for October 3, 2000.

APPLICATION - 27-2000 - Andrew Waring - 53 So. Jackson Avenue
The property in question is located on the northwest corner of South Jackson Avenue at Pine Avenue Residential Zone R-2. The parcel is a 55.85' x 100' lot containing a two story frame dwelling. The appliant wishes to construct a 9'x17' proch to the front of the Jackson Avenue side. The existing and proposed uses of this property are conforming for the zone; however, the existing and proposed structures are non-conforming for the zone.

Application denied for the following reasons:

107-27 - Front setback - 25.0' required, 24.8'existing. Side setback (corner lot) -15.0' required, 10.09' proposed. Rear setback - 20.0' required, 14.1' existing. Hardship variance.

Andrew Waring and wife Ann Marie Zirrih were sworn in by Mr. Cramer. Mr. Waring testified they are proposing to enlarge the existing porch 6'x 7½' to 17'x9'. It will encroach on the side set back which is a corner lot. He testified they have 2 small children and would like to have a covered open porch. A photo of what they would like was marked as exhibit A-1. Other photos submitted were marked A-2 thru A-7.

Mrs. Waring testified the house is 90 years old and they are renovating it, putting on an addition up stairs, new windows and would like a new porch, which would be an addition to the neighborhood rather than a detriment to the neighbors.

Mr. Waring testified he purchased the house 10 years ago and he wasn't married, now he is with 2 children and they need the room.

Mr. Hilla would like to see them bring the building coverage into 30% which is allowable. Mr. Waring testified that would not be a problem.

A motion to open the meeting to the public was made by Mr. Zanes, seconded by C. Rice, and was unanimously carried.

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

Mr. Zanes made a motion to approve this application, with 2 small changes, one that the building coverage meet the code and that the driveway if replaced be of purvious service, seconded by P.Dunne, followed by the following vote: "YES"- P. Dunne, R.Zanes, "NO" -D.Place, C.Triggiano, N.Hamilton, J.Tischio, J.Muly, C.Rice, G.Twadell. ABSTAIN - W.Schmeling.

Mr. Hamilton made a motion that the application be approved, bringing the building coverage back to 30% or less, seconded by C.Triggiano, followed by the following vote: "YES" - D.Place, C.Triggiano, N.Hamilton, J.Tischio, J.Muly, C.Rice, G.Twadell. "NO" P.Dunne, R.Zanes. ABSTAIN - W.Schmeling.

APPLICATION - 28-2000 - John & Frances Drew - 23 Virginia Avenue. The property in question is located on the south side of Virginia Avenue, approximately 245' east of South Street. This location is within the Residential Zone (R-2). The parcel is a 50'x150' lot, containing a two-story frame dwelling. The applicant wishes to construct a two car detached garage at the rear of the property. The existing and proposed use are conforming for the zone; however, the existing and proposed structures are non-conforming for the zone.

John Drew and Frances Drew were sworn in by Mr. Cramer. Mr. Schmeling stated the first issue should be the memo from Mr. Hamilton "the code dept. records indicate a two-family home - upper/lower with two water/sewer charges. Two annual rental C.O.'s are on file with current status."

Mr. Cramer stated your application approached it as a Hardship Variance. The Board has always interpreted situations where you have more than 1 residential unit on a residential zoned lot, as a situation where your expanding a non-conforming use to add on to the existing structure, where you change the property in any fashion. Your in a single family residential zone, where only single family homes are a permitted use. You have a non-conforming use, in that you have a two unit residence. You as the applicant are required to notice and to notify property owners within 200' not only as a bulk variance but also as a use variance.

Mr. Cramer stated the Board does not have jurisdiction to hear your application this evening, in so far as it relates to a use variance until you satisfy the statutory criteria until you notify property owners within 200' and publish in the paper, not only that you are requiring bulk variance but use variance also. Mr. Cramer said you are looking for a use variance.

Mr. Hilla stated there was nothing in the application that it was a 2 family unit.

Mr.Cramer is recommending the Board not to vote on this application tonight in any respect until after noticing and proof of publication on a use variance has been received. The Board has given them the date of Sept. 5, for their return.

APPLICATION - 29-2000 -Edward & Marie Romanko - 407 First Ave.

C. Rice excused himself from the Board and Councilman Schmeling stated he and Mr. Moore worked together in a company he was working for, but he doesn't see any conflict. The same with Mr. Hilla, Mr. Moore worked for his company many years ago, but there is no conflict there.

Owner proposes to demolish structure and construct new one family dwelling. The property in question is located on the west side of First Avenue, approximately 380' south of Whiting Ave. This location is within the Residential Zone R-5. The parcel is a 33'x100' lot, currently containing a one-story frame dwelling and a frame garage. The applicant proposes to demolish the existing structures on the property and construct a new one-family dwelling with a detached garage. The proposed use is conforming for the zone; however, the existing lot, proposed principal structure, and proposed accessory structure are non-conforming for the zone.

Edward Romanko and Ann Marie Romanko were sworn in by Mr. Cramer. Mr. Moore, Architect for the Romanko's came forward and explained the project. There will be an enclosed porch on the front, a Master Bedroom, Bath, kitchen, dining room and living room across the rear. Upstairs a sitting room in the front, 2 bedrooms a bath and bunk room for their children when they come down.

Mr. Hilla stated they have 2 front yards, the front yard on Timber Lane requires 10' for the garage set-back, as well as the front yard on First Avenue for the proposed porch. There is a 2 car garage on the line which is shared by the next door neighbor. It is proposed to come down, eliminating the variances on this property and the neighbors property. Mr. Hilla suggested that they eliminate the curb cut. Mr. Romanko testified he would do that if the Board requested it.

Mr. Schmeling had a question on the veranda, he would like to see if there was some way to have that taken out to bring the building coverage down. Mr. Moore said the building coverage is less than 35%.

Mr. Schmeling made a motion to open to the public, seconded by N. Hamilton, was unanimously carried.

Emery Hunt, 405 First Avenue, next door neighbors came forward stating when he was before the Board last year, his survey showed 4 parking spaces and 3 in the rear for both of them. By closing that curb cut, we are losing 4 spaces for parking. Talking about that shed, half of that is mine and I have no intentions of taking it down right now.

Mr. Moore produced a copy of easement. He stated when the garage gets eliminated, the easement goes away.

Mr. Cramer quoted from the Easement Agreement, "there is a perpetual non-exclusive joint easement burdening Block 185.01 lots 7 & 8 for pedestrian and vehicular ingress and egress between First Avenue and the frame garage straddling the property line between said lots, as depicted on exhibit A45 attached. Additionally it goes on to provide that the owners of Lot 8 are to have an easement on the Lot 7 for the location of the northerly half of the garage so long as the garage shall exist"

Mr. Cramer stated you will have to sort this out with a separate document as to how you propose to proceed. If Mr. Hunt does not agree to taking down his portion of the shed, the Board is going to have to see some type of memorialization in writing. Mr. Moore agreed with the Board's request to get it in writing.

Charles King, 409 First Ave. who lives just south of the applicant sees no problem with the application.

Mrs. Hunt stated they are here to support the Romanko's. She doesn't want to hold up their application, but right now they can't replace their shed, but I want Romanko's to be able to do what ever they have to do.

Frank Diana, 401 First Avenue, who is 3 doors north of the applicant and 2 doors north of Hunt's. For 25 years we have lived on the same block in So. Plainfield. As Mrs. Hunt said, they have been good friends for 25 years and we'd like to get this settled without any hard feelings. He stated it's been a common driveway for the last 50 or 60 years since that shed was built. The curb cut on First Ave. is less than 12', so your not really going to pick up a parking space on First Avenue. Your going to loose 3 or 4 on private property, which will take a burden off First Avenue. Their application will be a great improvement in the neighborhood.

A motion to close the public hearing was made by W.Schmeling seconded by P.Dunne, and unanimously carried.

A motion to approve this application subject to the condition that the shed not be knocked down entirely and a wall be put up on the remaining part of the shed and the curb cut stay on First Avenue, was made by Councilman Schmeling, seconded by P.Dunne, followed by the following vote: "YES"- P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Tischio, R.Zanes, Councilman Schmeling, J.Muly, G.Twadell.

Mr. Hamilton will only support this application if the easement is taken into consideration after the other half of the shed is taken down and should the neighbor come in for a garage, that a variance is sought for the garage. He hopes because there is a prior easement on this property that it's not going

to set a precedent down the beach because we have two property owners who get together and want to park cars between their houses, It's a bad move, for this current property to park vehicles in the rear on Timber Lane, he thinks it's a fire hazard. Mr. Twadell agreed with Neil.

APPLICATION -31-2000 - Michael Ellery - 2 Pearce Court.
Owner wishes to construct second floor over attached garage. R-3Zone. Denied for the following reasons;
107-27 - Side Setback (corner)-7.0' required, 1.77' proposed.
Rear Set-back - 20.0' required, 7.0' proposed. Miximum Lot Coverage - 35% allowed, (buildable Land) 41% proposed. A-5 Flood Zone. This property was the subject of a variance granted on July 6, 1999 by the Planning Board for the construction of the 10'8"x22' attached garage. This proposed addition is instead of the fiberglass roof deck approved by the Board.

Michael Ellery and Paul Lawrence, Architect were sworn in by Mr. Cramer.

Mr. Lawrence stated he was approved for the garage construction and since he has gotten married he and has come to the conclusion that a deck does not work as well as increased living area. He now wants to put a master bedroom over the garage. The foot print which was approved is not being changed. The elevation has changed on his property, prior to what it was before the new bridge was built. There is a construction easement and there is the actual easement, so in reality there is 7 feet from the garage to the bridge. Going down on the South east corner it is more like 10 feet.

A motion to open the meeting to the public was made by W. Schmeling, seconded by R.Zanes, and unanimously carried.

There being no comments, the meeting was closed to the public by W.Schmeling, seconded by C.Triggiano, and unanimously carried.

A motion to approve this application was made by W.Schmeling, seconded by R.Zanes, followed by the following vote: "YES" - D.Place, C.Triggiano, Councilman Schmeling, R.Zanes, J.Muly, G.Twadell.

RESOLUTION - 15-2000-Denial - Lawrence Tynday-173 Beachfront.
A motion to approve the Denial was made by P.Dunne, seconded by C.Trigiano, followed by the following vote: "YES" P.Dunne, C.Triggiano, J.Tischio, J.Muly.

RESOLUTION - 21-2000 - Nick Perone - 59 So. Jackson Avenue
A motion to memorialize was made by C.Triggiano, seconded by P. Dunne, followed by the following vote: "YES" P. Dunne, C.Triggiano, J. Tischio, J.Muly.

RESOLUTION - 23-2000 - Ismal & Florence Lopas-456 Brielle Rd.
A motion to memorialize was made by D.Place, seconded by P.Dunne,
followed by the following vote: "YES" -P.Dunne, D.Place,
C.Triggiano, J.Muly.

RESOLUTION - 25-2000 -Denis & Linda DiPalma -81 Broad St.
A motion to memorialize was made by C. Triggiano, seconded by
P.Dunne, followed by the following vote: "YES" - P.Dunne,
D.Place, C.Triggiano J.Muly.

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

The Board went into Executive session at 9:15 P.M.
The Board came out of executive session at 9:40 P.M.

A motion to adjourn the meeting was made, seconded and
unanimously carried at 9:45 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
PLANNING BOARD

COLLEEN SCIMECA
Municipal Clerk

July 17, 2000

The Coast Star
13 Broad Street
Manasquan, N. J. 08736

Attention : Legals

Dear Sir:

Please publish the following legal in your edition of July 20,
2000.

MANASQUAN PLANNING BOARD
NOTICE OF DECISION

The Manasquan Planning Board of the Borough of Manasquan, N.J.
at their regular meeting on July 11, 2000, denied the application
of Lawrence & Sheila Tynday, 173 Beachfront, Manasquan, N.J.
for construction of addition on deck.

Marie Applegate, Secretary
Manasquan Planning Board

BOROUGH HALL
15 TAYLOR AVENUE
POST OFFICE BOX 199

Incorporated December 30, 1887

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JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736
PLANNING BOARD

COLLEEN SCIMECA
Municipal Clerk

June 30, 2000

Asbury Park Press
3601 Hwy. # 66
Neptune, N. J. 0775436

Att: Legals

Dear Sir:

Please publish the following legal in your edition of July 6, 2000.

NOTICE
MANASQUAN PLANNING BOARD
SPECIAL MEETING

A Special Planning Board meeting will be held Tuesday July 25, 2000, at 7:30 P.M. in MANASQUAN FIRST AID BUILDING, 65 Broad Street, Manasquan, N.J., for the purpose of hearing the Development Application of Flanders, L.L.C., (Estate of Irving B. Kirsch) taking testimony with respect there-to and possible taking official action with respect to that application. "Revised plans are available for inspection by interested members of the public at the Board Secretary's Office, Borough Hall, 15 Taylor Avenue, Manasquan, N.J. during normal business hours ten (10) days prior to the scheduled hearing date."

Marie Applegate, Secretary
Manasquan Planning Board

Marie Applegate

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JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08738
PLANNING BOARD

COLLEEN SCIMECA
Municipal Clerk

July 20, 2000

Asbury Park Press
3601 Hwy. # 66
Neptune, N. J. 07754

Attention: Legals

Dear Sir:

Please publish the following legal in your edition of July 21,
2000 or July 22, 2000.

NOTICE
MANASQUAN PLANNING BOARD

The regular meeting of the Manasquan Planning Board has been
changed from August 8, 2000 to August 1, 2000, 7:30 P.M. in
Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Marie Applegate, Secretary
Manasquan Planning Board

Marie Applegate

Incorporated December 30, 1887

732-223-1480
FAX 732-223-1300

BOROUGH HALL
15 TAYLOR AVENUE
POST OFFICE BOX 199

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 the July 25, 2000 meeting at 7:30 P.M. in Manasquan First Aid Building, 65 Broad St., Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA

JULY 25, 2000 - SPECIAL MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:30 P.M. - SPECIAL PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 23-2000 - The Flanders, L.L.C. - First Avenue
Between E. Main St. & Brielle Rd.
(Estate of Irving Kirsch)

BOROUGH HALL
15 TAYLOR AVENUE
POST OFFICE BOX 199

Incorporated December 30, 1887

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JOHN L. WINTERSTELLA
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736
PLANNING BOARD

COLLEEN SCIMECA
Municipal Clerk

July 20, 2000

The Coast Star
13 Broad Street
Manasquan, N. J. 08736

Attention: Legals

Dear Sir:

Please publish the following legal in your edition of July 27, 2000.

NOTICE
MANASQUAN PLANNING BOARD

The regular meeting of the Manasquan Planning Board has been changed from August 8, 2000 to August 1, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Marie Applegate, Secretary
Manasquan Planning Board

BOROUGH HALL
15 TAYLOR AVENUE
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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
AUGUST 1, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on August 1, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Vice Chairman John Burke opened the work session at 7:00 P.M

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

N.Hamilton stated the Board started to address signs about a year ago, but now something has to be done, as we are getting a lot of complaints. The ordinance is pretty vague the way it is written. He would like to be a member of the sign committee as we are going to have to walk Main St. to address some of these complaints. He has picked up sign ordinances from Freehold Boro, going into historic signing and it seemed to work. It takes a couple of years to get compliance. It's an ongoing problem and we have to rid ourselves of this. If we get a couple of people that can work on this during the day time hours, we can move this along pretty quickly.

Mr. Triggiano spoke to Neil about these signs, but is all they do is move them up against the building. Neil said they will be given a summons from now on.

A committee of Neil, C.Triggiano, P.Dunne and G.Twadell was picked to work on the signs. Mr. Zanes thought they should get in touch with Mr. Bauer, as he might have some input. Mr. Burke said the committee would meet first and if needed they could get in touch with Mr. Bauer.

For the record, J.Tischio arrived at 7:10 p.m..

Alan Birdsall discussed his memo with the Board on "Frontage Considerations on Corner Properties". Sandy stands firm on the short side, but Alan doesn't agree with him. He believes something has to be done, so we don't have to go through this every time a corner application comes in.

Mr. Rice feels that the Board should be dealing with the lot and what's best for zoning, not where the front door is.

A motion was made to have Mr. Ratz come before the work session at our next meeting on Sept. 5th, it was seconded and unanimously carried.

For the record, Councilman W.Schmeling arrived at 7:30 p.m.

REGULAR SESSION

Mr. Burke, Vice Chairman 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. He asked all to rise and salute the Flag.

ROLL CALL - P.Dunne, C.Triggiano, N.Hamilton, CouncilmanSchmeling
Mayor Winterstella, J.Tischio, R.Zanes, J.Burke,
C.Rice, G.Twadell.

ABSENT - D.Place, J.Muly.

A motion by C.Triggiano, to approve the minutes of June 13, 2000, seconded by P.Dunne, was unanimously approved.

APPLICATION - 28-1999 - Stephen DelGuercio - 46 Curtis Avenue.
Mr. Rice excused himself from the Board.
Stephen DelGuercio was sworn in by Mr. Cramer.
He testified the Board had approved his variance last year, which was strictly granting relief for height. We are currently in construction, we have knocked down the original garage and building a new garage that will meet the design of our existing home. We had designed it with one dormer on one side of the roof, which is a gable roof. In the middle of framing, we asked the contractor to stop because the one dormer on one side looked a little bit lopsided, when we looked at it from the street. We approached Sandy Ratz and Mr. Cramer to give us a clarification on how we should go forward, with regards to adding a dormer on the opposite side to give it the balance that we thought it needed. The modification doesn't affect any set-back height or square footage that was approved, it is really aesthetic.

Meeting was opened to the public by motion from N.Hamilton, seconded and unanimously carried.
There being no comments from the public, a motion to close the public hearing was made, seconded and unanimously carried.

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

APPLICATION - 33-2000 -Mary Ellen Baldwin/Ronald & Catherine
Bennett - 130 First Ave.-131 Beachfront
H. Alton Neff placed himself on record as Attorney for the applicant. Mary Ellen Baldwin and Catherine Bennett were sworn in by Mr. Cramer.
The applicant wishes to sub-divide the property to create two distinct lots. Property in question is located on the east side of First Avenue and backs up to the beachwalk between Ocean

Ave. and Riddle Way, R-4 Zone. The parcel is a 19.8 foot by 148.7 foot lot currently containing two single family framed dwellings. The beachfront dwelling is a two-story structure while the First Avenue dwelling is a one-story structure. The proposed uses are conforming for the zone; however the existing and proposed lots, existing use and existing structures are non-conforming.

Mr. Neff stated they have been residents since 1947, when they were children. Minor sub-division map was marked as exhibit A-1. Mr. Neff wanted the Board to know a building permit was taken out in 1922 on one building and the other building in 1927. He also wanted the Board to take judicial notice for the record that the zoning ordinance of the Boro was passed and put into effect in 1947, some 25 years after these building permits had been issued.

Mrs. Baldwin testified her father was Senator Joseph Marazitti at the time they purchased the houses. Mrs. Bennett testified there are 7 siblings, but only her and her sister are involved in this property. Mrs. Bennett and her husband own 131 Beachfront Mary Ellen Baldwin owns 130 First Avenue. They have owned the house about 8 years, since her father has passed away.

Mrs. Bennett testified she is an elementary principal in Marlboro Township public schools for 27 years and her long time goal is to retire to the house she loves in Manasquan, approximately 5 years. There has never been an addition put on the house.

Mary Ellen Baldwin testified her sister's testimony was correct. She testified she is semi retired. She testified she has moved into the First Avenue property in September. She spent last winter there and is going to live there permanently. The properties have remained the same except for painting and repairs.

Mr. Neff went into the variance required by Mr. Ratz's denial. Mrs. Baldwin testified there are 2 parking spaces on First Ave. One is for her and one is for her sister on Beachfront. She testified there would be no problem with putting it in the deed for an easement for her sister. The Board felt they didn't need an easement for the parking. They will separate water and sewer. and what ever the Boro requires.

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

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

A motion by Mayor Winterstella to approve this minor sub-division, with the deeded easement agreement for the front property, 2 parking spaces and separate water and sewer lines, seconded by P.Dunne, followed by the following vote: "YES" -

P. Dunne, C. Triggiano, Councilman Schmeling, J. Tischio, R. Zanes, J. Burke, G. Twadell. "NO" - N. Hailton.

APPLICATION - 34-2000 - James Cudney - 54 Church Street. Owner wishes to construct 6ft x 9' roof over front porch. The property in question is located on the north side of Church St. and Central Avenue. This location is within the Borough's Residential Zone 2 (R2). The parcel is a 152' x 144' lot (irr) currently containing a 2-1/2 story frame dwelling and a frame garage. The existing and proposed uses of this property are unknown at this time. Notwithstanding, the existing and proposed structures are non-conforming for the zone. Front yard - 25' required, 21.3' proposed. Side Yard (principal)- 5' required, 3.14' existing. Side yard (accessory) 5' required, 3.44' existing. Variances required for existing and proposed nonconformities.

Mr. Cudney came forward and was sworn in by Mr. Cramer. Mr. Schmeling excused himself as he lives within 200 feet of the applicant.

Mr. Cudney testified he proposes to put a roof over the front porch 6' x 9' for nasty weather. Denied for front setback, 25.0' required, 21.0 ft. proposed. Side setback 5.0 ft. required, 3.14 ft. existing. Property located on the north side of Church St, between Central Ave. and Brenin Ave. R-2 zone. The parcel is 152' x 144' lot (irr) currently containing a 2½ story frame dwelling and a frame garage. Notwithstanding, the existing and proposed structures are non-conforming for the zone.. He testified all the neighbors are closer to the street than his house is. He testified he is tearing the garage down and putting in a garage. He will be living here with his family. A new sidewalk and driveway will be put in.

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

Alice Hephill, 162 Fletcher Avenue came forward questioning the garage. If he's taking it down, and rebuilding, will it be in the same footprint, as it is only 3ft. from the line. Mr. Cudney testified he is building a new garage and it will be 5 ft. from the line.

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

A motion to approve the application was made by N. Hamilton, seconded by P. Dunne, followed by the following vote: "YES"- P. Dunne, C. Triggiano, N. Hamilton, Mayor Winterstella, R. Zanes, J. Burke, C. Rice, G. Twadell.

A motion for a 5 minute recess by C. Rice, seconded by P. Dunne,

was unanimously carried.

The Board returned from recess at 8:30 p.m. with the following vote: P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor Winterstella, J.Tischio, R.Zanes, J.Burke, C.Rice, G.Twadell.

32-2000 - Glimmer Glass,L.L.C. - Brielle Road.

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

Objectors on record were, John Guinco, Giordano, Halleran & Ciesla, Attorney for Mr. Robinson adjoining property owner was sworn in by Mr. Cramer.

Mr. Henderson stated he did not receive the 10 page letter from the objectors Attorney, he said it was handed to him this evening. Mr. Burke stated it was handed to the Board this evening also. Mayor Winterstella also would challenge as correspondence was only received and he doesn't see how they can admit it.

Mr. Guinco stated "it does say the firms name, it refers to the applicant, and I have identified our client as Mr. Robinson, adjacent property owner. If that's not sufficient that's fine, as submitted to the Board, we will withdraw it and present it through testimony".

Mr.Cramer said he received the memo, which is a very lengthy memo, objecting to the jurisdiction of the Board to hear this application this evening. The cover on this letter was addressed by Michele Hart, saying "message as discussed, please accept this letter brief on behalf of the Manasquan Boro Planning Board" well that's not the case .

Mr. Guinco said he thinks she simply meant to distribute it to the Board Secretary, Mr. Guinco stated they have several concerns and have raised a number of questions as to what the nature of the application is and the notice that was provided. One or more use variances were required, and the notice doesn't mention the word use variance, which is the principal use and which is the accessory uses isn't discussed in the notice, and the extent of the variances, he doesn't think they were as clear as could be made that would make members of the public interested in coming before the hearing that would feel it's something of substance.

Mr. Henderson disagrees with Mr. Guinco, on whether use variances are required on this application, I do not believe the notice is defective because it does not say the word use variance. He thinks it's a testament to the fact that the public understood the notice that this place is still denied. He read the notice to the Board. He believes they have satisfied that criteria and the Board should accept juristiction and proceed.

Mr. Guinco doesn't believe the notice tells the complete story. HE doesn't see any where the word use or reference to sections of 70D the Land Use Law. He believes it must explain there is more going on than bulk variances. The parking lot across the street which would also require an amendment to a resolution of approval granted 15 years ago. There are issues that he doesn't believe were fairly addressed. His argue now is that it is defective.

MR. Burke asked Mr. Cramer, if we can hear this case, second are there any use variances involved in this application.

Mr. Cramer stated he thinks we have a challenge of jurisdiction of the Board to hear this application at all, so he thinks it has to be moved along by trying to wrestle with what the terms and provisions of what the zoning ordinance are at this particular stage.

Mr. Hilla stated two points have to be discussed when it comes to the use as proposed by the applicant through this project. The first item is clear cut, in that the parking whether it be over-flow or not for the restaurant as proposed by the applicant and the marina as well. In the residential zone across Brielle Road on the north side of Brielle Rd. in the parking lot that was created for the over-flow for the Draw Bridge, some years ago, the use of that parking in conjunction with this development he believes requires a use variance. That parcel is specifically zoned with the R.1 zone. The applicants property on the south side of Brielle Road was rezoned in the last 5 years with that property as well as the property across the street in mind, that residential property was not re-zoned at that time. A use variance would be required for the parking arrangement across the street pretty much as it exists today, which was created for the DrawBridge Restaurant.

The other item he believes has to do with the multiplicity of uses on the Draw Bridge site. He did get to look briefly at Mr. Guinco's report tonight and he does not address that multiplicity as a use variance in his review letter. His view point on this issue is that the applicant is proposing 3 specifically permitted principal uses in the zone, within a single lot. He viewed this as 3 uses on the property and there is nothing in our ordinance that specifically prohibits those 3 uses on the property. With that in mind I did not think a use varinace was required as proposed. Many of these things will be flushed out through the site plan portion, whether the site is suitable for these uses, but that remains to be seen, but as of right now, the only use variance that I'm comfortable with is the one for parking across the street.

Mr. Henderson made reference to Resolution 18-85 of the Board

of Adjustment in reference to the parking across the street for the restaurant. The parking lot will be posted and restricted for the restaurant only, no marina or condo parking.

After all the comments by Mr. Cramer, Mr. Guinco and Mr. Henderson, the Board determined that they will be able to hear the case tonight.

The Board is assuming jurisdiction over the application .

Mr. Cox, Professional Architectural license in N. Y. & N. J. also a Professional Plan license in N. J. The Board accepted Mr. Cox. Mr. Guinco had no objection to Mr. Cox as an architect, but as a planner, he wanted to know if he studied discipline in college as a planner or graduate school? Mr. Cox stated he studied architecture in college, and the State of N. J. saw fit to give him a planners license.

MR. Cox testified he was retained by the applicant in this matter, and did the over-all design of the project. He testified all the boards being used are the exact same copies given to the Board. The site is located on Brielle Road, adjacent to the Draw Bridge leading to town. The style chosen is shingle style, the architectural style is New England, hotels of yesteryear. They have taken the existing site, and propose to remove the buildings and maintain the marina operation, maintain a restaurant operation, (although smaller in size) and to add 10 town homes to the site. One issue is that the property is 3 feet below flood plain, and the other is a State mandate restriction, through the office of CAFRA which is run by the DEP and the State. They have told us that we are restricted to building anything within 100 feet of the bulk-head. This means they have managed to restrict any development or new development on the site to the north east corner of the property, which is one of the reasons we have come up with this scheme.

In an effort to overcome the obstacle, we have taken the set back given to us by CAFRA and designed a project that will contain 2 large buildings, one will contain 7 housing units and one will contain 3 housing units and a restaurant. The existing restaurant is 8,260 sq. ft.. The existing fire certificate allows 275 people., We are proposing in the new restaurant, south west corner which is 4,908 sq.ft.suggesting it be limited to 146 people. We have reduced the restaurant by 41% and reduced the no. of people by 47%. We are seeking a height encroachment of 3 ft.. If the restaurant is eliminated only 1 additional residential unit could be put in, the reason for that, is the way we've been restricted by CAFRA, the restaurant portion comprises the south west corner of the property, we only have sufficient width to provide comfortably for 1 additional residential unit. We can't cross the 100 ft. posted by CAFRA. The restaurant will be 2 stories and a mezzanine. The top level of the restaurant will be open to main

dining area. Town standards 2½ stories, BOCA standards it's 2 stories. The smallest unit is 1256 sq. ft. not including the garage, the largest unit is 1988 sq. Ft. not including garage. Each unit comprises a garage unit, a parking space, driveway in front of unit for 2 spaces. On the Marina 3 spaces have been allocated for showers. There will be asphalt shingles and metal roof.

Mr. Guinco had questions of Mr. Cox on the size of the building, parking for the Marina, height of the building. which was measured from the center line of Brielle Road to the top of the structure, per Mr. Cox.

Charles Gilligan came forward and was sworn in by Mr. Cramer. Mr. Gilligan holds a license in Engineering, in N. J. and a Planner in N. J., and has been accepted by the Board. He testified he has been retained by the applicant and has reviewed the site. 10 Townhouse units are being proposed. Exhibit was marked A-1. The parking for the marina is stacked, 2 parking spaces, each berth will be allowed 2spaces stacked. The stacked spaces will be reserved for each slip which will be numbered. Some will be assigned to the condominium units. Boro ordinance requires 2.4 spaces per unit, which has been met, there are 24 spaces.

Mr. Guinco stated the plans were not on file 10 days before this hearing. He objects to the testimony proceeding on that exhibit and on that plan as filed. Mr. Burke stated your objection is so noted Mr. Guinco.

Mr. Henderson stated "they are going to refile a revised plan before the next hearing, what they are trying to do is provide testimony relating to Mr. Hilla's report and how we intend to address it. He stated the revised plans will be filed 10 days before the next meeting".

The Variance from 1985 was marked as exhibit A-2.

Mr. Gilligan testified, the restaurant will have the same name "Drawbridge", will be smaller than the original and parking across the street will be restricted to the restaurant only. The Hardship on this property is under C-1, having to do with this specific piece of property as it is in a flood zone, so basically we're at elevation 5' or 6' and we have to have our elevation at 9'. We have to raise this building 4' off the existing grade to meet the flood zone requirements. There will be a decrease in building coverage, considering both lots, this side and across the street, the existing building coverage is about 12,575 sq. ft., we're proposing 9,593 sq. ft., which is a 2600 sq. ft. reduction. Right now the lot coverage is 95% and we are proposing 87% total coverage. MR. Gilligan testified he thinks all 3 are principal uses, all

permitted uses on this site. He doesn't believe they are accessory uses. Alan Hilla, Jr. said mixed uses were encouraged in that zone, whether it says it or not.

A motion and second for a 5 minute recess at 10:00 p.m. was made and unanimously carried. Board returned from recess at 10:05 p.m. with the following roll call: P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor Winterstella, J.Tischio, R.Zanes, J.Burke, C.Rice, G.Twadell.

Mr. Cramer stated the Board likes to finish at 11:00 p.m. and believes Mr. Henderson would like to respond to Mr. Guinco's rather exhaustive brief on the subject, and the Board has heard testimony this evening with respect to the proposed use of the property, whether they are principal uses, mixed uses, accessory uses, and I believe the Board will be able to formulate an opinion with respect to whether a use variance is going to be required, if it has an opportunity to review briefs by Mr. Henderson and more opportunity to review Mr. Guinco's brief, as well as consider delivery upon testimony that was heard this evening. Mr. Cramer suggests the Board consider scheduling a Special Meeting for the continuation of this application. Hopefully that special meeting will allow this application to be concluded and voted upon.

The Board agreed to continue the case on August 30, 2000 at 7:00 p.m. Wednesday. No further noticing will be required.

For the record, Mayor Winterstella excused himself as Mr. Tischio is here to vote on the resolutions.

RESOLUTION - 27-2000 - Andrew Waring - 53 S. Jackson Ave.
A motion to memorialize was made by C.Triggiano, seconded by P.Dunne, followed by the following vote: "YES"- P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, J.Burke C.Twadell. C. Rice

RESOLUTION - 29-2000 - Edward & Marie Romanko-407 First Avenue
A motion to approve was made by C.Triggiano, seconded by P.Dunne, followed by the following vote: "YES" P.Dunne, C.Triggiano, N. Hamilton, Councilman Schmeling, J.Tischio, J.Burke, G.Twadell.

RESOLUTION - 31 - 2000 - Michael Ellery - 2 Pearce Court
A motion to memorialize was made by Councilman Schmeling, seconded by C.Triggiano, followed by the following vote: "YES" C.Triggiano, Councilman Schmeling J.Tischio, J.Burke , G.Twadell.
ABSTAIN - P.Dunne.

RESOLUTION - 28A-1999 Stepken DelGuercio - 46 Curtis Avenue
A motion to memorialize was made by C.Triggiano, seconded by Councilman Schmeling, followed by the following vote: "YES"-

P.Dunne, C.Triggiano N.Hamilton, Councilman Schmeling, J.Tischio,
R.Zanes, J.Burke, G. Twadell. ABSTAIN - C.Rice.

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

There being no more business, a motion to adjourn was made,
seconded and unanimously carried at 10:45 P.M.

Respectfully submitted,

Marie Applegate

Marie Applegate, Secretary
Manasquan Planning Board

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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 the August 1, 2000 meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA

August 1, 2000 - 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)
 - (b)

7:30 P.M. - REGULAR PUBLIC MEETING

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

APPLICATION -28-1999 -Stephen DelGuercio - 46 Curtis Ave.
Review application Modification
APPLICATION -33-2000 -May Ellen Baldwin/Ronald & Catherine
Bennett - 130 First Ave.-131 Beachfront
APPLICATION -34-2000 -James Cudney - 54 Church Street.
APPLICATION -32-2000 -Glimmer Glass, L.L.C.-Brielle Road.

- A. RESOLUTION-27-2000- Andrew Waring - 53 So. Jackson Avenue
- B. RESOLUTION-29-2000 - Edward & Marie Romanko-407 First Avenue
- C. RESOLUTION-31-2000 - Michael Ellery - 2 Pearce Court
- D. RESOLUTION-28A-1999- Stephen Del Guercio - 46 Curtis Aven.

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

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PLANNING BOARD

MANASQUAN PLANNING BOARD

AUGUST 30, 2000 SPECIAL MEETING MINUTES

The Manasquan Planning Board held a special meeting on August 30, 2000 at Borough Hall, 15 Taylor Avenue, Manasquan, N. J.

Chairman David Place opened the meeting at 7:00 p.m., stating that this is an open public meeting held in accordance with the Open Public Meetings Act and held according to law. Mr. Place asked all in attendance to join in the Salute to the Flag.

ROLL CALL: Present - P.Dunne, D. Place, C.Triggiano, N.Hamilton,
Councilman Schmeling, Mayor Winterstella,
R.Zanes, J.Burke, C.Rice, G.Twadell.

Absent - J.Muly, J.Tischio.

Also in attendance were Board Attorney Geoffrey S.Cramer, Board Engineer and Planner, Glen Lines of Birdsall Engineering

APPLICATION-38-2000 -Union Realty Partners, Inc.-35 Euclid Ave.
The Board recognized C. Keith Henderson, Attorney for the applicants, who are contract purchasers of 35 Euclid Avenue, Unit B a Condominium. The unit is currently owned by Mike Zimmerman. The only other unit is owned by John Curtis and are in negotiations to purchase that Unit as well. They intend to use the Zimmerman Unit as a computerized telecommunications switching site. The site will be largely unmanned and the only anticipated external changes to the site are underground modifications to electric and telephone utility lines.

The reason for this special meeting was to ask whether the Board would consider a request to waiver a Site Plan Approval in accordance with the provisions of your ordinance, as Mr. Ratz ruled that we require new Site Plan Approval, because the proposed use is different from the present use.

Mr. Henderson stated both of these uses are permitted in the zone and it's our legal position that we should be exempt from the site plan. If the Board is not inclined to find that we are exempt, than he is asking that the Board grant a waiver. The client has no plans of changing the exterior of the building or doing anything which would effect the site conditions.

Mr. Henderson said they would stipulate as a condition of either exemption or waiver that they will comply with all requirements made by Mr. Szymanski in his report of July 31, 1995, on landscaping and lining parking spaces and signage. There will only be 2 cars on site at one given time.

Mr. Rice asked if the Board should do a waiver or exemption. Mr. Cramer said there was a prior site plan reviewed and approved by the Board, so a waiver would be fine, being Mr. Henderson said they would comply with Mr. Szymanski's conditions.

Mayor Winterstella stated we should be more descriptive that this is going to be a tele-communications office facility, in describing the use of the building, only to avoid future problems, as we ran into a problem with a definition, Sea Girt thinking it should be defined more in the area of which you are defining it. It was a successful litigation, but I think we should be sure what standard in the description of these buildings.

Mr. Zanes had concern about down lighting. Mr. Zimmerman who was sworn in by Mr. Cramer, stated on the section that faces Main St. there is 1-180° light, which lights up all 9 spots and on the other side which faces Euclid there is another 180° that lights up the driveway. Stanchions would create a parking problem. The lighting is operational and on sensors. Mr. Stephen Mueller was also sworn in by Mr. Cramer.

The meeting was opened to the public with a motion by C.Triggiano, seconded by J.Burke and unanimously carried. There being no comments, J.Burke moved to close the public hearing, seconded by C.Rice and unanimously carried.

A motion was made by Mayor Winterstella to grant the waiver with the stipulations that were mentioned, lighting, landscaping and parking line, seconded by C.Triggiano, followed by the following vote: "YES" P.Dunne, C.Triggiano, D.Place, N.Hamilton, Councilman Schmeling, Mayor Winterstella, R.Zanes, J.Burke, C.Rice, G.Twadell.

Mayor Winterstella would like it described in the same language that was used on Sprint.

APPLICATION - 32-2000 -Glimmer Glass L.L.C. - Brielle Road

The Board recognized C.Keith Henderson as Attorney for the applicant. This is a continued hearing and questions for the Board. He stated after the last meeting he was in touch with some of the neighbors and different groups to obtain a consensus on concern. The consensus on concern seemed to focus on the restaurant, rather than the town houses. Most of the issues in the letter from Mr. Robinsons Attorney were on the restaurant use. As a consequence, the applicant has decided to abandon the restaurant use and make a pure town house project.

At the last meeting they did not think that was feasible, as we couldn't get more than one unit on the site. Through working with the architect and engineer we reconfigured things slightly, so that we can get an additional unit and make the project financially viable.

Mr. Henderson stated what they propose to do is convert the restaurant unit into two one story condominium units, instead of an up and down. That will get rid of the restaurant and the concerns about parking, delivery issues, it gets rid of a great

deal of issues, that concerned the Board and some of the neighbors. The specific problem is when this project was like it was at first with a dead end, we could probably get away with that under risk, because we had a mixed use. Now that this is a pure residential use, we are subject to risk and have to open this up. We open that up we have 2 buildings. Ordinance 107-30 says that you cannot have more than one building on a lot, which I don't believe this applies to the multi family zones, although it is in the 1995 ordinance. What we are seeking is either a ruling that multi family buildings are permitted on one lot or an indication from you, as to whether you want us to apply for a use variance, as that is the standard you held the Beachfront to, or whether you want us to join these buildings. We can join the buildings architecturally on the second floor and still have something pass through. The other possibility you have is to make a recommendation to Mayor and Council that they exclude the multi family zones from the application of that ordinance. He stated they are seeking direction to either join them and seek a use variance or they can get a ruling from the Board that they don't need a use variance. They will redesign the project and get new plans.

Mr. Schmeling stated he would agree that the ordinances intent was to have one big building, he believes it should go to Mayor & Council look at the ordinance and revise the ordinance. He believes it would be done on time.

Mayor Winterstella stated they only have 2 meetings to do this the 11th and 25th, and then the ordinance has to be published before it can be acted upon and that's going to be probably another 30 days, so your really dragging it out. He is sure the Council is going to see that it is an over-sight

Mr. Henderson said the Council should change it, and he is going to go ahead under the present regime and ask for an interpretation or use variance.

Mayor Winterstella stated his only thought on that is when they come in for use variance and a couple neighbors object he thinks the Board has to keep in mind what the Master Plan says and move in that direction, because a couple of neighbors get to some people and all of a sudden applications change. He stated he sees the same thing happening with granting a use variance. He thinks the best way to do it is let them come in and argue with the Boro Council when they change the ordinance. It gives you much firmer ground, because it seems like the way things are going lately, one or two people get to the right people around here and all of a sudden projects are totally changed. He stated he was totally in support of that restaurant, it was a good concept, a good use of the property, it is something that is needed in that area, its an interest to this community and

it would have been a nice business. He thinks they would be better off to wait for the law to change at this point and time.

Mr. Henderson asked for a special meeting in October. The Board granted a meeting for October 10, 2000, at 7:30 p.m. providing the room is open.

A motion to open the meeting to the public was made by G.Twadell, seconded by C.Rice and unanimously carried.

Ted Griffiths, 418 Brielle Road, who lives about 300' from this restaurant and wanted to know why the restaurant was discontinued? He stated at the last meeting he liked it and his neighbors did also. He doesn't understand the behind scenes stuff, thought it would be out in open discussion.

Mr. Place stated nothing is behind the scenes in official Board capacity. Mr. Henderson said he had a discussion with neighbors, which was intended to address those concerns.

Dave Robinson, 371 Brielle Road, whose property butts up against the Drawbridge property. He has dealt with more than the restaurant, the noise, he has dealt with it before, has been there 26 years, and knows what it was when the restaurant was there and this to him was creating more of a situation than when the drawbridge was there. His biggest concern is, the row of 7 townhouses is set back 10 ft. off the property line, which is the side line, and 10 feet is required, but the 7 ft. rear yard set back of the town houses, how is a fire going to be dealt with for safety standards. He thinks the Board has to deal with that, also the water run-off.

Kathryn Paul, 147 Glimmer Glass Circle, stating the concerns of the neighbors on Glimmer Glass, wasn't the units or the restaurant, but the two combined, thought the cars were a little much. On the weekends the over flow of the beach parking, you can just about drive down the Glimmer Glass, which would mean that we on the Glimmer Glass would be bombarded with cars. She said the revised proposal would be fine.

Patricia Greeley, 101 Glimmer Glass Circle, she stated she whole heartedly supports the idea of this development going residential. Unlikely what the Mayor said, he seems to express some frustration about listening to the neighbors, she thinks his job is to listen to the neighbors, it is neighborhood that you want to protect, so she hopes this application goes through.

Motion to close the public portion by C.Rice, seconded by P.Dunne was unanimously carried.

C.Triggiano stated if they cut the size down from 300 people to 140 or so, there wouldn't be the problem of noise and what

ever. He is still in favor of the restaurant.

Mayor Winterstella made a motion that the Board recommend to Boro Council that they amend the ordinances appropriately introduced at the reading of the 11th, also can we waive our review that we are proposing to them for review, seconded by P.Dunne, followed by the following vote: "YES" - P.Dunne, E.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor Winterstella, R.Zanes, J.Burke, C.Rice, G.Twadell.

A motion was made to adjourn at 8:00 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

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 July 11, 2000 meeting. Please consider the following Agenda for the September 5, 2000 meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

**MANASQUAN PLANNING BOARD AGENDA
SEPTEMBER 5, 2000 REGULAR MEETING**

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion: Master Plan review
2. Informal Hearings:
 - (a)
 - (b)
3. Private Session:
 - (a) Moore v Planning Board
 - (b)

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Motion on Minutes
3. Extension to perfect subdivision (Wright)
4. Consent Agenda

APPLICATION -39-2000 -Robert & Lisa Forst -447 Long Ave.
APPLICATION -35-2000 -Don Wilderotter - 66 Mohegan Road
APPLICATION -37-2000 -John & Catherine McNulty -114 Union
APPLICATION -36-2000 -American Timber -543½ Brielle Road
APPLICATION -28-2000 -John & Frances Drew - 23 Virginia

- A. RESOLUTION-33-2000 - Mary Ellen Baldwin/Catherine Bennett
130 First Ave. -131 Beachfront
B. RESOLUTION-34-2000 - James Cudney - 54 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
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 the September 19, 2000 meeting in The First Aid Building, 65 Broad Street, at 7:30 P.M..

MANASQUAN PLANNING BOARD AGENDA

SEPTEMBER 19, 2000 - SPECIAL MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:30 P. M. - SPECIAL PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 23-2000 - Flanders, L.L.C.(Surfside Estates)
First Avenue -Block 179, Lots 1,6,8,10,15

1. REVIEW AND APPROVAL OF VOUCHERS.
2. RESOLUTION - 38-2000 - Union Realty Partners, Inc.
35 Euclid Avenue.

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

September 1, 2000

The Coast Star
13 Broad Street
Manasquan, N. J. 08736

Att: Legals

Dear Sir:

Please publish the following legal in your edition of September 7, 2000.

NOTICE
MANASQUAN PLANNING BOARD
SPECIAL MEETING

A special Planning Board meeting will be held Tuesday September 19, 2000 at 7:30 P.M. in MANASQUAN FIRST AID BUILDING, 65 Broad Street, Manasquan N.J., for the purpose of hearing the Development Application of Flanders, L.L.C., (Estate of Irving B. Kirsch) taking testimony with respect there-to and possible taking official action with respect to that application. "Revised plans are available for inspection by interested members of the public at the Board Secretary's Office, Borough Hall, 15 Taylor Avenue, Manasquan, N. J., during normal business hours ten (10) days prior to the scheduled hearing date."

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 the August 1, 2000 meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA

August 1, 2000 - 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)
 - (b)

7:30 P.M. - REGULAR PUBLIC MEETING

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

APPLICATION -28-1999 -Stephen DelGuercio - 46 Curtis Ave.
Review application Modification
APPLICATION -33-2000 -May Ellen Baldwin/Ronald & Catherine
Bennett - 130 First Ave.-131 Beachfront
APPLICATION -34-2000 -James Cudney - 54 Church Street.
APPLICATION -32-2000 -Glimmer Glass, L.L.C.-Brielle Road.

- A. RESOLUTION-27-2000- Andrew Waring - 53 So. Jackson Avenue
- B. RESOLUTION-29-2000 - Edward & Marie Romanko-407 First Avenue
- C. RESOLUTION-31-2000 - Michael Ellery - 2 Pearce Court
- D. RESOLUTION-28A-1999- Stephen Del Guercio - 46 Curtis Aven.

4. - APPROVAL OF VOUCHERS
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, 1887

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736
PLANNING BOARD

732-223-1480
FAX 732-223-1300

COLLEEN SCIMECA
Municipal Clerk

August 11, 2000

The Coast Star
13 Broad Street
Manasquan, N. J. 08736

Att: Legals

Dear Sir:

Please publish the following legal in your edition of August 17, 2000.

NOTICE
MANASQUAN PLANNING BOARD
SPECIAL MEETING

A special Planning Board meeting will be held Wednesday August 30, 2000, at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, for the purpose of hearing the Development Application of Union Realty Partners, Inc., 35 Euclid Avenue and the continuation of the public hearing on the Development Application of Glimmer Glass, L.L.C., Brielle Road, Manasquan, N.J.

Marie Applegate, Secretary
Manasquan Planning Board

Marie Applegate

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 08738
PLANNING BOARD

COLLEEN SCIMECA
Municipal Clerk

September 26, 2000

Asbury Park Press
3601 Hwy. # 66
Neptune, N. J. 07754

ATT: Legals

Dear Sir:

Please publish the following legal in your edition of September 28, 2000.

NOTICE
MANASQUAN PLANNING BOARD
SPECIAL MEETING

A special Planning Board meeting will be held Tuesday October 10, 2000, at 7:30 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J. for the purpose of continuing the public hearing on the Development Application of Glimmer Glass, L.L.C., Brielle Road, Manasquan, N. J.. Official action may be taken on the application at the Board's discretion. Revised plans will be available for inspection at the Board Secretary's Office during normal business hours.

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:

Enclosed please find a copy of the minutes from the August 30, 2000 meeting. Please consider the following Agenda for the October 3, 2000, meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

AMENDED AGENDA
MANASQUAN PLANNING BOARD
OCTOBER 3, 2000 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)
 - (b)

7:30 P.M. - REGULAR PUBLIC MEETING

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

APPLICATION -42-2000 -Richard & Loretta Norris -381 E.Main St.
APPLICATION -43-2000 -Sprint - 600 Sea Girt Avenue
(Miles Overall Maintenance)
APPLICATION -40-2000 -Brian Luther - 372 Perrine Blvd.
APPLICATION -26-2000 -K.B.R.G.Inc. - 95-97-99 Atlantic Avenue

A. RESOLUTION - 39-2000 - Robert & Lisa Forst - 447 Long Avenue
B. RESOLUTION - 35-2000 - Donald Wilderotter - 66 Mohegan Rd.
C. RESOLUTION - 28-2000 -John & Frances Drew -23 Virginia
D. RESOLUTION - 37-2000 - John & Catherine McNulty - 114 Union
E. RESOLUTION - 48-2000 - Additional Meetings, Oct.,Nov.,Dec.

4. - APPROVAL OF VOUCHERS
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, 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 from the August 30, 2000 meeting. Please consider the following Agenda for the October 3, 2000, meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA
OCTOBER 3, 2000 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)
 - (b)

7:30 P.M. - REGULAR PUBLIC MEETING

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

APPLICATION -42-2000 -Richard & Loretta Norris -381 E.Main St.
APPLICATION -43-2000 -Sprint - 600 Sea Girt Avenue
(Miles Overall Maintenance)
APPLICATION -40-2000 -Brian Luther - 372 Perrine Blvd.
APPLICATION -26-2000 -K.B.R.G.Inc. - 95-97-99 Atlantic Avenue

- A. RESOLUTION - 39-2000 - Robert & Lisa Forst - 447 Long Avenue
- B. RESOLUTION - 35-2000 - Donald Wilderotter - 66 Mohegan Rd.
- C. RESOLUTION - 36-2000 - American Timber - 543½ Brielle Rd.
- D. RESOLUTION - 37-2000 - John & Catherine McNulty - 114 Union

4. - APPROVAL OF VOUCHERS
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, 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:

Please consider the following Agenda for the October 10, 2000
Special meeting at Borough Hall, 15 Taylor Avenue, Manasquan,
N. J. at 7:30 P.M.

MANASQUAN PLANNING BOARD AGENDA

OCTOBER 10, 2000 - SPECIAL MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:30 P. M. - SPECIAL PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 32-2000 - Glimmer Glass, LLC - Brielle Road

1. RESOLUTION - 23-2000 - Flanders, LLC - First Ave.
E. Main St. to Brielle Rd.

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
PLANNING BOARD

COLLEEN SCIMECA
Municipal Clerk

October 2, 2000

The Coast Star
13 Broad Street
Manasquan, N. J. 08736

Att: Legal Notices

Dear Sirs:

Please place the following legal in your edition of October 5, 2000.

BOROUGH OF MANASQUAN PLANNING BOARD
NOTICE OF ADDITIONAL MEETINGS

PLEASE TAKE NOTICE that the BOROUGH OF MANASQUAN PLANNING BOARD WILL HOLD Additional Regular Meetings on the following Tuesdays at 7:00 P.M. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

October 17, 2000
November 21, 2000
December 19, 2000

Public notification of this is made in accordance with the provisions of the Open Public Meeting Law.

By order of the Borough of Manasquan Planning Board.

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 the October 17, 2000, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

**MANASQUAN PLANNING BOARD AGENDA
OCTOBER 17, 2000 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)
 - (b)

7:30 P.M. - REGULAR PUBLIC MEETING

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

Jeffrey Wozczak
APPLICATION -45-2000 - J.W.'s Riverside Corp.-56-58 E. Main
APPLICATION -46-2000 - Robert & Sheila Hoffman - 12 S. Farragut
APPLICATION -47-2000 - Ocean Bay Properties - 154 N.Main St.

A. RESOLUTION - 42-2000 - Richard Norris - 381 E. Main Street
B. RESOLUTION - 40-2000 - Brian Luther - 372 Perrine Blvd.
C. RESOLUTION - 43-2000 - Sprint Corp.- 100 Camp Drive
(Miles Overall Maintenance)

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

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 September 25, 2000 and the August 1, 2000 meeting. Please consider the following Agenda for the November 14, 2000, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

**MANASQUAN PLANNING BOARD AGENDA
NOVEMBER 14, 2000 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)
 - (b)

7:30 P.M. - REGULAR PUBLIC MEETING

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

APPLICATION -26-2000 - KBRG Inc., -95-97-99 Atlantic Avenue

APPLICATION -48-2000 - Sean Weaver - 117 Sea Girt Avenue

APPLICATION -49-2000 - George Ogden - 34 Ocean Avenue

APPLICATION -50-2000 - Ronald Dana - 293 Beachfront

- A. RESOLUTION - 45-2000 - Jeffrey Woszczak -566-568 E.Main
- B. RESOLUTION - 46-2000 - Robert Hoffman - 12 S.Farragut Ave.
- C. RESOLUTION - 47-2000 - Ocean Bay Properties-154 N.Main St.
- D. RESOLUTION - 12-2000 - Sara Robinson Amended resolution.

4. - APPROVAL OF VOUCHERS
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, 1887

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

PLANNING BOARD

732-223-1480
FAX 732-223-1300

COLLEEN SCIMECA
Municipal Clerk

NOVEMBER 14, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on November 14, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Vice Chairman John Burke opened the work session at 7:00 P.M..

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

WORK SESSION

Mr. Cramer stated they had a pre-trial conference with respect to the Tynday litigation. A set of dates were established for submitting exhibits and transcripts and briefs. A hearing date has been set for January.

On the Moore matter, he is waiting for Mr. Brennan to get back to the issue of Sunday hours of operation. He told Mr. Brennan that the board would not accept any hours of operation on Sundays.

Neil Hamilton asked all the Board to look at the zoning map, with reference to another company coming in for a telecommunication, who are looking at Edgars Pub. The problem is under zoning in the B-1 Business zone, the B-1 covers the B-2, B-3 and the I zone. The whole key to the word in there is the permitted uses are telephone, telegraph and other similiar communications office facilities. The applicant came in and it was going to be an unmaned facility. He stated we can anticipate that we're going to have a lot of these coming in being Manasquan has become the international hub of communications coming off shore. These people have unlimited funds, so if you want to deal with the area of Dunphy Smith, the car wash, Edgars, across the street, up to N.Main St., Highway Oil and Clark's Gulf has been approached as to the size of their property. To alleviate the problem of that particular variance, at a meeting last week with J.Trengrove, D.Furey, K.Fitzsimmons and myself, the thought was if the Planning Board would so desire to provide a section in the zoning ordinance, that would allow these types of facilities to come into the community, which would be unmaned facilities in telecommunications, which would eliminate the word office.

Discussions were left that if the Board desires to go this direction, that Cramer and Fitzsimmons would get together and develope their own language.

Reference to the map, all that is showing in the pink is the route that cable lines are running now, the yellow is the land zone. Every thing from Sprint is going west.

A motion by R.Zanes for the Planning Board to authorize our Council to proceed with the changing of the wording as described

by Neil, seconded by P.Dunne and unanimously carried.

The letter in the packet from Shade Tree, was discussed by N.Hamilton, with reference to sidewalks being lifted by the trees. He and Councilman Dunne are working on it.

REGULAR SESSION - 7:30 P.M.

Vice Chairman John Burke, opened the meeting stating that this is an open public meeting held in accordance with the Open Public Meetings Act and held according to law. Mr. Burke asked all in attendance to join in the Salute to the Flag.

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

APPLICATION - 26-2000 - KBRG Inc., - 95-97-99 Atlantic Avenue.
Mr. Burke stated he did not hear this case, but did listen to the tapes and signed an affidavit.
C.Triggiano excused himself as he resides within 200' of applicant.

Michael D. Landis, Esq. is representing the applicant. Mr. Gibson was reminded that he has already been sworn in by Mr.Cramer.
Mr. Landis stated at the last meeting when the application was presented, the Board directed that the Boro's Traffic Safety Officer, Lieutenant Garrity review the location of the sign. In Lieutenant Garrity's memo with reference to the sign being placed at an angle to the road rather than parallel to it, he felt that this placement would obstruct the view to the east as a vehicle exits the parking lot onto Atlantic Avenue. With reference to a neighbors concern about accidents at the intersection and the increased hazard additional signage may create, he felt there are numerous accidents there, records show that the primary cause is disregard of the traffic signal not view obstruction from signs. His suggestion was to erect it so that it is parallel to the road thereby increasing sight distance, or move it approximately 20 ft. to the east rather than placing it adjacent to the driveway exit.

Mr. Landis response to Garrity, as the sign will be located approximately 6' from the westerly side of the Atlantic Ave. entrance. It would be located approximately 2' from the Atlantic Ave. sidewalk, which is approximately 4' wide, and slanted inward toward the property at an approximate 70° angle so that the far side of the sign would be approximately 6' from the sidewalk. The sign would face Atlantic Avenue.

A sketch submitted with his letter was marked as exhibit A-7 and a diagram of the sign was marked as exhibit A-8.

Mr. Gibson testified he looked at the memo of 11/6/00 from Lt. Garrity and his 2 recommendations. He testified there ara a lot of shrubbery there and moving it 20 ft. would obstruct the

sign, and defeat the purpose of trying to attract people into the parking lot. The purpose of the sign is to draw attention to the site before the motorist hits the Atlantic Ave. driveway.

Mr. Gibson testified the sign will be 3x5, each store will have individual piece of wood screwed into the sign. The sign will be 3' high 2' off the ground.

Neil stated we have a problem with this application again. The original application as he understood it was you were addressing the sign just east of the entrance, which was the original application. The concern of the public and this Board, was to get an interpretation from traffic officer on this location. We did that as per his letter. Now the issue is that the sign be west of the driveway, you did not give the traffic officer any leeway to give us left or right of the driveway to report on that. Mr. Landis said it was his understanding that he was going to give us a determination on the location.

Mr. Burke stated when the sign is on the East side you can still see the traffic coming, but when you put it on the West side, someone pulling out of that driveway to make a right or left hand turn, now is having the majority of the traffic coming from the west will be blocked by the sign. Moving the sign over there isn't giving the traffic officer a chance to look at that new location. Mr. Burke thinks he will have major problems with that. The square footage of all the signage on the property is 96 sq. ft..

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

Alex Delgarno, 104 Atlantic Avenue, stated, he can see this sign moving to the west, but at the last meeting they moved the fence back so you could see coming out and now if their going to put the sign there, your actually cutting down on tha vision which you already pointed out. He doesn't think you need another sign there, there will be traffic problems. He believes the traffic officer should look at it again before being approved.

Earl Atlee, 105 Atlantic Avenue, who lives right next door to the property, stating he is pretty much against having the sign put up on the west side because he has problems getting in and out of his driveway as it is, due to traffic and also the visability that is kind of limited in that area, I will not be able to see to the east if they put up a sign.

Charles Spunges, 36 N. Main St., diagonal across from the convenient store, stating as a tenant, when he leaves, does the sign stay or do other tenants have a right to say, he had a sign why can't I have a sign,

Mr. Landis stated the sign will have the 3 businesses listed, so it won't matter.

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

Mr. Burke gave Mr. Landis 3 options, continue with the application, withdraw it, or wait and let Mr. Garrity look at this new proposal.

The Board was not comfortable with moving the sign to the west, would rather have Mr. Garrity review it again.

After a discussion between Mr. Landis and his applicant, they came back and said they would like a vote on the second suggestion of Lt. Garrity's memo, which would be to move the proposed location approximately 20 ft. to the east, and bring the sign to a level above the shrubbery. and would face west on Atlantic Ave. wouldn't be parallel to Atlantic Avenue.

Mrs. Dunne wanted to know if they had a sign "IN" it might help them and it could be lighted at night.

Mr. Landis said the applicant would like to amend the application to taking Lt. Garrity's memo, moving the sign approximately 20 ft. to the east and no more than a 6 ft. tall sign, staying the same in size and shape.

A motion to approve this application was made by P. Dunne, to approve the sign as recommended by Lt. Garrity, with all his restrictions, moving to the east, no higher than 6 feet, seconded by J. Tischio, followed by the following vote: "YES" - J. Muly, P. Dunne, N. Hamilton, J. Tischio, ABSTAIN - C. Triggiano. NO - Councilman Schmeling, R. Zanes, J. Burke, G. Twadell.

APPLICATION - 48-2000 - Sean Weaver - 217 Sea Girt Avenue

Mr. Weaver was sworn in by Mr. Cramer.

The notice of publication was missing, but testimony by Mr. Weaver and Board Secretary that he noticed on time and it was seen by board secretary in the paper. Affidavit of publication will be brought into secretary tomorrow.

The property in question is located on the southeast corner of Sea Girt Ave. at Curtis Place. The parcel is a 50' by 156' (IRR) lot currently containing a two story dwelling and a two car garage. The applicant wishes to construct additions to the garage, creating a larger footprint and attaining a greater height. R-2 Zone.

Mr. Weaver testified he wants to increase the size of the garage, the square footage is 604.75 sq. ft.. He would like to extend the garage from the existing footage outward and increase the

height of the garage approximately 6 feet. The reason for his doing so is more or less to make a wood shop out there and use the upstairs for storage. He does hunting and fishing and keeps everything out there. The garage right behind is 20' in height and 30' in width. In keeping with the neighborhood, I'm not doing anything bigger than what is next door. He testified it is not going to be used for living space, only storage and his own personal use. He testified the single family house on the property is where he resides. The garage will be expanded to the north. The dormer will be on the north and south extending over most of the garage roof.

The Board was concerned with the size of the dormers, they would like to see the exact size of the dormers and how far they are going to extend out. Mr. Schmeling stated if you put the dormer in why would you have to go 18 feet.

Mr. Weaver testified there will be electricity in the garage but no plumbing.

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

Tom Heinze, 115 Sea Girt Ave. who lives across the street, complained that this garage was built years ago and it doesn't conform with the present codes, and if he goes north 9 feet, it's going to be 9 more feet, 3 feet from the line. As far as a hardship, he doesn't think it's a hardship.

Tom Richter, 158 Curtis Place, stated he agrees with Mr. Heinze.

Eleanor Bartels, used to live at 158 Curtis Place, and at one time the garage right behind Mr. Weaver on Sea Girt Ave. had a family by the name of Newmann in there and he tried to have a wood working shop in the garage and it was very annoying to us as he would have power tools going all the time. I have no objection to the addition for storage at all, but if he is going to be doing work with power tools, it could be very annoying to the new neighbors, She now lives 3 doors down, 150 Curtis Place.

Kathleen Heinze, 115 Sea Girt Ave. stated she is on the West side of Curtis Place. The garage is located on Curtis Place, and the house on Sea Girt Ave. is going to look smaller than the garage in the rear. She doesn't think aesthetically it is going to add to the beauty of the neighborhood.

A motion to close the public portion was made by N. Hamilton, seconded by C. Triggiano and unanimously carried.

Mr. Weaver testified, the neighbors are all concerned by the size of the garage, but is all I'm doing is increasing the height

by 3 feet, with the dormers, the foot print is staying the same size. Both garages to the east and south of him are at least 20 ft. in height, so I will be below the 20 feet.

The Board had a problem with the height and size of the dormers, also the side set back. Mr. Hamilton said he didn't know what he was trying to accomplish in the second floor, but even if you were to set this back on the west and east side by 1 foot, it will give you an 18 ft. wide room and if you come back 5 ft. on either side and set that dormer, it's going to give you an 18x20. You could shrink that down a little to accomodate what your trying to do up there, storage of lawn furniture, fishing poles, etc.. We're looking for concessions from you to shrink this down.

Mr. Burke didn't think this is a completed application, as your not showing us what the dormers will look like or the size of the dormers. There is nothing on paper to show exactly what this building is going to look like. If the dormers were smaller, he might consider going a little above 15 feet.

Mr. Cramer stated the applicant can be continued to the next available meeting date, with an opportunity to revise his thinking or approach to the situation. Mr. Weaver said he could do that so every one understands just what he is going to do.

A motion by C. Triggiano to continue this application to December 19, 2000, seconded by J. Muly, was unanimously carried.

APPLICATION - 49-2000 - George Ogden - 34 Ocean Avenue.
Owner wishes to rebuild 18'x20' garage, destroyed by fire, on existing foundation. R-2 Zone. Hardship Variance.
Application denied for the following reasons:
107-9.B (3)(c) Side yard Setback - 5.0' required, 1.21' existing and proposed. 107-27 - Lot Width - 30.0' required, 30.0' existing. Front Setback- 25.0' required, 18.25' existing. Side setback - 5.0' required, 1.3' existing.

Mr. Ogden was sworn in by Mr. Cramer. Mr. Ogden testified the garage was destroyed by fire on April 2000, and in June applied to rebuild. The Lot is 30 x 365'. The morgage company is holding insurance funds in escrow to be used solely for the rebuilding of the garage. He is requesting to rebuild a garage substantially as proposed on the existing footing. He designed it to open up the view and be a smaller structure within the same footprint, single car garage.

Motion by W. Schmeling to open to the public, seconded by N. Hamilton and was unanimously carried.

Mary Kotsopoulos, 27 Highfield Lane, Rutherford, N. J. the owner of property to the left at 30 Ocean Avenue. She stated the car

port was never a part of the original building. It was a single car garage, so this is an extension further. In looking over the survey, she feels there is a 6.5' from her line to the property line and there is a 5.86' from Mr. Ogden's point to the property line. When she measured the distance between her garage and the footing of the burned garage, there is 16', so there is a difference of 4' and she would like a clarification of what happened to those 4'. Mr. Burke stated upon his measurements taken, the difference between her garage and the footing of his, is a little over 15 feet. The drawing in scale is correct as shown on the survey. She doesn't know how Mr. Ogden is planning to put a garage and carport there, as it is a narrow piece of property, and there was only a garage there originally. Mr. Ogden testified, all the sides of the car-port are open.

Pat Pellegrini, 394 Euclid Avenue, as a matter of information, it was a one car garage, now it's a one car garage and a car-port.

Mr. Burke stated he is using the exact foundation, putting a smaller garage with a storage along the same foundation. He cannot put a car in there, it's for storage only.

Mary Kotsopulos would like the storage closed in, as she doesn't want to look at his storage every time she comes out her door.

Motion to close the public hearing by C.Triggiano, seconded and was unanimously carried.

Mr. Ogden testified, he has an ocean kayak that he will be storing there and he doesn't think that is an eye-sore. Mr. Twadell suggested putting up lattice along Mary's side. Mr. Ogden testified that would be acceptable. He testified the height of the building would be 12½ feet. At the lowest it's down to 6'.

Councilman Schmeling made a motion to approve this application, seconded by P.Dunne, followed by the following vote: "YES" J.Muly, P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, J.Burke, G.Twadell. ABSTAIN - R.Zanes.

A motion by C.Triggiano for a 5 minute recess, seconded by P.Dunne was unanimously carried.

The Board returned from recess at 9:40 p.m. with the following roll call: J.Muly, P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, R.Zanes, J.Burke, G.Twadell. Councilman Schmeling left at 9:30.

APPLICATION - 50-2000 - Ronald Dana - 293 Beachfront, Block 181, Lot 4. The property in question is located on Beachfront and First Avenue, between the Pompano Ave. access and Brielle Rd. This location is within the Boro's Residential Zone R-4. The lot is a 40'x140' lot currently containing a single one

and a half story dwelling (Beachfront) and a two-story, 2 unit frame garage apartment (First Ave.), for a total of three units on the property. The appliant proposes to construct improvements to each of the structures while maintaining the three existing dwelling units. The existing lot is conforming for the zone; however, the exiting and proposed uses and structures are non-conforming for the zone.

Keith Henderson put himself on record as Attorney for the applicant. He apologized to the Board for the last meeting he was at here, he was not well, it was not his style, he had a fever of 4.3°.

American Timber Co. is the owner of this property and actually he would like to correct somthing in the application, American Timber Co. is under re-organization and this property has been transferred to Dorothy Yard, L.L.C. We are getting a new contract with Dorothy Yard,L.L.C, and he is told, American Timber Co. will be conveying the property to her. His client Ronald Dana is the contract purchaser

Ronald Dana,- 381 Beachfront, and Robert Houseal, 608 Rankin Road Brielle, N.J. Architect and Landscape Architect were sworn in by Mr. Cramer.

Mr. Dana testified he has leased this property for 7 years. He testified there are 2 dwellings on a 40x140' lot. There are 3 units, the beachfront 1 and the First Ave. has 2 units. He testified he only has summer rentals, he does not live on this property. His other rentals are 360 beachfront, 364 upper and lower and 380 First Ave.. The realators have rented to quality families, he has never had any complaints or violations. He said on this property, it is strictly group rentals, and nothing but a headache, it is not his style of renting, as the condition of the buildings don't bring anything else.

If the Board approves this application, he testified he will meet the requirements of 2 spots per unit off street parking, by utilizing the lower unit on First Ave. for parking. He testified he will have 6 totally off street parking behing garage doors. He testified he has done a similiar unit ot 364 and 365 in 1990 and 1993. I'm fixing up existing dwellings, as well as building new homes.

Mr. Henderson stated to clear it up, the beachfront property has one tenant and will be left as is, the First Ave. property has 2 units, one down and one up. The application is to create 2 upstairs and convert the down stairs to additional off street parking.

Mr. Houseal testified he has been retained by Mr. Dana to work on this application. He testified there is a use variance and there are bulk variances required. The use variance is for the

3 units on this lot, and also because there are 2 units in one building. He testified there are 6 parking spaces being proposed, making reference to his drawings, sheet 7, showing an existing lower unit with 3 off street parking and sheet 8 lower level garage that will hold 6 off street parking. The parking will be stacked, 3 across and 2 back. They are proposing 8x18 spaces.

Mr. Henderson stated if the Board would prefer a sub-division application, they would do that.

Mr. Houseal explained his plans to the Board. On 293, they are reducing the building coverage from 32% to 31.20%, and on 292 First Ave. from 29.17% to 24.8%, adding the two the existing coverage is 61.95% and we are proposing a reduction to 58.68%, a 3.27% reduction. The second level has 3 bedrooms, upper level has 3 bedrooms, (6). He testified all buildings are less than 33'.

Mr. Henderson stated the applicants plans are to put all new utilities in - under ground and separate to each building. They will submit plans to Birdsall Engineering, Inc.. The patio which encroaches on Boro property - Mr. Dana prefers to leave the patio there, but would like to know what the fees are to the Boro. It could be cut back but he feels it is protection when the water comes up.

Mr. Henderson felt this application should not be treated any different than any other application, just because the applicant doesn't live there. He feels it is good for the town, and the money being put into this, he doesn't think it will be rented to groups. Mr. Henderson feels they will be exempt from CAFRA.

Mr. Dana testified the buildings will be 33' not higher than 35'. He testified his wife and children live there and he is giving them the houses. They have been here for 25 years and his son lives on the beach, it is in their blood. He has no intentions of selling the property. He testified, he is bringing the porches in, putting a new foundation in. Between the houses will be pavers.

Mr. Houseal testified the beachfront house is 31' as measured now. The First Ave. is 34.6'

A motion to open the meeting to the public, was made by C.Triggiano, seconded by P.Dunne, and was unanimously carried. There being no comments from the public, a motion to close the public hearing was made by C.Triggiano, seconded by P.Dunne, and unanimously carried.

The Board liked the application and was glad to see the setbacks.

A motion to approve this application for a request for use variances was made by C.Triggiano, seconded by P.Dunne, followed

by the following: "YES"- J.Muly, P.Dunne, C.Triggiano, N.Hamilton
R.Zanes, J.Burke, G.Twadell.

A motion to approve this application for bulk variances, was
made by R.Zanes, seconded by C.Triggiano, followed by the
following: "YES" - J.Muly, P.Dunne, C.Triggiano, N.Hamilton,
R.Zanes, J.Burke, G.Twadell, J.Tischio.

RESOLUTION - 45-2000 - Jeffrey Woszczak - 566-568 E. Main St.
A motion to memorialize was made, seconded and unanimously
carried. Abstain - P. Dunne.

RESOLUTION - 46-2000 - Robert Hoffman -12 S. Farragut Avenue
A motion to approve was made J.Muly, seconded by C.Triggiano
followed by the following vote: "YES" - J. Muly, C.Triggiano,
N.Hamilton, J.Tischio, J.Burke

RESOLUTION - 47-2000 - Ocean Bay Properties - 154 N. Main St.
A motion to memorialize was made by N.Hamilton, seconded by
J.Muly, followed by the following vote: "YES"- J.Muly,
C.Triggiano, N. Hamilton, J.Tischio, J.Burke.

RESOLUTION - 12-2000 -Sarah Robinson - Amended resolution.
A motion to memorialize was made by N.Hamilton, seconded by
C.Triggiano, followed by the following vote: "YES" C.Triggiano,
N.Hamilton, J.Burke.

A motion to approve the minutes of August 1, 2000, was made
by J.Muly, seconded by P.Dunne, followed by the following vote:
"YES"- P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, R.Zanes,
J.Burke, G.Twadell.

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

There being no more business, motion to adjourn at 11:15 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

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 from the September 25, 2000 and the August 1, 2000 meeting. Please consider the following Agenda for the November 14, 2000, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA
NOVEMBER 14, 2000 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)
 - (b)

7:30 P.M. - REGULAR PUBLIC MEETING

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

St. John APPLICATION -26-2000 - KBRG Inc., -95-97-99 Atlantic Avenue

Handwritten APPLICATION -48-2000 - Sean Weaver - 117 Sea Girt Avenue

Handwritten APPLICATION -49-2000 - George Ogden - 34 Ocean Avenue

Handwritten APPLICATION -50-2000 - Ronald Dana - 293 Beachfront

- A. RESOLUTION - 45-2000 - Jeffrey Woszczak -566-568 E.Main
- B. RESOLUTION - 46-2000 - Robert Hoffman - 12 S.Farragut Ave.
- C. RESOLUTION - 47-2000 - Ocean Bay Properties-154 N.Main St.
- D. RESOLUTION - 12-2000 - Sara Robinson Amended resolution.

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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Incorporated December 30, 1887

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JOHN L. WINTERSTELLA
Mayor

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COLLEEN SCIMECA
Municipal Clerk

PLANNING BOARD

NOVEMBER 21, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on November 21, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N.J..

Vice Chairman John Burke opened the work session at 7:00 P.M..

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

Mr. Cramer stated he had a conversation with Mr. Brennan concerning the Moore matter on the restriction the Board is insisting upon. He has not heard back from him yet.

Alan Hilla on his memo to the Board, stated a couple of meetings back, there was discussion about some planning issues, the re-examination report and where we stood with some of the items. Chairman David Place had suggested that I briefly go through the recommendations provided by Mr. Szymanski in the late 1997. He went through his memo with the Board. He stated there are 3 years left on the re-examination report.

Mr. Triggiano made reference to item "# 9, Rezone Main Street beach area B-1 to R-3 - not completed". He stated everyone is looking for business areas, and if there is business there, he doesn't think it should be rezoned for anything other than what it is. Also the next one Sea Watch, we discussed that many times, and I was against that also, as there is a business there and if they want to do anything, they have to come before the Board. These people that own that property, they don't want it changed, they want it left the way it is. The other thing, if your going to rezone property, the people should be notified.

Mr. Hilla said it would not happen at a work shop meeting, there is a lot more to it.

Pat Dunne stated Councilman Schmeling came out very strongly for re-zoning this to residential, we did vote on that, we are under no obligation to notify the owner of that property, because it really doesn't effect the owner of that property. It only comes into effect when indeed the property is sold. We did absolutely vote for that, but legally we do not have to notify anyone when we re-zone property. It doesn't come into effect until the property is sold.

Mayor Winterstella stated for the Boards information, he spoke to Mr. Szyanski regarding the outstanding recommendations, there will be a joint meeting in probably early February between the Planning Board and the Boro Council, with Mr. Szymanski present for an over-view of the Master Plan as well as a review of these comments, which ones the Board wants to recommend to Boro Council.

He stated if the Board is going to recommend to Boro Council, it has to be memorialized and a letter has to be sent to Boro Council. I don't think this has ever been done, and the entire list should be reviewed at that February meeting and see just what the Board wants.

Mr. Triggiano stated the property across from the Osprey was asked to be re-zoned to R-1 or R3 and that wasn't done either.

Mr. Burke suggested the Board go over this memo and then spend some time on it at the February 6th meeting.

The Mayor appointed John Tischio as a # 1 Alternate.

REGULAR SESSION - 7:30 P.M.

Vice Chairman John Burke, opened the meeting, stating that this is an open public meeting held in accordance with the Open Puablic Meetings Act and held according to law. Mr. Burke asked all in attendance to join in the Salute to the Flag.

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

APPLICANT - 51-2000 - Emery & Florence Hunt -405 First Avenue.
Owner proposes to remove an existing 18.5' x 8.5' rear shed and construct a 12x20 detached garage in rear yard. R-5 Zone.
Florence Hunt, and Emery Hunt, 405 First Avenue, and Architect Thomas Peterson, 6 Country Lane, Howell, N.J. were all sworn in by Mr. Cramer.

The property in question is located on the west side of First Ave. between Riverside Drive and Whiting Avenue. The parcel is a 35 ft. by 100 ft. lot, currently containing a 1-1/2 story frame dwelling and a portion of a shed that spans the property line with the neighbor to the south. The board took action earlier this year with regard to the property to the south, that they may remove the half of the shed that was on their property. The application included a stipulation the property owner to the south would reconstruct the southern wall of the shed so that the applicant (in this case) would maintain a shed of approximately 8½' x 18½'. The applicant in this case proposes to remove his half of the shed and construct a new 1-car garage in an alternate location. The existing and proposed uses are conforming for the zone; however, the existing and proposed structures and the lot are nonconforming for the zone.

Mr. Hunt testified he would like to remove the shed and build a garage.

Mr. Peterson testified the building coverage would increase from 45% now to 47.5%. What the applicant is proposing is a

plus to the neighborhood. He testified the C.O. has been issued on the previous project. They are requesting that the side yard set back be at 4.4' so it is in line with the rest of the houses, and that the set back on the garage from Timber Lane be 5'. They also want to put a deck on the rear.

Mr. Cramer stated the notice posted in the paper doesn't reference to a deck at all. Mr. Peterson stated it is his understanding that the deck is allowed. The deck is going to be 18" from the ground. It is attached to the principal structure and not at grade.

MR. Cramer told the Board, the only issue before the Board this evening is the garage, the Board cannot consider a deck this evening. It will have to be discussed with the construction official, it is a separate application

Mr. Hunt testified he spoke to Mr. Ratz and he told him it was ok to put a deck on. MR. Burke said if Sandy says its o.k. they won't have to come back to the Board, but right now the Board cannot approve it.

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

Thomas Tallon, 413 Beachfront who lives across the street from the applicant, and has watched them construct a beautiful home. He stated it's in the hands of the Board for the consideration he needs to complete this project. He said he cringed when he was told to go up to see Mr. Ratz, he did that before and ended up with a triple break in his elbow falling down the rickety stairs that we have here, and he was advised to sue the town, which he refused to do. That's the kind of a man you have here. He's a wonderful neighbor and I hope you grant him some privilages.

Lorie Brandon, 412 First Avenue, stated it would be ashamed if he didn't tear down the shed, as it is a real eye sore. Allowing them to build a garage would definitely be an asset to the neighborhood and his property.

Mark Heize, 381 First Avenue, a neighbor, stated Emery is a tradesman and any time you need some help he is always there, so I would like to see him get this request.

Ross Diana, 563 Perch Avenue, stated he has certainly improved the neighborhood with the structure he just put up, but the shed is an eyesore and we would like to see that removed. He and his family have been an improvement to Manasquan.

Charles Lane, 387 First Avenue, stated a garage would be a big

improvement.

Scott Vonlutcken, 564 Riverside Drive, whose property is behind the Hunt's, stated any improvement made to that eye sore that is there now would be great.

Edward Romanko, 407 First Avenue, the next door neighbor, stated he would like to see him get approval, so he can improve the neighborhood.

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

Councilman Schmeling moved to have the application approved, seconded by P.Dunne, followed by the following vote: "YES" - J.Muly, P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor Winterstella, J.Burke, J.Tischio.

APPLICATION-52-2000 - Michael & Barbara O'Boyle -60 Ocean Avenue. C.Keith Henderson put himself on record as Attorney for the applicant.

Michael O'Boyle and Christopher Rice the Architect were sworn in by Mr. Cramer.

Mr. Henderson stated this is a different sort of application, than you normally have. This is an application from a denial of a building permit because an existing structure is in a flood plane. Manasquan has decided that the Planning Board has jurisdiction over those sorts of appeals, although he has never seen one made before.

Owner proposed to construct a second story addition to an existing single-family dwelling. R-2Zone. The property in question is located on the north side of Ocean Ave. between Potter Ave. & the Ocean Ave. Bridge. The parcel is a 50'x181' (IRR) lot currently containing a one-story dwelling and a frame shed. The applicant proposes to construct a second-story addition to the principle structure. Construction Official Ratz has identified that the flood prevention code of the Boro (Chapter 29) designates the Planning Board as the Board of Appeal for variances from the requirements of this chapter. The existing structure on the property currently has a finished floor elevation of 7.3', while the flood zone requirement for this zone is 9'.

It appears the applicant proposes a substantial improvement as defined "Rehabilitation, addition or other improvement, when the cost of the improvement equals or exceeds 50% of the market value of the building before the start of construction of the improvement."

Michael O'Boyle testified he lives at the site, and has owned

this property since 1989. He has spent considerable sums of money making improvements to this property. He testified he has 2 children, and a growing family and found they don't have enough room. He consulted Chris Rice to see if an addition could be built. Mr. Rice told Mr. O'Boyle that there was a flood problem. They are built on a slab, and the flood elevation is 7.3' and the flood elevation is 9'. He testified he has one of the nicest houses on the street. The improvements made were new bulk heads and addition we had considerable land fill as far as that job. He testified it would not be affordable to knock the house down and rebuild a new house.

Mr. Rice came forward testifying the base flood is 9' and their at 7.3'. In this case bringing the house up to code, means bringing it up to 9', they are on a concrete slab, and you cannot pick a house up that's on a slab. Their needs are going up on the existing foot prints. We exceed the \$ 65,000.00 and there was no way to do it cheaper. If this variance is not granted, it would result in exceptional hardship to the applicant. Mr. Henderson doesn't think this would effect the eligibility of the Boro for FEMA, but if that's the case he thinks the Boro should revise it's ordinance. He doesn't think you could find a case where there is any more hardsip than this.

Neil Hamilton stated our 5 year certification, we submit to the FEMA representative all our flood plane ordinances. This one would have been submitted, and we haven't gotten any feed back that the Boro shouldn't entertain such an ordinance as this, to prevent homes to conform to the ordinance as presented. He stated he would hope they picked up on it, and if not shame on them, but certainly we go through a year review and he will bring it to the attention of the FEMA agent.

Mr. Henderson stated that they are doing this at their own risk. All his utilities will be moved up from the garage.

Mayor Winterstella stated FEMA indicated they would not pay again within 5 years for the appliances they paid for before. He stated the fact that the entire improvement will be well above any flood plane, it is reason enough.

P. Dunne stated on a previous application on Pearce Ct. we did approve it with a condition that they do it on their own risk.

A motion to open to the public was made by N. Hamilton, seconded by P. Dunne and unanimously carried. Being there were no comments from the public a motion to close the public portion was made by P. Dunne, seconded by C. Triggiano and unanimously carried.

Councilman Schmeling moved this application be approved as submitted,, Mrs. Dunne, moved with the stipulation that the

applicant assume responsibility, seconded by P.Dunne, followed by the following vote: "YES" - J.Muly, P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, Mayor Winterstella, J.Burke, J.Tischio.

APPLICATION - 44-2000 - Arthur & Mary Ryan -113 Beachfront
Owner proposes to construct 2 1/2 story addition to existing one family house on a lot with two houses and three dwelling units. R-4 Zone.

The property in question is located between the Beachwalk and First Ave.. The lot is a 29'x150' (IRR) lot currently containing a two-story single family home (Beachfront) and a two & half story garage apartment that contains two dwelling units. The existing lot,existing and proposed uses, and existing and proposed structures are all nonconforming for the zone.

Mr. Schmeling and Mayor Winterstella excused themselves.

Keith Henderson put himself on record as Attorney representing this applicant. He has three witnesses to be called. Arthur Ryan, Christopher Rice, Architect and Charles Gilligan, Engineer and Planner, were sworn in by Mr. Cramer.

Mr. Ryan testified, he resides at 113 Beachfront, which was purchased in May of 1995. There are 2 buildings on site, with 3 living units, one in beach house and 2 in rear. He resides in 113 Beachfront. The Beachfront property is in poor condition, they have had very serious leaking problems about 5 months after moving in. They have had a series of experts out to try to identify the source of the leaks, and have done major repairs such as replacing part of the roof, replacing sky lites, replacing chimneys, replacing sliding glass doors, and now sit with buckets and plastic over about 30% of living area. In contacting Mr. Rice he thought it was necessary to remove the roof completely and completely redue the out side of the house as it was beyond patching. The house is built on pilings. He testified they have no intentions to do anything to the First Ave. property. That property is in very good shape, we have replaced the roof, replaced appliances, re-carpeted, re-placed furniture, installed fire retardant ceiling on the lower apartment on the direction of the appeal board in 1998, replaced the apron and many major repairs in the 5 years.

He testified they have not made application to subdivide, as the intent is to use the property themselves and use the property for their 2 sons. They have no intention of selling the property.

Mr. Gilligan testified he was retained by the applicant. Bulk variances and use variance are associated with this application. On the First Ave. property there are no changes in any of the conditions. No change in the use or the building. On the beachfront there is a use variance required. The special reasons

in that the addition to the structure and the up-grade will promote a desirable visual environment. Construction will have adequate light and open air and will also secure safety and code upgrades in the new. A C-2 variance is required here. There is a one car garage that is accessible from First Ave. and 2 outside spaces. There is no negative impact. There were no questions from the Board.

Mr. Rice, the Architect testified the entire building was poorly constructed, the patch work in the house was unbelievable, it was leaking all over. Referring to his Sheet A-1, the height hasn't been changed, it will be a 2½ story home. There will be 3 dormers, one on the north side, one on the east side and an additional dormer on the south. We are asking to allow us to do one on the north and south, for balance. There are no problems with the side yard set backs. All utilities are separate, with the exception of water and sewer and there is one for the front and one for the back. All utilities are separate on 3 units as testified by Mr. Ryan. There was a discussion on a sub-division, which the Ryans do not want to do. Mr. Rice and Mr. Ryan testified the survey is up to date.

A motion to open to the public was made by J. Muly, seconded by P. Dunne and unanimously carried.

Jack McCue, 115 Beachfront, directly one south of the Ryans, they are great neighbors, they put garbage pails in the living room to catch the water, and that's no joke. They are improving every ones property so he urges the Board to help them out.

Joe Derdzikowski, 103 Beachfront, said any thing that helps to improve the beachfront would be a plus. He hopes the Board gives them what they need.

Tricia McCue, 115 Beachfront, lives directly next door to the Ryans. She has seen the plans and she thinks it will be wonderful when done. Their home is beautiful and it is awful what they have to do when it rains, they can't live in it the way it is. She hopes the Board grants what they wish tonight.

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

P. Dunne said she would be happy to grant this use variance with one change. This is a very narrow lot and she has hopes the Ryans would give up one apartment in the rear to reduce the density, to bring it into conformity, and perhaps in reconfiguring the garage, they might get more parking in there. If they would do that she would like to approve it, as this is a great application.

J.Tischio and J.Muly agree it's a great application, and the existing conditions with parking, there isn't much you can do about it now.

C.Triggiano agrees it is a great application and has no problem with parking. He is in favor and would be an asset to the area.

N.Hamilton stated he has never been in the beach house when the pails were on the floor, but has been in the First Ave. and they have done a fine job and believe Mrs. Ryan is the gestapo, the property is spotless and she looks out for her tenants. He has no problem and supports this application.

J.Burke feels in one way like P.Dunne, but they are not making a major change, the 3 apartments are there and the use exists. He is in favor of it.

Mr.Ryan has elected to go ahead with the 6 votes.

A motion to approve a use variance was made by C.Triggiano, seconded by N.Hamilton, followed by the following vote: "YES"
J.Muly, P.Dunne, C.Triggiano, N.Hamilton, J.Burke, J.Tischio.

A motion to approve the Bulk variances was made by C.Triggiano, seconded by J.Tischio, followed by the following vote: "YES"
J.Muly, P.Dunne, C.Triggiano, N.Hamilton J.Burke, J.Tischio.

A motion was made for a 5 minute recess, seconded and unanimously carried at 8:50 P.M.

The Board returned from recess at 9:00 p.m. with the following roll call: J.Muly, P.Dunne, C.Triggiano, N.Hamilton, Mayor Winterstella, J.Burke, J.Tischio. Councilman Schmeling did not return.

APPLICATION - 53-2000 - James & Arline Donegan -101 Beachfront
Owner proposes construction of two single family homes. R-4 Zone.

The property in question is located on Beachfront & First Ave., immediately south of the Ocean Ave. right-of-way. The parcel in question is a 28'x151' (IRR) lot currently containing a two story, single family dwelling and a two story, two family garage apartment. The applicant proposes to subdivide the property with one of the existing principle structures on each of the lots and to construct a 2-1/2 story addition to the Beachfront house. The applicant does not propose any changes to the First Ave. structure or use.

Keith Henderson put himself on record as Attorney for the applicant. Mr. Henderson stated this is almost the same image of the applicant which was just heard, with the exception of the fact that there are 2 units, one on beachfront and one on First Avenue. This applicant has elected to go the subdivision route rather than a use variance. When the applicant bought this property he had an acroachment on the Boro property, and he was informed by Boro Attorney that he had a significant

encroachment on the Boro right away, and was asked to enter into a license agreement with the Boro in connection with that encroachment. Mr. Donegan, said he had contacted Mr. Hamilton and that they talked to Mr. Fitzsimmons, so I believe it was Mr. Hamilton who went to Council and they sent the probability of leasing the 3' piece of land. They will eliminate that encroachment. Three witnesses were sworn in by Mr. Cramer. Mr. Donegan, Charles Gilligan and Gregory Cox, the Architect.

Mr. Donegan testified, he resides at 2 Chester Terrace, Hasting on the Hudson, N.Y. He uses the property in question April, May and June on weekends. They rent the beachfront house during the month of July and then they come down. They purchased the houses in December of 1980. They have been coming to Manasquan where he met his wife in 1963. In 1970 they bought 293 First Avenue. He testified, he is 61 yrs. old and getting ready to retire and would like to stop renting and spend more time here. There is 1 family on the beachfront and 1 family on First Avenue, which is C.O'd for one unit.

They have 3 children, the back property is used for 3 weeks in August when the whole family is down.

There are separate utilities on each unit. Mr. Hamilton said the water and sewer are not on separate lines, but Mr. Henderson said they would do it

Mr. Gilligan, Planner and Engineer came forward and testified there are several variances required with the minor sub-division. He made reference to Mr. Hilla's letter. On the beachfront they are planning to take back to 2.5' within their property on the Ocean Ave. sideyard. There is no significant change to this property to lot coverage or building coverage, testified by Mr. Gilligan. The Boro would be getting an elimination of the encroachment with no change in any of the variances that exist. On the issue of parking, there are 2 garage parking spaces on site and two in front of the garage within the yellow line. There is no detriment to the public good. They are applying for a CAFRA permit right now.

Mr. Cox, Architect came forward testifying his solution was to renovate the existing structure, but realized it would be a wiser decision to totally remove the house and replace it with a new structure. The new residence will comply with all the fire codes and it will be on pilings, above the B Zone elevation. Mr. Cox explained his plans. They are proposing to keep the remaining foot print of the easterly side of the addition, and in that space create a 2 ½ story building. The walls on the southerly side the entire wall will be fire rated inside and outside. They will have to use a material on the outside that doesn't have flame spread rating. All issues will be addressed and conform to the latest BOCA codes. The set back structure has improved, as they have removed the entire structure that was on Boro property.

There is a curb cut and it is about 20 feet. Mr. Henderson stated they will perfect the sub division by deed.

Mr. Hilla said there may be a problem with the sewer and water to each unit. The fact that the structure on First Ave. appears to span the frontage of the property, limits the opportunity of running something straight back on the property. The Ocean Ave. right of way used to contain the sewerage tank, that was filtered by the sewerage authority a number of years ago. We only cut those concrete walls off below grade, they were not demolished. Relying on the First Ave. right of way would be problematic to run services 3 or 4 ft. deep in order to achieve those utilities. Mr. Hilla said you may consider waiving the individual services.

Mr. Henderson said he did not know of this problem, and there is no way to do it on the property. If it is determined not to be feasible, then a waiver can be granted.

Mayor Winterstella wanted to know if there could be a way that a requirement of a sewer easement could be granted and the pipe be a common pipe for the two properties. Mr. Henderson said they could do that.

Mr. Hamilton stated with 3 bathrooms, they might have a water problem. Mr. Donegan testified they have no problem right now in the beach house or the First Ave. house. Neil said on the south side, they may be able to run the new line.

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

Jack McCue, 115 Beachfront lives next door and he hopes it is approved as it will be nice.

Joe Derdzikowski, 103 Beachfront, would like to see them get the improvement and some windows on the south side, so they can watch their TV. They are good neighbors and would like to see it approved.

Roberta Derdzikowski, 103 Beachfront, they are more like family instead of neighbors, they watched my children grow up, and we would like them to get it.

Art Ryan, 113 Beachfront, it is a great improvement to the beachfront and he hopes they get it.

Tricia McCue, 115 Beachfront, they are also neighbors, and the best they have ever had, and it will be a beautiful improvement. Anyone that can help the town of Manasquan to make it look like that it is a plus for our town.

Motion to close the public portion was made, seconded and unanimously carried.

N.Hamilton said he rather not see a sub division at least there is total control of the property if your the owner.

J.Muly said in this case, a use variance is better. J.Tischio agrees with Mr. Muly., P.Dunne also agrees.

Mayor Winterstella can see the sense of it. He said he would vote for the sub division also, but he would like to see a window or a couple on the south side. C. Triggiano can go either way. J.Burke would go for a use variance rather than a subdivision.

Mr. Henderson will ammend the application to ask for a Use Variance and it will eliminate the filing of a deed and eliminate the issue of the sewer line.

The bulk variances required are for building coverage, front, side yard and lot coverage.

N. Hamilton made a motion to approve a Use Variance seconded by J. Muly followed by the following vote: "YES - J.Muly, P.Dunne, N. Hamilton, C.Triggiano, J.Burke, J.Tischio

N. Hamilton made a motion to approve the bulk variance, seconded by C.Triggiano, followed by the following vote: "YES" - J.Muly, P.Dunne, C.Triggiano, N.Hamilton, J.Burke, J.Tischio.

RESOLUTION - 49-2000 - George Ogden - 34 Ocean Avenue.
The resolution was memorialized with a motion by C.Triggiano, seconded by J.Tischio, followed by the following vote: "YES"
J.Muly, P.Dunne, C.Triggiano, N.Hamilton, J.Burk, J.Tischio

RESOLUTION - 50-2000 - Ronald Dana - 293 Beachfront.
A motion to memorialize was made by C.Triggiano, seconded by P.Dunne, followed by the following vote: "YES"- J.Muly, P.Dunne, C.Triggiano, N.Hamilton, J.Burke.

RESOLUTION - 26-2000 - KBRG,Inc. - 95-97-99 Atlantic Ave.]
A motion to memorialize a Denial was made by J.Burke, and seconded by J.Burke, followed by the following vote: "YES"
J.Burke.

A motion to approve vouchers was made seconded and unanimously carried.

There being no more business, a motion to adjourn was made, seconded and unanimously carried at 10:15 P.M.

Respectfully submitted,

Marie Applegate
Marie Applegate

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:

Please consider the following Agenda for the November 21, 2000, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA
NOVEMBER 21, 2000 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)
 - (b)

7:30 P.M. - REGULAR PUBLIC MEETING

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

APPLICATION -51-2000 - Emery & Florence Hunt- 405 First Ave.

APPLICATION -44-2000 - Arthur & Mary Ryan - 113 Beachfront

APPLICATION -52-2000 - Mr. & Mrs. Michael O'Boyle-60 Ocean Ave.

APPLICATION -53-2000 - James Donegan - 101 Beachfront

- A. RESOLUTION - 49-2000 - George Ogden - 34 Ocean Avenue
- B. RESOLUTION - 50-2000 - Ronald Dana - 293 Beachfront .
- C. RESOLUTION - 26-2000 - Denial - KBRG, Inc. - 95-97-99 Atlantic

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
Mayor

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736
PLANNING BOARD

COLLEEN SCIMECA
Municipal Clerk

DECEMBER 19, 2000 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on December 19, 2000, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N.J..

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

ROLL CALL: PRESENT - J.Muly, P.Dunne, D.Place, C.Triggiano,
N.Hamilton, J.Burke, J.Tischio, G.Twadell.

ABSENT - Councilman Schmeling, Mayor Winterstella,
R.Zanes,

Carmen Triggiano spoke on the Master Plan, copy of which is attached.

Alan Hilla made reference to his Memo, stating that it is based on the December 1997 recommendations unadulterated, it was in Paul's report. He just wanted to show the Board that there were a handfull of things in the recommendations that hadn't been addressed. The Re-examination of the Master Plan and Land Development Regulations of December 1, 1997 will be sent to the Board memebers, before the January 9th meeting.

P.Dunne's reference to the sign committee. Neil sent a letter out last week to Jim Coakley who is president of Chamber and after the holidays he'll speak to him about it.

REGULAR SESSION

Chairman David Place, opened the meeting, stating that this is an open public meeting held in accordanace with the Open Public Meetings Act and held according to law. Mr. Place asked all in attendance to join in the Salute to the flag.

ROLL CALL - PRESENT- J.Muly, P.Dunne, D.Place, C.Triggiano
N.Hamilton, J.Burke, J.Tischio,
G. Twadell, Councilman Schmeling.

ABSENT - Mayor Winterstella

APPLICATION - 59-2000 - Daniel Grogan - 4 Captains Court
Keith Henderson put himself on record as Attorney representing the applicant, who is here for an interpretation.
Daniel Grogan and Architect Richard Grosso were sworn in by Mr. Cramer.
Mr. Henderson stated the interpretation is for a definitioⁿ of a story. In 1993 this project was permitted and C.O'd.

BOROUGH HALL
15 TAYLOR AVENUE
POST OFFICE BOX 199

JOHN L. WINTERSTELLA
Mayor

Incorporated December 30, 1887

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
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PLANNING BOARD

732-223-1480
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COLLEEN SCIMECA
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the November 21, 2000 meeting. Please consider the following Agenda for the December 5, 2000, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

**MANASQUAN PLANNING BOARD AGENDA
DECEMBER 5, 2000 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)
 - (b)

7:30 P.M. - REGULAR PUBLIC MEETING

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

APPLICATION - 36-200 - Cont. American Timber - 543 Brielle Road

APPLICATION - 57-2000 - Clinton & Jane Matthews - 179 Stockton
Lake Blvd.

APPLICATION - 56-2000 - Marlin Tuna, Inc. - 140 Main St.

- A.-RESOLUTION - 51-2000- Emery & Florence Hunt - 405 First
B.-RESOLUTION - 44-2000 - Arthur & Mary Ryan - 113 Beachfront.
C.-RESOLUTION - 52-2000 - Michael & Barbara O'Boyle- 60 Ocean
D.-RESOLUTION - 53-2000 - James Donegan - 101 Beachfront -

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

There is a difference of opinion between Mr. Ratz and Mr. Furey, on whether the storage unit down stairs constitutes a basement or a story. Mr. Grasso has prepared an illustration on how the house is laid out, which was Mr. Cramer's suggestion.

Mr. Grasso explained, the illustration is a profile through the Grogan house. It shows the original house, which was constructed in 1993. The current slab which is the garage floor and the flood elevation is 2 ft. above that elevation and the first floor level is under 6 feet, and the 2 stories of house is above all that. Sandy and Mr. Furey agreed to release a building permit for the back portion of this house, in that there is nothing to be constructed underneath that back section. Currently there exists some space which in his opinion should not be considered living space.

Mr. Henderson stated, the question is, is that stilts per story going to be considered a story. It was intended as storage area, and Mr. Grogan closed it in and received building certificates for that, so technically permits should never have been issued, as it was below flood plain, but it happened and it's a long time ago it happened. He believes the house next store is essentially the same figuration as this. Both houses permitted and C.O'd. The other issue is estoppel issue, if the building permit is issued and it's issued improperly there's an appeals period of time to appeal the issues of that permit. That period of time expired some 7 years ago, so we are a little out of time appealing that.

The real issue is if you have these houses that are in the flood plane and you elevate them, are you going to count that underneath area. There's no exceeding of the height limitation in all of this. It is still under 35 ft., the issue is are you creating a 3rd story by having this space on the ground.

Alan Hill stated the definition of story in the revised ordinance is - "Ordinance # 1812-2000 - Story - that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it then the space between the floor and the ceiling next above it, and including those basements used for the principal use".

Mr. Grogan testified when he moved in there he had one child, and then as my family grew, I added a window and some carpet down there, so during the winter time the kids could go down there and ride their bicycles etc.. It was an extended garage, a disgruntled neighbor moved off the block and she wrote a letter to the town, so Sandy had to address the letter. When Sandy approached me, I told him I would do anything that we need to do to make this right. I sheet rocked the roof and other things he wanted me to do. I then requested a C.O. and it was issued

by Sandy.

Alan Hilla stated a definition of a basement "a space having 1/2 or more of the ceiling to floor height above the average level of the adjoining ground and with the floor to ceiling of not less than 6½ feet". From the handout of Mr. Grasso, the floor to the bottom of the girder which he would consider the ceiling is less than 6½ ft."

Mr. Burke stated if we determine this to be a story, then to put his additon on, he has to come back before this board, looking for a variance for the number of floors, to build his addition. If we determine it is not 3 stories, but 2½, then he can come back with a variance for a building coverage and lot coverage, as it is more than the accessible % of what is allowed at this time. Mr. Grasso stated a BOCA definition is not a 3 story structure. According to BOCA that is not habitable space.

Mr. Henderson stated, if your going to make us come back, I'd rather you not make a decision now, as I want to see that ordinance before I argue on it.

Mr. Schmeling feels we should have somthing in writing from Sandy and Dick Furey as he doesn't know what they based their decision on.

Mr. Henderson stated that Mr. Grogan testified to him that if the Board would decide tonight that this is not a story, he would abandon the C.O. for that portion of the building and put it back to storage. Obviously you don't want to do that if your disinclined to take action, but in consideration because Mr. Grogan has moved his family (5 kids and wife) into a winter rental, because this question as to whether this is a story affects the roof line and other considerations, we'll slope them down conservely so he can get back to the board. If it would make the board consider a ruling that this is not a story, he would be willing to abandon the C.O. for that portion of the building and give it back to storage.

In response to Neil Hamilton's questions, Mr. Grogan testified when Sandy came down, he was told to fire rate the ceiling and partition this off and protect this area from the garage. The entire area was not finished off. Building permits were issued and Sandy came back and C.O'd that space.

Mr. Schmeling doesn't feel it's 3 stories, but the real question is whether our definition allows us to say this.

The Board was in favor of, for in return for a faithful interpretation that it's not a story he'll undue that history.

A motion that the applicant will abandon the C.O. for that floor if necessary using it only for storage, was made by C.Triggiano, seconded by P.Dunne, but N.Hamilton stated, before we do this,, we have other situations like this in town, all we're going to do by stipulation of resolution is that this can become a storage area only. It seems unfair to him, that the work has been done by the applicant to sheet rock and carpet, so his children have been allowed to play. If we get another disgruntled neighbor down the road, and unless we make him remove it, it doesn't make a lot of sense to do that. No one is going to sleep there, no kitchen or bathroom, just a play room, we're going to get calls because violation of resolution. Neil recommends it as No. 1 we do not recognize it as habitable space, it cannot be used for sleeping, but to try and restrict this and monitor this as other than a storage room for boxes, it cannot be used for any entertaining or recreation facility on a limited basis, he thinks it will create more headaches and will be very difficult for us to monitor. We have situations in town, that we are constantly being bombarded with accusations that this is taking place.

Neil suggested that we recognize that this is a non habital space, storage room only. Mr.Schmeling felt Neil brought up a good point, but the question is how it's being used. What's the difference between someone who has a 2½ story house and uses his attic to watch TV. We don't say you can't go there and watch TV..

The motion made by C.Triggiano, seconded by P.Dunne, will stand that it is non-habital, followed by the following vote: "YES" J.Muly, P.Dunne, D.Place, C.Triggiano, N.Hamilton, T.Carroll, J.Burke, J.Tischio, G.Twadell. "NO" - Councilman Schmeling.

APPLICATION - 48-2000 - Cont. Sean Weaver - 117 Sea Girt Ave. Mr. Weaver came forward, and was sworn in by Mr. Cramer. He testified at the last meeting the Board had asked that he clarify better exactly what it was he wanted to do, why he wanted to do it and conditions of it. He testified he brought back some better drawings that better specified what he is doing, also some photo's. At the last meeting some neighbors were concerned that it was going to be too large and it could be living space upstairs, as he wants to increase the size of the garage and put storage up stairs. He testified according to BOCA code, he wouldn't have the 7'6" so it wouldn't be considered inhabitable. About 8 months ago the house was in bad shape, and after putting in one hundred thousand and 8 months work, also land-scaping to make the neighborhood a nicer place and nicer yard. He doesn't know why the neighbors are complaining, as I am trying to fix it up. He testified he is not a contractor. He is going to adhere to the 600 sq. ft. print. He is going to leave the curb cut the way it is and put pavers in the driveway, which will make the place look nicer. The house

behind him and next to him, both have detached garages that are approximately 20 ft. in height. He testified he is asking for 18 ft. not 20'. He testified there will be no sleeping up there it is for storage only. He said he is not a bad guy, but the neighbors think he is as he gets the dirty looks and long faces. The only power tools will be a table saw 10" for doing work around the house. The curb cut is 20' wide and 25' depth. Mr. Weaver testified he has no intention of putting plumbing in this garage.

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

Diane Noble, 125 Sea Girt Avenue, came forward stating she has an oversized garage and she has a loft that you can stand in the center and is used for storage. She has no objections as long as it is going to be used for storage, as her's is.

Tom Richter, 158 Curtis Place, who's property is directly south. His garage was built around 1950. He is opposed to going up the height requirement. One thing the garage sits very close to his property, and already obstructs the north side, which from our first floor, where the bay is, you can't see beyond the garage. This structure would elevate up to his second floor with the dormers and would restrict the view even more. He is very much opposed to this, not if Mr. Weaver wants to go towards his house, no problem with that, but he does have a problem with the elevation. Mr. Richter said when he came home yesterday, there was a malicious picture on the side of the garage and his wife and kids were upset over it. It faces the street as well as his house. He thinks he put it there because he is opposed to this. It is not his fault if this does not go through. The town made the ordinances and he feels every one should comply. He does not know Mr. Weaver and has only said hello to him once and may never talk to him again. I have lived in town 40 years and am basically a nice guy, but I am opposed to this. As to a loft I am opposed to it.

Tom Heinz, 115 Sea Girt Ave, who also brought pictures. At the last meeting, the garage did not conform to the existing code of 5ft. on the rear and side. There is 3 ft. in the rear and 2 ft. on the side. The addition will increase to 180 sq. ft. on the first floor and on the second floor it will be 312 sq. ft. which is a total of 492 sq. ft. With the new addition added to the existing garage, it comes to about 892 sq. ft. of livable space, with an 8ft. stand up ceiling up stairs. That's a lot of space for storage in a residential area. The windows will be directly opposite the neighbors bedroom windows. The paintings on the garage were done on the eve of tonight's meeting. Why did Mr. Weaver do this to his garage, was it a hex sign to the neighbors or perhaps some kind of threat or warning, or was it just an immature tactic? This is wrong, it does not conform.

Kathaline Heinze, 115 Sea Girt Ave. stated the other garages Mr. Weaver referred to, doesn't matter their age, It's where their placed, they are behing their homes, they are not so close to the street level. This garage is facing the street and we all feel it is out of place.

Tom Heinze, 115 Sea Girt Ave., wanted to know if the 25 ft. is from the property line to the garage or 25 ft. to the curb. Mr. Hilla stated it would be 25 ft. from Sea Girt Ave. in this case.

Eleanor Bartels, 150 Curtis Place, has no objection to this man, he has made a lot of improvements to this property and we all appreciate that. She is just looking to the garage, it is not going to add anything to Curtis Place, as it is too close to the street. The one next to him is 150 ft. in the rear. She feels it is an awfully big building to sit there.

Sharon Robinson, 153 Curtis Place, who lives directly across from the garage, she would encourage him to keep within code.

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

Mr. Hilla stated there is an error in his report on the rear setback existing and proposed is not 3.7 it's 2.7'.

Mr. Schmeling made a motion to approve the application with the applicants request for variances for side yard and rear yard set back but deny the variance for the height, build up to 600 sq. ft. only, seconded by G.Twadell, followed by the following vote: "YES" J.Muly, P.Dunne, N.Hamilton, Councilman Schmeling, J.Burke, J.Tischio, G.Twadell. "NO" C.Triggiano, ABSTAIN - D.Place.

APPLICATION - 54-2000 - Roberta Gilligan - 135 First Avenue
The property in question is located on the west side of First Avenue, approximately 52 feet north of Riddle Way. This location is within the R-5 Zone. The property is a 27.5 ft. by 100 ft. lot currently containing a one-story framed dwelling. The applicant proposes to demolish the existing structure and build a 2-1/2 story single family residence. The existing and proposed uses are conforming for the zone, however, the existing lot and the proposed structure are nonconforming for the zone.

Keith Henderson, Esq. put himself on record as Attorney for the applicant. Roberta Gilligan amd Charles Gilligan, were sworn in by Mr. Cramer.

Roberta Gilligan, testified she presently resides at 155 First Ave., she is renting. She acquired the property in question

on Memorial Day of this year. She testified if approved, it will be her principal home.

Charles Gilligan, Engineer and Planner, testified he has been retained by the applicant. He testified the lot is 27-1/2ft. wide and it is the character of most of the lots down there. There is no property to be acquired to make this lot conforming, per Mr. Gilligan.

Mr. Henderson stated a neighbor to the South, William Miller, who was noticed and retained Attorney Scott Thompson to represent him as an objector. In this instance we were able to resolve our differences with that neighbor prior to this meeting, subject to the Board's approval. As originally presented, we proposed to take the footprint of the building and slide it to the south, so we would have a fully conforming 5 ft. set back on the north. The reason was that they wanted windows on the north, and to get the fire rating it had to be 5 ft. off the line. They have stipulated with the objectors, that they would keep the building in the original footprint, as to the north and south setbacks and in conferring with the architect for the applicant, the architect has indicated if the building is sprinkled, we can still have windows, and Ms. Gilligan has indicated her preference to do that.

Mr. Henderson stated the testimony from Mr. Gilligan regarding the side yard setbacks is a little different than in the application.

Mr. Gilligan testified as originally applied the set backs on the north and the south were 2 1/2' on south and 5' set back on the north side, the existing set backs on the south, we were going to maintain a 1.9' and a 4.27' set back to the north. The other request by the neighbor, is that we not put any mechanical systems in the side yard between the 2 houses, which of course they would not do. The house to the south is 2.3' off the line and has a large eave which encroaches on to our property approximately 6.1'. Variances needed are for front yard set back, which we are getting rid of. Two side yard set back variances which are both existing conditions. The final variance is building coverage, proposing 45.7%. The house proper is 785 sq. ft., which is a very small house. If lot conformed, there wouldn't be a building coverage violation. There will be a 2 car garage for parking 2 cars. They will comply with the maximum curb cut. The height of the structure will be 34.3', a 2 1/2 story structure. Sidewalks will be repaired as part of the new driveway opening.

In answer to Mr. Schmelings question on the side yard steps, Mr Gilligan disagrees with Mr. Hilla's interpretation. The steps on the north side will be uncovered but will need a variance for the platform which will be 4x4'

Meeting was opened to the public by J.Burke, seconded by P. Dunne and was unanimously carried.

Robert Magnabousco, 133 Beachfront, stated he agrees getting rid of a group rental in this area would be fine, only a problem they have with the construction of this house, is it is approximately 20 ft. taller than any other house on the block. This house is going to cut off the views of the glimmer glass from my house, and this looks like a 3 story house.

Motion to close the public portion was made by Mr. Schmeling, seconded by P.Dunne and unanimously carried.

A motion to approve this application as submitted was made by W.Schmeling, subject to the letter received by Mr. Henderson from the neighbor, seconded by P.Dunne, followed by the following vote: "YES"- J.Muly, P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Burke, J.Tischio. "NO"- G.Twadell.

APPLICATION - 58-2000 - James Larkin - 143 Lake Avenue
The property in question is located on the south side of Lake Avenue, approximately 94 ft. east of North Jackson Avenue. This location is within the Borough's Residentail Zone (R-1). The parcel in question is a 30' x 75' lot currently containing a one-story frame dwelling, that is currently raised in anticipation of construction. The applicant proposes to construct a new foundation and full second-story addition to the existing single-family dwelling. The existing and proposed uses of the property are conforming for the zone; however, the existing lot and the existing and proposed structures are nonconforming for the zone.

Mr. Larkin, 143 Lake Avenue and his contractor Philip Longo were sworn in by Mr. Cramer.
Mr. Larkin testified they have been issued a permit to move the building to conform with the side offset of 5 feet. The building is 20 feet wide and 36.5 ft. long. We are asking for a variance to add a second story on this building. This will be his permanent residence.

Mr. Schmeling had a question on the deck, He wanted to know if he was going to the end of the property and if it was going to be raised.

Alan Hilla stated if it will be less than a foot as proposed it would have to be on grade, 18 inches or anything above would have to be set back. Air condensors and heating will go on the roof or in the attic. Outside shower will be removed to the deck. Mr. Longo stated there would be pavers for the front walk and stone in the driveway, with parking for one car.

Motion to open to the public, was made by W.Schmeling, seconded by G.Twadell, and unanimously carried.

There being no comments from the public, J.Burke made a motion to close the public session, seconded by W.Schmeling, and unanimously carried.

A motion to approve this application was made by J.Burke, with changes to the variances, and representation that the deck is going to be at grade, seconded by C.Triggiano, followed by the following vote: "YES"- J.Muly, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Burke, J.Tischio, G.Twadell.

RESOLUTION - 36-2000 -American Timber Co.- 543 Brielle Rd.
Motion to memorialize was made by N. Hamilton, seconded by J.Muly, followed by the following vote: "YES"- J.Muly, D.Place, C.Triggiano, N.Hamilton, J.Burke, G.Twadell.

RESOLUTION - 57-2000 -Clinton Matthews- 157 Stockton Lake.
Motion to memorialize was made by C.Triggiano seconded by J.Burke, followed by the following vote: "YES"-C.Triggiano, N.Hamilton, J.Burke, J.Tischio, G.Twadell.

RESOLUTION - 56-2000 - Marlin Tuna, Inc. - 140 Main St.
Motion to memorialize was made by J.Burke, seconded by C.Triggiano, followed by the following vote: "YES" J. Muly,C.Triggiano, N.Hamilton, J.Burke, J.Tischio.

On the above resolution, Neil questioned condition # 5, does that mean hours of operation 12:00 Noon to 10:00 at night? What does the 10:00 P.M. mean? Mr. Cramer stated the testimony given was the hours of operation would be from 12:00 noon to 10:00 at night. It probably means that no tables will be taken after 10:00 p.m., but people can stay there. Neil stated, " when Parker Ave. reads this, their going to say wait a minute, the lights are on and it's 5 after 10".

Mr. Burke suggested that the hours of operation be reviewed at the next meeting.

Mr. Cramer will change the resolution to read " the hours of operation shall be as determined as action of the Planning Board site plan review.

Mr. Cramer stated he had a conversation with Mr. Brennan on the Moore application, regarding the sunday operation on the warehouse. Mr. Brennan feels it is unreasonable to put that restriction on the applicant, as it will be hard for him to find a tenant. He is now looking for a 7 day a week operation from the quonset hut for his contractors warehousing operation.

In the packets for tonight was a copy of the brief of the Tynday matter. Tynday is going to trial in the beginning of February. This is a draft of the brief if the members want to read through this and give any imput they might care to give. Mr. Cramer stated his opinion he has no proofs in there of hardship, there

is nothing that would be beneficial to go for his side, the best thing is a remand by the Judge, back to the Board to consider additional proofs.

A motion to pay all bills was made, by J.Tischio, seconded by G.Twadell and unanimously carried.

Dues for N. J. Planning Officials, was approved for payment for \$198.00. by motion of J.Burke, seconded by J.Tischio and unanimously carried..

There being no more business, a motion to adjourn was made and unanimously carried, at 9:45 P.M..

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 from the November 14, 2000 meeting. Please consider the following Agenda for the December 19, 2000, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

**MANASQUAN PLANNING BOARD AGENDA
DECEMBER 19, 2000 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) Susan Moore & Salvatore Librizzi
 - (b)

7:30 P.M. - REGULAR PUBLIC MEETING

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

INTERPRETATION -59-2000 - Daniel Grogan - 4 Captains Court.

APPLICATION -48-2000- Cont.- Sean Weaver - 117 Sea Girt Avenue.

APPLICATION - 54-2000 - Roberta Gilligan - 135 First Avenue

APPLICATION - 58-2000 - James Larkin - 143 Lake Avenue.

A.-RESOLUTION - 36-2000 - American Timber - 543 Brielle Rd.

B -RESOLUTION - 57-2000 - Clinton Matthews - 179 Stockton Lake

C -RESOLUTION - 56-2000 - Marlin Tuna, Inc. - 140 Main Street

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