

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

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 November 14, 2000 meeting. Please consider the following Agenda for the January 9, 2001, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA  
JANUARY 9, 2001 REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion: Left Over Matters from 2000.  
Reexamination - Master Plan &  
Land Development Regulations.
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

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

- RESOLUTION - 32-2000 - Glimmer Glass L.L.C.- Brielle Road.
- RESOLUTION - 59-2000 - Daniel Grogan - 4 Captains Court.
- RESOLUTION - 48-2000 - Sean Weaver - 117 Sea Girt Ave..
- RESOLUTION- 54-2000 - Roberta Gilligan - 135 First Ave. - .
- RESOLUTION - 58-2000 - James Larkin - 143 Lake Avenue

4. OATH OF OFFICE

5 - REORGANIZATION

- RESOLUTION - 1-2001 - Appointment of Chairman  
Appointment of Vice Chairman
- RESOLUTION - 2-2001 - Appointment of Attorney
- RESOLUTION - 3-2001 - Public Meetings
- RESOLUTION - 4-2001 - Official Newspapers
- RESOLUTION - 5-2001 - Appointment of Secretary
- RESOLUTION - 6-2001 - Employment of Planning Board Engineer
- RESOLUTION - 7-2001 - Employment of Planning Board Planner

A.-APPLICATION - 56-2000 - Cont. - Marlin Tuna -140 Main St.

6. - APPROVAL OF VOUCHERS
7. - COMMENTS FROM INDIVIDUAL BOARD MEMBERS
8. - REPORTS OF SUBCOMMITTEES OF BOARD
9. - 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

MANASQUAN PLANNING BOARD MEMBERS - 2001

Mayor John Winterstella  
436 Cedar Avenue  
(732) 223-6213 Home

Councilman William Schmeling  
15 Iroquois Road  
(732) 223-8641 Home  
(732) 223-6827 Fax

David Place, Chairman  
39 Main Street  
(732) 528-7756 Home  
(212) 543-7985 Fax

John Burke, Vice Chairman  
4 Stockton Avenue  
(732) 223-3123 Home

Carmen G. Triggiano  
26 N. Main Street  
(732) 223-5540 Home  
(732) 223-6126 Work  
(732) 223-1266 Fax

Patricia Dunne  
458 Long Avenue  
(732) 223-3858 Home  
(732) 223-7249 Fax

Neil Hamilton  
94 Colby Avenue  
(732) 223-2212 Home  
(732) 223-0544 Ex. 243 Work

John Muly  
189 Stockton Lake Blvd.  
(732) 223-6778 Home

John Tischio  
17 Meadow Avenue  
(732) 528-0894 Home  
(732) 528-0894 Fax

Thomas Carroll (Mayor's  
Designee)  
556 Perch Avenue  
(732) 223-5572 Home  
(732) 223-3455 Fax

Gordon Twadell, Alt. # 1  
69 Beachfront  
(732) 223-2262 Home  
(732) 223-1363 Fax

James Coakley, Alt. # 2  
39 South Street  
(732) 223-0003 Work  
(732) 223-8017 Fax

Kevin Monaco, Alt. # 3  
42 No. Potter Avenue  
(732) 223-2372 Home  
(732) 367-1500 Work  
(732) Fax

Kevin Thompson, Alt. # 4  
62 Atlantic Avenue  
(732) 223-3612 Home  
(732) 223-6800 Work  
(732) 223-6852 Fax

Geoffrey S. Cramer, Attorney  
McLaughlin, Bennett, Gelson, &  
Cramer  
1305 Campus Parkway  
Neptune, N.J. 07753  
(732) 919-1155 Work  
(732) 919-1881 Fax

Birdsall Engineering, Inc.  
Alan Hilla, Jr. P.E.P.P.  
1700 Main Street  
So. Belmar, N.J. 07719  
(732) 681-1165 Work  
(732) 681-5477 Fax

Marie Applegate, Secretary  
10 Sims Avenue  
(732) 223-0271 Home  
(732) 223-0544 Ex. 245 Work  
(732) 223-1300 Fax

BOROUGH HALL, 15 TAYLOR AVENUE

Incorporated December 30, 1887

908-223-1480  
If No Answer  
908-223-0544  
Fax 908-223-1300

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

JOHN L. WINTERSTELLA, Mayor  
COLLEEN SCIMECA, Municipal Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

FACSIMILE COVER SHEET

TO : Geoffrey S. Granger Esq

COMPANY : \_\_\_\_\_

FROM : In Appellate

DATE : 1/4/01

TO FAX # : 919-1881

TOTAL PAGES INCLUDING THIS SHEET : 2

MESSAGE : New member list

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## PLANNING BOARD 2001

	Member	Address	Phone	Term
CL IV Chairman	David Place	39 Main St	528-7756	01/05/98-12/31/01 (4)
CL IV Vice Chair	John Burke	4 Stockton Ave	223-3123	01/01/01-12/31/04 (4)
CL IV	John Tischio	17 Meadow Avenue	528-0894	01/01/01 -12/31/02(4)
CL IV	Carmen Triggiano	50 Central Ave	223-6126	01/01/01-12/31/04 (4)
CL IV	John Muly	189 Stock. Lake Blvd	223-6778	05/15/00-12/31/02 (4)
CL IV, Envir Liai.	Patricia Dunne	458 Long Ave	223-3858	*01/04/99-12/31/01 (3)
CL III Coun Liai	Wm Schmeling	15 Iroquois Rd	223-8641	01/01/01-12/31/01 (1)
CL II	John L Winterstella	436 Cedar Avenue	223-6213	01/01/01-12/31/01 (1)
CL II	Neil Hamilton	94 Colby Ave	223-2212	01/01/01-12/31/01 (1)
Member - Alt #1	Gordon Twadell	69 Beachfront	223-2262	01/01/01-12/31/02 (2)
Member - Alt #2	James Coakley	39 South Street	223-0003	01/01/01-12/31/01 (2)
Member - Alt #3	Kevin Monaco	42 No. Potter Ave	223-2372	01/01/01-12/31/02 (2)
Member - Alt #4	Kevin Thompson	Atlantic Avenue	223-6800 <i>223-6852-74</i>	01/01/01-12/31/02 (2)
Mayor's Des. C I	Thomas Carroll	556 Perch Ave	223-5572	01/01/01-12/31/01 (1)
Secretary	Marie Applegate		Ext 245	01/01/01-12/31/01 (1)
Engineer	Allen Hilla, Jr.		681-1165	01/01/01-12/31/01 (1)

**\*Environ Com. Liaison rep's term runs for three years - same as term on Environ. Com. even though this position is a (Class IV - 6 members can serve as Class IV)**

**TERM:**

Mayor's des - Class I - 1 yr

Municipal Official Class II 1 yr

Council Liaison - Class III 1 yr

Member - Class IV - 4 yrs

Alternates 2 yrs

Environ. Com Liaison rep - 3 yrs

Under the Municipal Land Use Law, 40:55D-23, the mayor appoints all but one of the planning board members. There are four different classes of members. The governing body appoints one, and the mayor appoints the rest (except in the case of a council manager Optional Municipal Charter Law form, or the municipal manager form of government law).

**Last appointment will be an alternate #4**

**Boards merged 12/1/97**

**PLANNING BOARD**

1999

	Member	Address	Phone	Term
Chairperson CLASS IV	Chris Rice	61 Cowart Ave	223-6164	1/6/97-12/31/00 (4)
Vice Chairperson: CLASS IV	Robert Zanes	430 Long Ave	223-6260	1/4/99-12/31/02 (4)
CLASS II	Neil Hamilton	94 Colby Ave	223-2212	1/4/99-12/31/99 (1)
Mayor's Des. CLASS I				1/4/99-12/31/99 (1)
Member CL IV	David Place	39 Main St	528-7756	1/5/98-12/31/01 (4)
Member CL IV:	Carmen Triggiano	50 Central Ave	223-6126	1/6/97-12/31/00 (4)
Member CL IV	James Miller	21 Pearce Ave	223-3705	1/4/99-12/31/02 (4)
Member - Alt #1	<del>Robert Ratajack</del>	<del>70 Curtis Ave</del>	528-7756	1/5/98-12/31/99 (2)
Member - Alt #2	John Burke	4 Stockton Ave	223-3123	1/4/99-12/31/00 (2)
Env. Com. Liaison: CLASS IV	Patricia Dunne	458 Long Ave	223-3858	1/4/99-12/31/01 (3)
Class III - William Schmeling Council Liaison		15 Iroquois Rd	223-8641	1/4/99-12/31/99 (1)

**Environmental Com. Liaison representative's term runs for three years - same as term on Environ. Com. even though this position is a (Class IV 4 year term - 6 members can serve as Class IV).**

**TERM:**

Mayor's des - Class I - 1 yr

Municipal Official Class II 1 yr

Council Liaison - Class III 1 yr

Member - Class IV- 4 yrs

Alternates 2 yrs

Under the Municipal Land Use Law, 40:55D-23, the mayor appoints all but one of the planning board members. There are four different classes of members. The governing body appoints one, and the mayor appoints the rest (except in the case of a council manager Optional Municipal Charter Law form, or the municipal manager form of government law).

**Boards merged 12/1/97**

planbd.lis  
rs 1/8/99

*Designated  
5/1/99*

*7/19/98 - 7/19/2001 call. r. 2.  
Rw 4/8/99  
7/19/99*

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PLANNING BOARD

JANUARY 9, 2001 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on January 9, 2001, 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 - P.Dunne, C. Triggiano, N.Hamilton, T.Carroll, J.Burke, G.Twadell, J.Coakley, K.Monaco.  
Mayor Winterstella.

ABSENT - J.Muly, J.Tischio, K.Thompson.

For the record, Councilman Schmeling arrived at 7:15 P.M..

Mayor Winterstella stopped by to welcome the new and old members being appointed tonight, He stated he talked to Council about the Master Plan, although it's not up for review for 2 more years. He is planning to have a meeting in late February, with Paul Szymanski, the Council and the Planning Board. Being there are new members on the Council and Planning Board, he thought it would be good to have Paul come in and discuss what was done at the last Master Plan Review, discuss the reasons to his recollection why it was done and also explain the State Land Use Law, as far as the Master Plan and it's renewal, and have an open dialogue about ideas you may have or some members of Council may have. It will be a one time thing for Paul, he will basically do a little review on the Master Plan and why we went there, how it relates to the Land Use Law and what has to be done.

The Mayor is looking at a date, probably the end of February, or early March. He decided to try for February 28th.

Mr. Triggiano stated he submitted a letter and listed all the points that he thought were very important, and hopes the Board members look at the Master Plan before Paul comes in.

Mr. Carroll had questions on 2 letters in his packet from Mr. Cramer.

Mr. Cramer stated on the 2 lots across from the Glimmer Glass that are for sale, he believes they were deleted from the application, which came before the board. Mr. Henderson stated they were deleted from the variance. The lots are 2 conforming lots and they front on Glimmer Glass Circle. The sight triangle is for the access road for Glimmer Glass Circle road, so when you pull out you have good sight clearance.

A five minute recess was taken by motion, seconded and unanimously carried.

REGULAR SESSION

Mr. Place began the regular meeting with a Salute to the Flag.

ROLL CALL-PRESENT - P.Dunne, D.Place, C.Triggiano, N.Hamilton,  
Councilman Schmeling, T.Carroll, J.Burke,  
G.Twadell, J.Coakley, K.Monaco.

ABSENT - J.Muly, Mayor Winterstella, J.Tischio,  
Kevin Thompson.

A motion to approve the minutes of November 21, 2000, was made by C.Triggiano, seconded by P.Dunne and unanimously carried.

RESOLUTION - 32-2000 - Glimmer Glass, L.L.C. - Brielle Road  
A motion to memorialize was made by John Burke, seconded by C.Triggiano, followed by the following vote: "YES" - P.Dunne, C.Triggiano, N.Hamilton, J.Burke, G.Twadell.

RESOLUTION - 59-2000 - Daniel Grogan - 4 Captains Court  
Motion to memorialize was made by C.Triggiano, seconded by P.Dunne, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Burke, G.Twadell.

RESOLUTION - 48-2000 - Sean Weaver - 117 Sea Girt Avenue  
Motion to memorialize was made by N.Hamilton, seconded by P.Dunne, followed by the following vote: "YES" - P.Dunne, N.Hamilton, Councilman Schmeling, J.Burke, G.Twadell.

RESOLUTION - 54-2000 - Roberta Gilligan - 135 First Avenue  
Motion to memorialize was made by Councilman Schmeling, seconded by J.Burke, followed by the following vote: "YES" - P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Burke.

RESOLUTION - 58-2000 - James Larkin - 143 Lake Avenue.  
Motion to memorialize was made by Councilman Schmeling, seconded by J.Burke, followed by the following vote: "YES" - D. Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Burke, G.Twadell.

The following new members were sworn in by Mr. Cramer, Thomas Carroll, James Coakley, Kevin Monaco, also members J.Burke and C.Triggiano. The following members J.Tischio, J.Muly and Kevin Thompson were not present.

REORGANIZATION

RESOLUTION - 1-2001 Appointment of Chairman & Vice Chairman  
Motion to approve David Place, Chairman and John Burke, Vice Chairman, was made by C.Triggiano, seconded by N.Hamilton, and unanimously carried.

RESOLUTION - 2-2001 Appointment of Attorney.

Motion to approve Geoffrey S. Cramer, Attorney was made by Councilman Schmeling, seconded by C. Triggiano and unanimously carried.

RESOLUTION - 3-2001 - Meeting Dates.

Motion to approve was made by P. Dunne, seconded by N. Hamilton, and was unanimously carried.

RESOLUTION 4-2001 - Newspapers - Asbury Park Press & Coast Star.

Motion to approve was made by Councilman Schmeling, seconded by C. Triggiano, and unanimously carried.

RESOLUTION 5-2001 - Secretary - Marie Applegate.

Motion to approve was made by Councilman Schmeling, seconded by J. Burke, was unanimously carried.

RESOLUTION 6-2001 - Board Engineer - Alan Hilla, Jr. Birdsall Engineering, Inc.

Motion to approve was made by Councilman Schmeling, seconded by P. Dunne, and unanimously carried.

RESOLUTION 7-2001 - Board Planner - Alan Hilla, Jr.

Motion to approve was made by Councilman Schmeling, seconded by N. Hamilton, and was unanimously carried.

APPLICATION - 56-2000 - Cont. - Marlin Tuna - 140 Main Street. C. Keith Henderson, put himself on record as representing the applicant. He stated this was an application the Board previously took jurisdiction of, heard testimony, essentially, the applicant was seeking an exemption from the requirement of a site plan approval. The Board denied that. The applicant sort of waived a site plan approval and the board denied that. The applicant also sought waivers of most of the criteria set forth in the site plan ordinance and his understanding the Board granted that, as part of the grant of preliminary site plan approval and certain bulk variances. In Mr. Hilla's report he noted 2 additional variances, that were not noted in the zoning officers original letter of denial, and were not part of the application. In addition to that, there may be another ordinance which may be required because of the existing signage on the building. Based on that, he would like the board to rule, that based upon the notice we did provide, you still have jurisdiction of this application. In that connection, the original notice notified the public and the people within 200 feet, the utilities, that the use of the property would be for a restaurant. He asked that the board continue jurisdiction, which it has already accepted, not with standing the fact that there may be a need for several additional bulk variances.

George D. McGill, Attorney with Pringle, Quinn, Anzano, of Belmar, representing objectors, Carol Broderick, Ronald Jacobson, Rick Thomas, Joseph and Barbara Sraeel. He also has a list of other people who have been contacted and who are objecting, but he hesitates to say that he represents them at this time, as he has not discussed this matter with them.

He stated he wishes to be heard as to whether this board has jurisdiction. After listening to the tape of the Dec. 5th meeting, it would appear that the parking variance and all bulk variances that were requested were granted. That being the case, these additional variances have never come before the board. Only in Mr. Hilla's letter did these new variances come to life. Under those circumstances he thought that there would be a lot of people entitled to notice because they left, thinking that variances were granted and nothing else would be before this board tonight, except for lighting and landscaping review.

Mr. Henderson stated the purpose of notice is to advise the public of the use that's intended. The original notice very clearly advised the public that a restaurant was intended. Notwithstanding Councils argument, we reserve the right to obtain any other required variances in the notice so that if people left last month and are not here now, that's their fault, the hearing was continued and we reserve that right to obtain any other required variances in the notice.

Mr. Cramer indicated that he is inclined to agree with Mr. Henderson's argument, that the board does have jurisdiction to continue to hear this application particularly Mr. Henderson has some proofs in respect to those variances, that Mr. Hilla has pointed out in his report.

Mr. Henderson has two witnesses, Mr. Charles Gilligan, Engineer and Christopher Rice, the Architect, who were sworn in by Mr. Cramer.

Mr. Gilligan testified he was retained to represent the applicant. He has reviewed the resolution and Mr. Hilla's report. On the issue of parking, it is the same layout as was proposed at the last meeting. They are going to maintain a 30 ft. lane, proposing 21 spaces, added a refuge area with a 6 ft. high stockade fence adjacent to the building, added an extension of about 22 ft. of fence. It will go in a westerly direction, will line up to the adjacent owners property's front set back. They are following the same pattern as the fence that is there. They are going to take some of the pavement away and create a planting bed of Japanese Holly, 30" to 3½'. There will be the additions of 2 trees, they will supplement the existing trees on the adjacent property. That fence is into our property. There is a 15' to 20' buffer on the other side of our fence. In addition there will be 2 free standing 12 ft.

high lights, with a house shield which will direct light to the parking lot. With respect to Mr. Hilla's report, on the set back for parking, Mr. Gilligan testified they are removing some of the bituminous surface on the northern side of the lot. Mrs. Dunne had questions on the lighting on the rear of the building. Councilman Schmeling felt the 12 ft. high lights were too tall, maybe 8 or 10' would be better.

Mr. McGill questioned Mr. Gilligan on the right hand turn coming out of the parking lot. Mr. Henderson question the Police to see if they were going to due a review and was told they were not. At the last meeting the Mayor said he had a problem with the no right hand turn on Parker Avenue, because that would mean Emergency vehicles and Police needing to turn right, would be violating essentially and would cause a liability situation for the Boro.

Mr. McGill stated at the last meeting objectors had concern about odors from the dumpster. Mr. Gilligan said there will be 6' high stockade fence on the right hand corner of the building, the most remote place possible. There will be a dumpster in that enclosure which will have a cover on it. The applicant is going to stipulate that there will be no dumping of recycables after 10 P.M. at night and nothing before 8 A.M..

MR. Gilligan testified there is no provisions for out side seating and not proposed. There will be no out side speakers.

Mr. Rice testified he was obtained by the applicant to do the architectural plans. At the last meeting the Board had asked him to supply more detail on the signage, exterior lighting and roof top mechanical locations. Material used on the signs are plastic composite, resembling wood which weathers well. It's wood grain, sand blasted to look like wood, with gold leaf raised letters. Mr. Rice testified they are doing 2 sign faces, as they are on the corner and will need 2 signs. He testified the sign will be an aesthetic improvement to the building. Any units up on the roof now are coming down. We will have 2 units up there and will heat and cool the entire restaurant. There is a parapet around this building, 3' high, so you won't see them.

Mr. Twadell wanted to know if there was a need for a baffle on the fan unit. There will still be an angle corner on the front. Their going to patch, repair, paint the out side of the building and all the down spouts.

Mr. McGill wanted to know what kind of noise was going to be generated by the units on top of the building. Mr. Rice did not know. There was question on the water from the down spouts running on the side walk, Mr. McGill thought it might be better to have them run under ground.

MR. Henderson stated "they have done everything the Board has

asked them to do, it's a B-1 zone, we're asking to put in a restaurant, which is allowed, and there are 3 other restaurants in that building, which opened without coming before this body and without being required to come before this body. If we set a precedent, we're the first use in this building to get Planning Board approval. We are getting an upgraded parking lot, upgraded facilities for garbage and recyclables, we've tried to do everything we can to protect the neighbor to the north with the buffering, we are illuminating the parking lot, to make it a safer area. The applicant has met it's burden before this board and Mr. Henderson respectfully asks that this board approve the final elements of this application, and grant final site plan approval, together with the 3 variances which were discussed this evening".

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

Martha Dwyer, 22 Parker Avenue, representing herself and her 3 children. She stated she loves the plan and parking, and appreciates that. The buffer really makes it livable, rather than have the lights, noise and car horns next to her property. She supports their site plan, appreciates it, the parking space doesn't bother her. She is glad they are moving the dumpster next to the building. Her only other concern is being a resident on Parker Ave.. she goes to the beach and see's Leggetts Sand Bar, they have Budweiser Day, with Rock radio, and she is concerned that once they are in, they will have rock music, roll up the tables and have bands until 2 in the morning. She really doesn't want that.

Mike Benjamin, 17 Parker Avenue, the main issue of Parker Ave. is that we just don't want a Leggetts Sand Bar on the corner of Parker Ave. & Main St.. He questioned the buffer, the right hand turn out of the parking lot. He wanted to know if they are going to have entertainment at any time, were there any plans, could we stop that. Mr. Henderson stated the applicant hasn't said anything about that. When he transfers his liquor license, restrictions are placed at that time.

Mr. Schmeling stated, not that they aren't legitimate issues, he doesn't think they are to be addressed here tonight, but will be addressed when the liquor license is transferred. Mr. Benjamin is concerned about the lighting, as he lives across the street.

Mr. Henderson said the applicant would stipulate that they will not use an outside public address system, in deference to the neighbors. Mr. Benjamin's concern about the dumping of recyclables

at 10 p.m., he would like it made earlier, as it is very noisy and annoying to the neighbors. Mr. Benjamin stated a decent business is always better than an empty store front.

Mr. McGill stated he has many neighbors here tonight that he is representing, that would like to come up with questions and comments.

Joseph & Barbara Strall, 65 Parker Avenue were sworn in by Mr. Cramer.

Mrs. Straeel testified she resides about 2/3rds of the way down Parker Ave.north. She testified the parking on Parker is always at a premium. Her biggest objection is traffic. We are already high traffic area, already a bit noiser, you are going to have people coming to and from this restaurant, traffic is going to be horrendous, not to mention in the summer with the influx of all those people, drinking, who knows what's going to be going down the street. She believes they have the nicest street in town, and the whole street will change with this restaurant. She purchased her property 8 years ago, and knew the Fire House was there on the north end. She Knew it was a business district on Main St., but didn't give it a thought, when questioned by Mr. Henderson.

Mr. Straeel stated, when it was a laundrette, it was a daytime business or early evening, no noise, no commotion, now your taking it into a different kind of activity, which is going to generate more traffic. It's a family residential neighborhood, loads of kids, quiet in the evening.

Rick Thomas, 56 Parker Ave., 1/2 way up the street on the right hand side. He has mixed emotions. He would like to see the business district grow, a restaurant is a good idea in town. His concern is parking and the traffic it is going to bring to Parker Avenue. We have to protect Parker Avenue, but he thinks the restaurant is great.

Ron Jacobson, 59 McLean Avenue, several blocks from the restaurant. He is concerned about the traffic through Main St.. He is concerned about the people on Parker Avenue.

Mr. McGill would like to make suggestions for conditions to be put on this application.

1. From paragraph 7 of the previous resolution, stated by the applicant that this restaurant will operate between noon and 10 P.M.. We would ask the board to impose the hours of 12 noon to 10 p.m.. Mr. Henderson stated at the last meeting it was testified that there would be no seating after 10 p.m.. If that turns out to be a problem, that's a problem which you deal with the liquor license, you can do it every year. Mr. Henderson said the applicant would object to that request.

2. This applicant talks about a restaurant use, it doesn't talk about a bar or night club or tavern use, If this restaurant changes to a high class sea food, to a place that has a bar with TV's and the general nature of the establishment changes, we would like the board to place a condition on this applicant, that should this use change from what is proposed, that the applicant would have to come back to the board to review the variances that are granted. The reason for that is, because his clients are concerned about who is going to be in their area, at 2 a.m. after coming out of a restaurant that is serving beer.

Mr. Henderson responded that he believes that is the jurisdiction of the zoning officer, he is the person who determines when some one comes in for a C.O. whether there's been a change of use. That is the reason we're here. Mr. Furey has been very strict with a change of use. Mr. Henderson stated they have plans to the number of tables and chairs.

Mr. Hamilton stated when a liquor license is established that the schematic of the interior of the structure will have to be presented to the Boro Council, and any change to that schematic, adding bar stools, or reduction or increase of tables and chairs will be a condition of the license on a yearly basis.

Mr. McGill's clients would like the dumping of recyclables to be between 8 a.m. and 8 p.m..

Mr. Henderson stated the applicant already responded to that.

His clients would like it stipulated that deliveries will be made before noon. Mr. Henderson stated he spoke to his client and the testimony was that deliveries are made between 8 a.m. and 2 p.m.. It is hard to stipulate that, as we are not doing the delivery, they may on occasion show up after 2 p.m.. Mr. Henderson said they would stipulate that no deliveries would be made after 6 p.m..

Mr. McGill's clients thinks it's a reasonable condition to put a stipulation that there will be no right hand turn onto Parker Avenue. Mr. Henderson said they really don't object to that, but he thinks Mr. Schmeling really had the ideal solution. It's up to the police report.

Mr. McGill's clients would like additional trash cans to contain the odors, as it is a fish restaurant. Mr. Henderson stated his client will look into that, even though it wasn't part of what they were to do.

Mr. Henderson stated they will stipulate to no outside seating for service, without coming back to the Board for an amended site plan approval. They will not stipulate to not having a

bench out front.

Mr. McGill's final comment, stated that everyone who moved into the houses, that they knew they moved into an area that was commercial, but along with that knowledge comes the knowledge that the commercial area is controlled by certain requirements, and one is the parking, which is more than any other of their concerns.

Mr. Henderson stated with respect to the parking requirements according to the zoning ordinance, unless they want to legislate this particular piece of this particular building into total non-activity, there will be a parking deviation which has existed there forever, so it isn't really fair to say that these people anticipated that there could be a commercial use, but that there would be adequate parking, because you can't create adequate parking back there. There never was adequate parking and this building has been there forever.

Mr. Schmeling stated listening to all these objectors, and I think they raised good questions. <sup>Madelyn</sup> Madelyn Rooney, 66 Parker Ave. doesn't have a problem with the restaurant, it is great, fantastic, but she has a problem with the truck traffic. Some one has to do something about this, there are too many young children, the trucks fly down our street. Mr. Place said there is nothing we can do about that, it is Council's jurisdiction.

Mr. Schmeling stated Council will have to do something about this, as traffic patterns are going to change with the development of this property.

A motion by Mr. Schmeling to close the public portion, seconded by J. Burke, and unanimously carried.

Mr. Schmeling stated, after listening to the valid concerns of the neighbors on Parker Ave. his comments were if you would take the amount of parking that is available on this piece of property, you have to look at even though there are other uses there, most of the other operations aren't operating at the same time, they will have most of the spaces for their operation. If you were to compare that to Maria's or Squan Tavern, you'd probably find out that they actually have a higher percentage of parking available. When he came to the meeting tonight, he came down Parker Avenue, he stated there were very few spaces available on Parker Avenue, so he's not sure really how the restaurant is going to really make it that much more difficult parking on that street. Most of those spaces are taken when you go down that street, so I'm not sure that the parking is going to be a problem, but the traffic is, and he believes that that is where the right hand turn is going to come into place. That is why he proposes no right hand turn sign be put up, unless

it's determined by police that they have to have it until such time as it's needed.

Mr. Triggiano stated there is still parking on Main Street. Mr. Burke felt nothing should be put in the resolution about restrictions on restaurant, tavern or bar. Recycling should stay 8 a.m. to 10 p.m.. No right hand turn, he would be in favor as long as police and the Boro agreed to it, No outside seating, no restriction as to a bench out front, as other businesses have them. On parking, he thinks 21 spaces applicant is providing is not in compliance with the ordinance, but is probably more spaces than just about any other business in town provides.

Mr. Place agrees with all the points made by Burke and Schmeling. N.Hamilton also agrees with them, they were well expressed and he supports their feeling in this application. The rest of the Board agrees with all the stipulations, except Mr. Twadell who has a problem, he still thinks the parking is a problem, and no matter what they put in there the parking is going to be equally divided across the board. He's not in favor of the restaurant.

Councilman Schmeling made a motion to approve the application as submitted with all the stipulations, as were worked out between Mr.Cramer, Mr.McGill and Mr. Henderso<sup>n</sup> that they are all worked out and covered in the resolution when it is approved, that there will be no right hand turn allowed, it will be the sole discretion of the police if they determine it is needed and that it will not be installed until such time as the police no longer occupy the adjoining property, seconded by N.Hamilton, followed by the following vote: "YES" - P.Dunne, C.Triggiano N. Hamilton, Councilman Schmeling, J.Burke. "NO" G.Twadell. ABSTAIN - D.Place, T.Carroll, J.Coakley.

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

Mr. Place, to the new members, stated everything in the Master Plan of 1997, when you read it, bear in mind that Council did not approve it, as I can't find a single page where they approved it. So when you read that document, bear in mind it never moved forward. If you find something you feel strongly about, make sure you bring it up at that joint meeting.

There being no more business, a motion to adjourn was made by J.Burke, seconded 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

COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD

RESOLUTION - VOTE 12/19/01

32-2000  
Glimmer Glass

Dunne  
Triggiano  
Hamilton  
Winterstella  
Burke  
Rice  
Twadell

59-2000  
Daniel Grogan

Muly  
Dunne  
Place  
Triggiano  
Hamilton  
Burke  
Tischio  
Twadell

NO  
Schmeling

48-2000  
Sean Weaver

Muly  
Dunne  
Hamilton  
Schmeling  
Burke  
Tischio  
Twadell

NO  
Triggiano

54-2000  
R. Gilligan

Muly  
Dunne  
Place  
Triggiano  
Hamilton  
Schmeling  
Burke  
Tischio

NO  
Twadell

58-2000  
James Larkin

Muly  
Place  
Triggiano  
Hamilton  
Schmeling  
Burke  
Tischio  
Twadell

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Municipal Clerk

**PLANNING BOARD**

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 January 9, 2001, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

**MANASQUAN PLANNING BOARD AGENDA  
JANUARY 9, 2001 REGULAR MEETING**

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion: Left Over Matters from 2000.  
Reexamination - Master Plan &  
Land Development Regulations.
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

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

RESOLUTION - 32-2000 - Glimmer Glass L.L.C.- Brielle Road.  
RESOLUTION - 59-2000 - Daniel Grogan - 4 Captains Court.  
RESOLUTION - 48-2000 - Sean Weaver - 117 Sea Girt Ave..  
RESOLUTION- 54-2000 - Roberta Gilligan - 135 First Ave. - .  
RESOLUTION - 58-2000 - James Larkin - 143 Lake Avenue

4. OATH OF OFFICE

5 - REORGANIZATION

RESOLUTION - 1-2001 - Appointment of Chairman  
Appointment of Vice Chairman  
RESOLUTION - 2-2001 - Appointment of Attorney  
RESOLUTION - 3-2001 - Public Meetings  
RESOLUTION - 4-2001 - Official Newspapers  
RESOLUTION - 5-2001 - Appointment of Secretary  
RESOLUTION - 6-2001 - Employment of Planning Board Engineer  
RESOLUTION - 7-2001 - Employment of Planning Board Planner

A.-APPLICATION - 56-2000 - Cont. - Marlin Tuna -140 Main St.

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

BOROUGH HALL  
15 TAYLOR AVENUE  
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**PLANNING BOARD**

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A.-APPLICATION - 56-2000 - Cont. - Marlin Tuna -140 Main St.

6. - APPROVAL OF VOUCHERS
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Municipal Clerk

**PLANNING BOARD**

FEBRUARY 6, 2001 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on February 6, 2001, 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, N.Hamilton,  
J.Tischio, G.Twadell, J.Coakley, K.Monaco.

ABSENT C.Triggiano, Councilman Schmeling, Mayor  
J.Winterstella, T.Carroll, J.Burke, K.Thompson.

On the resolution for Marlin Tuna, Mr. Place wanted to know if Mr. Cramer knows just what was changed from the first draft. Mr. Cramer stated on the first page there is the insertion of the resolution number. In the first paragraph the words have been added to include that the application is also seeking a site plan approval. On the second page, paragraph 3, Mr. Gilligan introduced his witnesses to Mr. Henderson. Page 5, paragraph 13, the word sufficient is incorrect, it should have been significant. Paragraph 16, there is a reference to a baffle raised by Mr. Twadell, it should be, provided if required by the code. Paragraph 19, reference to the hours of putting out bottles and cans, it will not occur between the hours of 10 P.M. and 8 A.M.. Paragraph 25, the 9th line down, segregated is incorrect, but they do have to make provision for a separate refuse area. Page 9 in paragraph 1 in the first condition, the very last sentence, reference to a landscaping plan is to be modified to show a 6 ft. high scalloped fence along the residential side of the premises leased by applicant. Paragraph 4 the second sentence, no outside benches on Parker Ave.. Paragraph 3, the outside placement of recyclables should be accomplished between 8 A.M. and 10 P.M.. There will be no provisions for outside tables or seating for dining on Main St. or Parker Avenue.

Keith Henderson stated since the Master Plan review is coming up, he has a couple of clients who have asked him to submit changes, for actual requests for rezoning. Would it be appropriate to submit those in anticipation of that meeting? Mr. Place stated since we are going to do the Master Plan, it would make sense to have you forward the requests so the Board could look at it.

Mr. Hamilton stated at a few meetings ago he suggested that we individually make our comments about what our thoughts are on the Master Plan and submit to Mr. Szymanski. Mr. Hamilton will not be here for that joint meeting, so he is making his comments now. As you get into section 2 on the review that was done in 1997, you'll see in there, basically

the revisions were geared around the beach, over development did not take place. The cases we do hear, as far as density, we almost contradict what the plan itself is for. We have a problem to make that change, because we set precedent, to permit high density development in the residential area. We have put together and permitted the variances for increased nonconformity in sub-divisions of properties, dealing with parking variances, side yard, lot coverage. We have violated all the variances that the Board has put together as far as the zoning concept that they want to see. There were dozens of applications, we've created our own nightmare.

Mr. Cramer stated we have to take into consideration that there are a great many variance reliefs given out to the property owners along the beach front corridor and that should probably take into account when reviewing the Master Plan this next time around. We may want to continue or legitimate that practice or deviate from it. You always have the opportunity of reviewing your master plan and up-date it according to your communities direction. These are the issues you want to get from your planner, as terms of what he sees as a pliable direction of your community., You are the people that will make a decision as to what direction the town goes in the next 10 years. Your starting right now and this is your opportunity to change your course.

P. Dunne and the environmental commission is unhappy that we are allowing people to extend, even with new construction not to obey the side yard set-back especially in the beach area. We are really increasing the density, especially in a flood area.

Mr. Hamilton doesn't know what changes we're going to make in the Master Plan, we've made a lot of changes in our zoning ordinances that accommodate problems, and he thinks they've worked out very well. We've tried to make zone changes in particular areas, like Sims Ave. to reduce the height that we don't have the up and down structural activities that are going on in the beach front. We haven't gotten to those zones. He thinks those are more important to look at, our different zones and what we want to see right now, as being concerned with a Master Plan. We've almost lost concept for a Master Plan, we've done that.

The COAH application Affordable Housing is done by Mayor and Council, that's just been reviewed and adopted. The other element is recycling and that's been done and adopted by Mayor & Council. Manasquan is one of the hottest real estate environments you can probably find in the State of N. J. right now. He thinks it's positive what is taking place down the beach area now.

REGULAR SESSION

Mr. Place asked all in attendance to join in the Salute to the Flag.

Oath of Office was issued to John Muly and John Tischio, by Mr. Cramer.

APPLICATION - 8-2001 - John & Kellie McCue - 114 First Avenue  
The property in question is located on the east side of First Avenue, between Ocean Avenue & Riddle Way access ramps. This location is within the Borough's Residential Zone 4. The parcel in question is a 28 foot by 150 foot (IRR) lot currently containing a single family one-story dwelling along the beachfront and a two-story dwelling containing 2 dwelling units facing First Avenue. The applicant wishes to demolish the existing two-story, two-family dwelling unit and construct a 2-1/2 story single-family dwelling. Accordingly, Use Variances and Bulk Variances are required for this application.

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

The owner of record is John McCue, Kellie McCue and John McCue, III, trustees of the last will and testament of Helen P. McCue. The applicant is Kellie McCue one of the trustees. The Property is Block 167, Lot 6.

Kellie McCue was sworn in as a witness.

She testified she lives at this property full time. She testified there are 2 buildings on the property, 115 Beachfront and 114 First Avenue upper her apartment and 114 $\frac{1}{2}$  lower which is a garage apartment. She testified the First Ave. building is basically falling apart. The foundation is crumbling and it can't be repaired or replaced, per the architect. She would like to build a 2 $\frac{1}{2}$  story dwelling, with a 4 car garage, eliminating the downstairs apartment, the reason is she is getting married in November and would like to make this their permanent residence. We are going to live there and not going to rent it. There are 2 parking spaces at present and 2 that hang over the road, making 4. As proposed there will be 6 parking spaces including the 2 that hang over the road, 4 would be inside an enclosed garage. The plans call for dormers on the 2nd floor as testified. The dormers are replacing essentially the living space which they are giving up where the garage is going.

Mr. Gilligan, Planner & Engineer was sworn in by Mr. Cramer. He testified he was retained by the applicant. This application has a use variance as there are 2 structures on one lot. There are two bulk variances, building coverage and lot coverage, also set backs. We are also asking for a variance on the dormer which encroaches on the space of the ordinance of Manasquan. We have the option of doing a sub-division, creating 2 lots, but it is not proposed under this situation. The granting of

this variance would not propose any detriment to the public good. The new structure will be a better looking structure than the one that exists. Mr. Gilligan testified, the south side set-back is 4'7" and the north is 3ft. and the building is 20.6.

There was a concern about the surveys. Mr. Henderson stated the revised O'Malley survey which shows 4.7 ft. as opposed to 5'6" on the north side, that's correct. We're building exactly in that foot print, except to the east, where we're going further in the easterly direction, which is what accounts for the additional lot coverage and building coverage.

Mr. Gilligan corrected O'Malley survey, the north arrow is going in the wrong direction, it is going south rather than north, so all previous testimony where I said north, change that to south.

Mr. Henderson stated they are following the out line of the building as shown on that O'Malley survey, but where it juts in, we're going straight back. Mr. Gilligan testified they are starting new and it would be safe to say they are not going to be closer than 2.1 ft.. Their not doing anything with the beach front at all.

Frank Saboda, with Maslow & Miller, the architect was sworn in by Mr. Cramer. He testified he prepared and submitted plans for this project. The revisions to the plans subsequent to that time were, the original design had a flat roof, so we revised it a little bit. The height of the building is exactly 30'8" to the peak. The new building will comply with all fire equipment. He testified it will be a plus for the town. Exhibit was marked as A-1. The dormers will be set back even with the exterior vertical building law, exceed the 8% permitted under the ordinance. Mr. Saboda testified the dormers are primarily for head room function, to create space so your not hitting your head. Under one dormer they have the main bathroom on the second floor, and the other one is the master bedroom in the front area which allows head room over the master bed. It is very difficult with out the dormers to make this whole design functional. Plans were marked exhibit A-2.

There was some concern about the dormers by Mr. Place in regards to light and air. Mr. Saboda testified the dormers are only out 18 inches. The garage will be completely open, there will be one large door. The existing curb cut will be maintained. Ms. McCue testified seperate sewer lines will be run, but she has to pay for it. The pavers are existing as shown on survey.

A motion to open the meeting to the public was made by G.Twadell seconded by P.Dunne and unanimously carried.

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

Mr. Monaco withheld any comment on this application and would abstain from any vote due to a potential conflict. Mr. Tischio has a problem with the survey. Mr. Henderson said it would be corrected and will submit a corrected survey. He likes the concept and will support it. P. Dunne is happy to see they are eliminating a family and would approve.

G. Twadell's only problem was the building height, because of it's effect on the people on both sides. He can see the dormers and what they are aiming at. It's a beautiful job. J. Muly thinks it's an improvement, and his only concern was the set backs. He thinks it is good and is in favor of the application. Mr. Coakley is in favor of the application. Mr. Hamilton is in favor of the separate sewer and water lines, and putting down spouts in to make sure the drainage goes under ground and not on the neighbors property.

A motion to approve the Use Variance was made by N. Hamilton, seconded by J. Muly, followed by the following vote: "YES"- J. Muly, P. Dunne, D. Place, N. Hamilton, J. Tischio, G. Twadell, J. Coakley.

A motion to approve the bulk variances was made by P. Dunne, seconded by J. Muly, followed by the following vote: "YES"- J. Muly, P. Dunne, D. Place, N. Hamilton, J. Tischio, G. Twadell, J. Coakley.

RESOLUTION - 56-2000 - Marlin Tuna - 140 Main Street  
G. Twadell thinks the problems on Parker Avenue should be addressed by Council, as far as ordinance changes, such as parking on one side of the street, before this resolution is passed. Big trucks are coming down that street and he thinks it should be addressed. Mr. Hamilton said Council will be doing it, that Parker Avenue will be rezoned for one side of the street parking. Mr. Coakley said there is a real issue on Parker Avenue, but he is not sure this restaurant is creating or impacting additional problems for traffic. P. Dunne moved for a favorable motion on this resolution, seconded by N. Hamilton, followed by the following vote: "YES" - P. Dunne, N. Hamilton.

RESOLUTION - 10-2001 - Engagement of Professional Planner.  
A motion to approve was made by P. Dunne, seconded by G. Twadell, followed by the following vote: "YES"- J. Muly, P. Dunne, D. Place, N. Hamilton, J. Tischio, G. Twadell, J. Coakley, K. Monaco.

RESOLUTION - 13B-2000 - Henry Wright - Extension of Time.  
A motion to approve was made by N. Hamilton, seconded by P. Dunne,

followed by the following vote: "YES"- J.Muly, P.Dunne, D.Place, N.Hamilton, J.Tischio., G.Twadell, J.Coakley, K.Monaco.

RESOLUTION - 9-2001 - Susan Moore/Salvatore Librizzi  
Mr. Cramer stated this case has been settled, and he has the form of settlement back in his office.  
A motion to approve was made by P.Dunne, seconded by J.Tischio, followed by the following vote: "YES" - J.Muly, P.Dunne, D.Place, N.Hamilton, J.Tischio, G.Twadell, J.Coakley, K.Monaco.

A motion to approve the minutes of December 19, 2000 was made by J.Tischio, seconded by D.Place, and unanimously carried.

A motion to approve the minutes of January 9, 2001 with a correction on page 3, was made by J.Tischio, seconded and unanimously carried.

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

Steve Straus - 944 Burlington Ave., Union, N. J. came forward, with reference to the Flanders resolution. He stated he was in the office and there are 2 sets of plans that he was looking at and wanted to know if both sets were approved. He wanted to know if the plantings were approved. Mr. Cramer stated CAFRA has come back with a number of changes with some of the buildings, but no change in the substance with what the Board has approved. He said reading the plans it looks like their going to put dunes between the walkway and the condos. He doesn't think that is going to look good. On the north side of the development they show they are going to cut away that pavement and he wants to know if the Boro wants to give that away.

Mr. Place said the Board has looked at all his concerns.

Adalaide Rooney - 66 Parker Avenue came forward stating that Mr. Hamilton said the truck traffic is due to the Cable work that is going on in town, she is sorry but everything from the Budweiser truck, to the liquor trucks also the U.S. Main Truck has been coming down the street. As far as the restaurant she is thrilled, but the Budweiser truck, the liquor truck, coke truck will be going down. She wishes the Board would go to Council and say something. She was told she could do that. She stated she has but nothing has been done.

There being no more business, the meeting was adjourned at 9:00 P.M. with a motion, seconded and unanimously carried.

Respectfully submitted

*Marie Applegate*  
Marie Applegate, Secretary  
Manasquan Planning Board

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PLANNING BOARD

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COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the February 6, 2001, meeting. Please consider the following Agenda for the March 6, 2001, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA  
MARCH 6, 2001 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion: Master Plan
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

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

RESOLUTION - 8-2001 - John & Kellie McCue - 114 First Avenue

RESTATED RESOLUTION -39A-2000 - Robert Forst - 447 Long Ave.

4. OATH OF OFFICE - Kevin Thompson

APPLICATION - 23-2000 - FLANDERS L.L.C. - First & Beachfront

APPLICATION - 11-2001 - Dan & Erica Grogan - 4 Captains Ct.

APPLICATION - 13-2001 - James Larkin - 143 Lake Avenue

5. APPROVAL OF VOUCHERS
6. COMMENTS FROM INDIVIDUAL BOARD MEMBERS
7. REPORTS OF SUBCOMMITTEES OF BOARD
8. AUDIENCE PARTICIPATION
9. PRIVATE SESSION - Moore Librizzi  
Lawrence Tynday

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COLLEEN SCIMECA  
Municipal Clerk

February 9, 2001

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

Attention: Legals

Dear Sir:

Please publish the following legal in your edition of February 15, 2001.

MANASQUAN PLANNING BOARD  
NOTICE  
ENGAGEMENT OF PROFESSIONAL PLANNER  
RESOLUTION # 10-2001

Paul F. Szymanski, P.P is hereby appointed Special Planner to the Borough of Manasquan Planning Board to undertake and prepare a Re-examination Report with respect to the Borough's Master Plan and Long Range Planning. A copy of the proposed Contract is on file in the office of the Planning Board Secretary.

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
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COUNTY OF MONMOUTH  
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PLANNING BOARD

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the December 19, 2000 and the January 9, 2001 meetings. Please consider the following Agenda for the February 6, 2001, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA  
FEBRUARY 6, 2001 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

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RESOLUTION - 9-2001 - Susan Moore/Salvatore Librizzi  
RESOLUTION - 10-2001 - Engagement of Professional Planner  
RESOLUTION - 13B-2000 - Henry Wright - Extension of Time

4. OATH OF OFFICE - J.Muly & J.Tischio

APPLICATION - 8-2001 - John & Kellie McCue - 114 First Ave.

5. APPROVAL OF VOUCHERS
6. COMMENTS FROM INDIVIDUAL BOARD MEMBERS
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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 28, 2001 - SPECIAL JOINT MEETING

A joint meeting of the Manasquan Planning Board and the Governing Body was held on February 28, 2001 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

The Mayor welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

The Mayor stated that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on February 8, 2001.

ROLL CALL: Present: Council Members Blumenstock, Briant, Dempsey Monsell, Schmeling.  
Absent: Council Member O'Hare.

Present: Planning Board Members, Mayor Winterstella, W. Schmeling, D. Place, J. Burke, C. Triggiano, P. Dunne, N. Hamilton, J. Muly, J. Tischio.

Councilman Blumenstock arrived at 7:40p.m. and Councilman Schmeling arrived at 7:50p.m.

Also present: Manasquan's Planner Paul F. Szymanski, PP, Manasquan Planning Board Attorney, Geffory S. Cramer, Esq. and Planning Board Engineer, Alan Hilla, Jr.

Mr. Szymanski briefly described the Municipal Land Use Laws and noted that the municipality is required to have a Master Plan in order to have a valid zoning ordinance. He also related that a municipality must conduct a reexamination of the Master Plan report every six years at a minimum. He gave the history of the Borough's Zoning Ordinances and Master Plan up to today's date. He highlighted the Borough's Mount Laurel obligation and green acres property inventory and their impact on planning.

Planning Board Chairman David Place asked when the municipality will be required to rewrite the Master Plan.

Mr. Szymanski related that as long as the municipality continues to do the reexamination reports it will not have to be rewritten. However, he related that if it gets to the point that the goals, objectives, issues and problems have changed the municipality may want to consider having a new Master Plan prepared.

The Mayor asked if there were any questions at this time.

C. Triggiano, Manasquan Planning Board Member related that the planning Board reviewed the December 1, 1997 reexamination and made some changes. He asked if that process is considered a

reexamination.

Mr. Szymanski related that it should be included in the next reexamination process as well as the 1993 reexamination report.

Planning Board Member Tom Carroll asked if a reexamination is conducted now, will another one have to be conducted in 2003 since the last one was conducted in 1997.

Mr. Szymanski related that in his opinion it will have to be done in 2003. He noted that the reexamination process is a lengthy one and will take some time to complete.

Gordon Twadell, Manasquan Planning Board Member asked Mr. Szymanski to quantify the funding that is available for Manasquan since funding may be available for municipalities that have been designated as town centers.

Mr. Szymanski briefly described the cross acceptance process and related that if state funds are available the designated municipalities have priorities. however, he noted that all designated municipalities are competing for the funds.

The Mayor noted that 87 municipalities have been designated as town centers and that the system that is used to distribute the funds is a weighted system. The Mayor related that the last zoning map was adopted in 1995.

Mr. Hilla related that the map was updated in 1998 and described the "common sense" change that was made by the Board to the map in the area of Mueller's property off of Route 71 in the B-3 zone.

Mr Hilla and Mr Triggiano briefly discussed this change.

The Mayor asked Mr. Cramer to explain the process to make changes to the Borough's zoning map.

Mr. Cramer stated that in accordance with the statutes, zoning map changes are adopted by the Borough, however, the Board has the opportunity to review the proposed changes. He noted that the Board can also make recommendations to the Council but that the Council is not required to adopt the proposed changes. He related that the Planning Board does not get involved with legislative discretion.

Mr. Place noted that point in case the Council did not follow through with the majority of the recommendations of the last Master Plan reexamination. He related that this is why it is important to conduct meetings such as this one so that the Council and Board can share ideas.

Mr. Szymanski reviewed pages 4, 5 and 6 of the Decmber 1, 1997 Master Plan which outlines the recommended changes to the Master Plan Land Development Regulations.

Councilman Dempsey asked Mr. Szymaski if the I - Industrial Zone is going to be deleted and changed to an office zone and noted that Sherman Mills has been in that zone for over 100 years.

Councilman Dempsey recommended making that change if and when Sherman Mills is sold.

Mr. Hilla reviewed the items on pages 4, 5 and 6 that have not been completed. He related that nothing has been done with the Recycling Plan Element, the Housing Plan Element and the Recreation/Community Facilities and Conservation Elements. He related that the COAH has been addressed by Professionals Surenian and Thomas separate from the Planning Board. He related that the Historic Preservation Element has not been discussed. He related that the Zoning requirements that dovetail with the Residential Site Improvement Standards have been done. However, the Council may want to revise the complete Zoning Ordinance to delete items. He related that the PUD/Fisherman's Cove item is a housekeeping item. He stated that thre I-Industriakl District and the Potter Ave North of Main St. have not been rezoned as of this date.

Mr. Hilla reviewed items 1 through 7 on page 5 and noted that all of the items with the exception of the 1st and 4th have not been addressed. He noted that items 1 and 4 haveX been completed via the application process and that the Zoning Ordinance has not ben changed to reflect the change.

Councilman Dempsey related that it does not make sense to eliminate the O-Office Zone on Union Ave. sdouth of Marcellus Ave to R-2 since there are several busdinesses there.

Mr Place noted that the Boartd was split on this item and noted that if the zone changes the existing business can continue to operate there. He related that they are looking at the long term planning aspects.

There was a great deal of discussion regarding the Borough's long term planning responsibilities.

Councilman Blumenstock related that he is trying to look into what the expectation and outcome should be expected from this meeting. He related that Mr. Szymanski posted a decision point which is whether or not the municipality wantd to go ahead with a full blown Master Plan or instead conduct a six year reexamination. He related that all these discussions are usefull, however, they do not get back to this point and that

it does not address how we want to proceed with addressing these issues.

The Mayor related that the purpose of the meeting was to educate everyone about how we got to where we are today and then to make decisions from that. He related that he envisioned information sharing then the Planning Board can make a recommendation to Council about now to proceed.

There was a brief discussion regarding what goals should be accomplished at this meeting.

Mr. Hilla continued to review items 8 through 12 on page 5 of the December 1, 1997 Reexamination report. He related that the Bed & Breakfast Use was completed and that the Building Height Provisions still needs some attention. He related that the comprehensive set of definitions was completed and that the landscaped buffers provisions was not completed. Item # 12 was not discussed. Mr Hilla related that the remaining items on page 6 were not completed.

Planning Board Member Patricia Dunne asked if the house that was built on the propoerty that was formerly a miniature golf course and is located in a B-3 Zone can open up a business there.

Mr Hilla stated that they could open up a business at that location.

Council Member Dempsey asked if there has been some consideration to remove the "Condo" zone from the west side of First Ave since the condominium developments on the east side of First Ave and Brielle Rd. have been approved.

Mr. Szymanski related that until 1995 that area was zoned Resort/Business. He noted that the American Timber Subdivision has had a large impact on the development in that area. He related that they made the land use change in an effort to capture the market place and upgrade the area.

Mr. Hilla related that the Flander's property is a good case in point of how approximately 10 years ago the beach area needed economic stimulation. However, times have changed and that area no longer needs that type of stimulation.

Councilman Briant related that there are some good elements of the December 1997 reexamination and that he would be in favor of hearing the public's comments and ideas about them. He stated that it should be noted that the implementation of these recommendations may have an effect on other elements of the town like the school system.

There was a brief discussion regarding whether or not

architectural style should be included on the plan.

The Mayor noted that by majority previous Boards and Councils were not receptive to including architectural style regulations in the plan. He also noted that the business community has not been receptive to it.

Mr. Hilla related that it is difficult to legislate taste and that it may not be legal.

Mr. Szymanski related that some municipalities have developed a downtown theme and noted that there may be funding available to implement it.

Council Member Monsell related that the members of the Chamber of Commerce were not in favor of this concept.

Manasquan Planning Board Member John Burke noted that while Red Bank, was successful with implementing a downtown theme, Lakewood was not.

Mr. Twadell asked what can be done to change the 35 foot building height limit.

Mr. Szymanski related that a change in setback requirements may address some of the problems that appear to be caused by building height.

Councilman Schmeling related that perhaps a proportionate height to lot size formula may resolve some of the problems caused by the 35 foot building height limit. He related that he does not foresee that the Board will ever decrease the 35 foot height limit.

There was a great deal of discussion regarding this matter.

Planning Board Member John Tischio expressed concern about changing business zones to residential zones which excludes commercial operations. He related that the public has expressed concern about scaling down the business areas and asked how this is being addressed in the Master Plan.

Mr. Place asked what would the zone along First Ave be changed to if it is changed.

Council Member Dempsey related that it should be zoned Resort Commercial as it was zoned in the past.

Councilman Schmeling related that they went to the RPM zone not only to encourage development but to also encourage commercial development.

There was a great deal of discussion regarding the zoning in the beach area.

There was a brief discussion regarding the design of the Exxon Station and whether or not the Board could have required it to be constructed in a colonial fashion.

Richard Dunne, Long Ave related that the houses on the west side of First Ave are close together and the municipality needs some means to encourage designs that give light/air and the appearance of less bulk in that area. He related that if a lot is non-conforming the Board does not have to grant the 35-foot height limit. He related that this provision is a step in the right direction. He encouraged the Board to continue to move into this direction because it will add value to the entire community.

Planning Board Member Patricia Dunne read a section of the reexamination report that indicates that retail, seasonal resort and commercial uses should be considered to be allowed in this district. She noted that there was no intention to eliminate the resort businesses in the beach area.

The Mayor related that it is important to keep this item on the front burner.

Councilman Schmeling made a motion to adjourn the special meeting at 9:40 p.m., seconded by Councilman Blumenstock. Motion carried unanimously.

Respectfully submitted

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

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**PLANNING BOARD**

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the March 6, 2001, meeting. Please consider the following Agenda for the April 3, 2001, Regular Meeting at 6:30 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA  
APRIL 3, 2001 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

6:30 P.M. - WORK SESSION

1. For Discussion - Paul Szymanski, - Master Plan
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

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

APPLICATION - 15-2001 - Joseph Lucas - 60 S. McClellan Ave.

APPLICATION - 17-2001 - Broadview Development Group L.L.C.  
22 Woodland Avenue

APPLICATION - 12-2001 - Willian Sepe - 40½ Main Street

RESOLUTION - 11-2001 - Dan & Erica Grogan - 4 Captains Coiur

RESOLUTION - 13-2001 - James Larkin - 143 Lake Avenue

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

MARCH 6, 2001 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on March 6, 2001, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

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

Mr. Place stated the Board has to come to a decision on how we want to proceed regarding the possible re-examination of the Master Plan, or whether we want to flip over last years recommendation and pick out some pertinent points of that examination and re-write the memos to Council, could be a possible additional recommendations that need to be looked at.

G.Twadell stated the constructions going on in town at such a fast pace, his concern is that we do a re-examination, not a complete one. Mr. Place stated it's not due until 2003 and the money's not available for it right now. He thinks there are some items that need to be cleaned up on the Master Plan..

Mr. Burke was concerned about the building envelopes heights on the beach, the area zoned west of First Ave. between Main St. and Brielle Rd., he believes the Board has to look at what that zone is and discuss if their going to make a recommendation to have that zone changed. There are other things that have to be looked at besides what's on that list. He doesn't think we need a complete re-evaluation, but there are things that we have to add to that particular list.

Mr. Monaco suggested that the Board go over the re-examination pick out the items that we think are the most important, get them to Marie prior to the meeting, and then we can spend that hour to go over the most important items, and then decide at that point if we need another meeting dedicated to those issues that we can't come to terms on.

Mr. Cramer stated the suggestion was to meet April 3, at 6:30 P.M. for an hour, for the purpose of discussing the issues that will be considered. Board members to have their concerns in to Marie by March 26th, so they can go out in the packets.

REGULAR SESSION

ROLL CALL - PRESENT- J.Muly, D.Place, Councilman Schmeling,  
T.Carroll, J.Tischio, J.Burke, G.Twadell,  
J.Coakley, K.Monaco, K.Thompson.  
ABSENT - P.Dunne, C.Triggiano, N.Hamilton, Mayor  
Winterstella,

were some minor changes to the plans. CAFRA had requested that on Building 1 and 6, we have them as gable roofs, they required us to have them as hip roofs on the beachfront. They also required covered decks to have the roofs removed. They were concerned with the height on the beachfront. They had asked for additional landscaping around building # 1 and on the triangular piece that is going to be given to the Boro, they asked us to put in benches and landscaping in there. He stated he thanks the Board for doing a preliminary and final on this application as many things change, and there wasn't this ping pong between CAFRA and the Board. There were very few changes made by CAFRA, doing it this way. He testified the building committee was concerned about having high quality materials used on the project. He brought samples of the materials to show the board. They are going with the highest end of siding, Cedar Impressions, Timber Line 40 year, 80 mile and hour roof. Railing system will be a troy high end vinyl system, Columns will be by TurnCraft, and the driveways will be Utalock. All materials were in total agreement with the architectural committee. The staggering of the buildings is what caused the problem with CAFRA. He testified no foot prints of the buildings have changed from the original plans the Board approved. The entrance ways to the buildings are all covered.

Mark Zelina, P.E. testified he is a professional Engineer in the State of New Jersey and a consultant for the Maser Firm. Mr. Zelina testified he received and reviewed the report from Alan Hilla of 3/2/01. On the conditions in that report from 1 to 14, they have no difficulty in complying with. The conditions are minor and comply to the extent that this can receive final approval. He testified he did the plan on the lighting. There will be 5 decorative fixtures along the project. Four will be placed equally along the front on First Avenue and added a 5th on Brielle Road. If there is any problem with the spacing they will review that with the Boro's Engineer and planning consultant.

Mr. Henderson stated "he could go through each of the items, but they are technical issues, which we would be happy to have our engineer work out with your engineer". He did go through the list of items, per request from the Board Chairman. Mr. Zelini stated there will not be a project sign, and the numbers will be on the front wall of each unit. There will be dry wells in each of the driveways, to cart off the roof runoff and the drain in the driveway itself.

Mr. Henderson stated there are more people standing in line to buy, then they have units. Mr. Riccardi testified they are going to start on Brielle Rd. with bldg.#1 and march down the block. Since they don't have their condominium documents, they should be approved this month, we are not allowed to take any

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

Kevin Thompson, Alternate # 4 was sworn in by Mr. Cramer.

APPLICATION - 23-2000 - Flander's L.L.C.- First & Beachfront  
Keith Henderson put himself on record as Attorney for the Applicant. Robert Richardi and Mark D. Zelina, P.E., were sworn in as witnesses. Block 179, Lots, 1-6, 8, 10, & 15.  
The Board, at the meeting of September 19, 2000, granted preliminary approval of this project and memorialized that action through Resolution No. 32-2000. That approval essentially contained the necessary Land Use Variances required for this development. The outstanding issues to be determined and approved through this final site plan review process constitutes the site development details not currently detailed through the preliminary site plan work. It should be noted that the course of the preliminary approval process comprised four meeting dates and resulted in the development of site details that are normally reviewed through the final site plan process. That notwithstanding, there are site plan items which remain unresolved and should be addressed through the final site plan process.

Mr. Henderson stated final site plan approval was withheld due to 3 issues. 1. The Board wanted CAFRA approval in place. That has been submitted to the Board. 2. The Board wanted the applicant to have independent meetings with the Board's professionals to confirm some technical issues dealing with the site. That meeting was held August 23, 2000, and the plans comply with all the recommendations of that meeting. 3. The Board also asked that they have a meeting with an architectural committee. That meeting took place on January 30, 2001, and in accordance with that meeting they agreed on a list of materials, which Mr. Henderson marked as exhibit A-1 this meeting.

Mr. Henderson stated they also submitted tonight an amended page to the site plan, as there was an issue as to whether or not there should be bump-outs on First Ave.. The Planning Board planner recommended that we have those for aesthetic and other reasons. The road dept. strongly objected to it, we frankly forgot how it had been left off and put them in the original plans and reviewing his notes, they did agree to eliminate them at the technical meeting, and the revised page that the Board has reflects that amendment.

Mr. Riccardi, Architect and Developer of this application testified he attended the meetings in August and January and any other meetings held. As a result of the CAFRA report, there

deposits or sales contracts, our bank commitment is contingent upon sales contracts.

Mr. Henderson stated they are planning demolition before spring so that part of it will be done before summer starts. The construction will be on sight, they will not be using the boardwalk, it will all be fenced in. There will be about a 40 ft. buffer to the boardwalk, testified by Mr. Riccardi.

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

In response to Mr. Riccardi's request for a Resolution to be drawn up tonight if approved, Mr. Place said he feels rather uncomfortable, as this is a major application and he feels that each board member needs to read that resolution before it is voted upon.

Mr. Henderson stated the preliminary resolution really addressed the nuts and bolts on this, and really the only outstanding issues were issues raised in Mr. Hilla's letter. If approved tonight it give's us a month to demolish that entire site. If you push it off until April, it won't be done before Memorial Day.

A motion by Councilman Schmeling to grant the final site approval, subject to the representations that were made by the applicant tonight and compliance with Birdsall Engineering's letter of March 2, 2001, but he would like a different color, but not as a condition, seconded by J.Burke, followed by the following vote: "YES"- J.Muly, D.Place, Councilman Schmeling, T.Carroll, J.Tischio, J.Burke, G.Twadell.

*OK'd at meeting to take over.*  
~~Mr. Tischio agrees with Mr. Schmeling on the color, and G.Twadell also would like a different color. Mr. Place also would like to see a different color, but not pink.~~

In raegards to the resolution tonight, Councilman Schmeling satated it's Mr. Cramer's decision, but he agrees with Mr. Henderson, that the preliminary addressed all of our concerns and what ever concerns we had left, were addressed in Mr. Hilla's letter in which the applicant has indicated tonight that they would comply. It's really a question whether Mr. Carmer feels that he can do an adequate job or not. Mr. Burke agrees with Schmeling and it is very important that they get a demolition done before Memorial Day.

Mr. Cramer requested that he be given time between now and the end of the meeting tonight to prepare the resolution and he will read the resolution at the conclusion of the meeting tonight for the Board's consideration and approval.

APPLICATION - 11-2001 - Dan & Erica Grogan - 4 Captains Court  
The property in question is located on the north side of Captains Court and backs up to the Borough's Fourth Ave. parking lot. This location is within the Residential Zone 3 (R-3). The parcel is a 50' x 100' lot currently containing a 2½ story dwelling. The applicant wishes to construct additions to the front of the building, as well as a roof deck above the second floor. The applicant came before the Board late last year for an interpretation regarding the space below his first floor. It was determined at that hearing that the space will be used as a garage/basement and will not be considered a first floor for calculation of a story.

The applicants Dan Grogan, Erica Grogan and Richard Grasso, Architect, 1213 Atlantic Avenue, were sworn in by Mr. Cramer. Mr. Grasso, testified his plans consist of 3 sheets. First sheet is the first and second floor plans, the second sheet is plan of roof and final sheet is the elevation. He testified the original house was a modular house constructed on pilings and elevated in the air. The reason for being here tonight is the percentage of building coverage and the rear addition that has gone 2 stories, which allows the Grogans a larger great room, a kitchen, a breakfast area, additional bedrooms for their growing family. We reduced the front porch to conform to the 35 % building coverage, and in doing that we were allowed to get a building permit to start construction. The survey shows the original front porch and rear porch which is where we are headed to get back to our 41% building coverage, which we originally had. Bench Mark survey dated 8/10/00 was marked as Exhibit A-1. Exhibit A-2 is a photo of the property before the removal of the front deck. Exhibit A-3 represents what the deck will look like. Elevations on sheet 3 which show the new elevations of the house. The garage will be set back and the deck will come out over it. The deck is 8x14' and looks over the Boro's Beach garage and out to Main St., does not over-look any ones house.

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

Keith Henderson, 23 Captains Court, a neighbor of the Grogans, stated anyone who has driven down that street would appreciate the huge aesthetic improvements to that property. The deck in question looks over the 4th Ave. parking lot and he doesn't think it is a detriment to any one. He doesn't object to it as a neighbor, and it is a great improvement over what was there before and he is in favor of it and he thinks it satisfies the criteria for a C-2 variance.

A motion to close the public hearing by J.Burke, seconded by K.Monaco was unanimously carried.

Motion to approve this application was made by J.Burke, with the stipulation that the upper deck be a solid wall and not open railing and that it be approved on 41.1% lot coverage, seconded by J.Muly, followed by the following vote: "YES" - J.Muly, D. Place, T.Carroll, J.Tischio, J.Burke, G.Twadell, J.Coakley, K.Monaco, K.Thompson.

Councilman Schmeling left at 8:30P.M. and K.Monaco at 9:00 P.M.

Motion for a 5 minute recess was made, seconded and unanimously carried.

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

APPLICATION - 13-2001- James Larkin - 143 Lake Avenue  
Phil Longo, the agent for the application, and Mike Kurc were sworn in by Mr. Cramer.

Mr. Longo stated he is the construction manager, the owner was not able to make it tonight.

Mr. Cramer stated the problem is that the owner can appear himself and you as a witness, but being the Applicant is not here we have a problem. We have to recommend that the board consider adjourning this matter until Mr. Larkin can appear.

Mr. Longo said he would have had him here tonight, but he figured being that we were in front of the Board before, we were just replacing the walls that we had to remove, he didn't think they would have to go the whole 9 yards.

Mr. Cramer said there is a legal problem in the sense that the Board can not entertain an application unless it is presented by the property owner or by his Counsel. He told the Board Chairman that the Board is not able to hear this application.

Mr. Cramer stated there is only one Attorney in the audience besides himself. He said the Board will have to adjourn until the April date.

Mr. Longo went into discussion with Attorney Keith Henderson to see if he would take the case.

The Board postponed this application until Mr. Longo can get in touch with Mr. Larkin.

A motion to approve the minutes of February 6, 2001 was made by J.Muly, seconded by D.Place and unanimously carried.

Mr. Burke questioned whether the Board is responsible for Paul Szymanski's bill or is it the Boro's bill?

Councilman Dempsey was in the audience and he said they allowed extra money for this when they did the Budget for the Board.

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

RESOLUTION - 8-2001 - John & Kellie McCue - 114 First Avenue

construction. Mr. Henderson said he believes that is the over view of what he is asking for.

Mr. Phil Longo was sworn in by Mr. Cramer. He testified he was the Construction Supervisor on this site and appeared before the Board at the last hearing in which the relief was originally granted. Between that date and this date, Mr. Longo testified he moved the house to the center of the property, set the house down and proceeded to shore the house up and that is when it collapsed. He testified he had constructed a new foundation and set the house down and that is when it collapsed.

Michael Kurc was sworn in by Mr. Cramer. He testified they were going to ask Sandy to inspect the walls, because the walls were full of termites. The spacing of the studs on the walls downstairs were 4 ft. on center, with vertical tongue and grove siding, holding the place together. There were 4 roofs on this house and it was totally top heavy. The Architect on the first application was Allen Robinson, and Mr. Burke thought the Board was told it would hold the second floor. Mr. Kurc testified they are using the same foot print and the deck on the rear will remain, as it's in good shape.

Mr Henderson is assuming they are going to comply with the resolution from the first application.

A motion to approve this application by K. Thompson, seconded by J.Burke was followed by the following vote: "YES"-J.Muly, D.Place, T.Carroll, J.Tischio, J.Burke, G.Twadell, J.Coakley, K.Thompson.

There being no more business, a motion to adjourn was made at 10:00 P.M. and unanimously carried.

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

A motion to memorialize was made by J.Burke, seconded by J.Muly, followed by the following vote: "YES"- J.Muly, D.Place, J.Tischio, J.Burke, G.Twadell, J.Coakley.

RESOLUTION - 8-2001 - Robert Forst - 447 Long Avenue.  
A motion to approve the correction of a previous resolution, to comply with Exhibit A-1 instead of A-2, was made by J.Burke, seconded by D.Place, followed by the following vote: "YES"- J. Muly, D. Place, J.Tischio, J.Burke, G.Twadell, J.Coakley.

APPLICATION -13-2001-James Larkin - 143 Lake Avenue  
Mr. Longo returned and testified Mr. Larkin is in Chicago and will not be able to get in touch with him.  
Mr. Cramer said the Board can adjourn the matter until the April 3rd meeting and the Board already has 4 applications that night. He will not have to notice for that meeting or publish. Mr. Cramer stated the Board will make a decision at that meeting and memorialize by a resolution at the May meeting.  
A motion to adjourn this application until the April 3, 2001 meeting was made by J.Burke, seconded by K.Thompson and unanimously carried.

RESOLUTION - 14-2001 - Flander's L.L.C. - First & Beachfront.  
The resolution was read by Mr. Cramer. A motion to approve the resolution was made by J.Burke, seconded by J. Muly, followed by the following vote: "YES" - J. Muly, D. Place, T.Carroll, J.Tischio, J.Burke G.Twadell, J.Coakley, K.Thompson.

A motion to go into closed session to talk about legal matters before this Board was made by J.Burke, seconded by K.Thompson, and unanimously carried.

A motion to return from executive session was made by J.Burke, seconded by J.Coakley and unanimously carried.

APPLICATION - 13-2001 - James Larkin returned again to the board. Keith Henderson put himself on record as Attorney representing this application. He stated he had occasion to speak to Mr. Larkin who authorized him to speak specifically for this application. He stated he has Alan Hill's letter of 12/13/2000 and his follow up letter of March 2, 2001. As he understands it, the Board previously approved a series of bulk variances, which were premised on working within an existing dwelling. The dwelling collapsed during construction, thereby somewhat under -pinning the basis for the original grant of approval. Mr. Hilla therefore suggests that the applicant re-appear and indicated what the problem was and Mr. Longo testified to. Mr. Henderson said Mr. Longo is asking for the same relief as he did the first time, except the house is no longer there, and he is no longer putting a second story on the existing house as the house was so termite ridden, that it collapsed during

construction. Mr. Henderson said he believes that is the over view of what he is asking for.

Mr. Phil Longo was sworn in by Mr. Cramer. He testified he was the Construction Supervisor on this site and appeared before the Board at the last hearing in which the relief was originally granted. Between that date and this date, Mr. Longo testified he moved the house to the center of the property, set the house down and proceeded to shore the house up and that is when it collapsed. He testified he had constructed a new foundation and set the house down and that is when it collapsed.

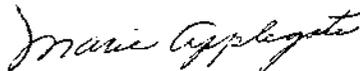
Michael Kurc was sworn in by Mr. Cramer. He testified they were going to ask Sandy to inspect the walls, because the walls were full of termites. The spacing of the studs on the walls downstairs were 4 ft. on center, with vertical tongue and grove siding, holding the place together. There were 4 roofs on this house and it was totally top heavy. The Architect on the first application was Allen Robinson, and Mr. Burke thought the Board was told it would hold the second floor. Mr. Kurc testified they are using the same foot print and the deck on the rear will remain, as it's in good shape.

Mr Henderson is assuming they are going to comply with the resolution from the first application.

A motion to approve this application by K. Thompson, seconded by J.Burke was followed by the following vote: "YES"-J.Muly, D.Place, T.Carroll, J.Tischio, J.Burke, G.Twadell, J.Coakley, K.Thompson.

There being no more business, a motion to adjourn was made at 10:00 P.M. and unanimously carried.

Respectfully submitted,



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

APRIL 3, 2001 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on April 3, 2001, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Vice Chairman, John Burke opened the meeting at 6:30 P.M.. Mr. Burke stated this hour will be spent to review issues and concerns of the Board on the Master Plan with Mr. Szymanski.

Mr. Szymanski was introduced by Mr. Burke. Mr. Szymanski stated he received memos from several board members as to what should be looked at. He stated there were several concerns about height issues and the issues were the height slopes in the beach area, extending them to the west. Other concerns were that it could be adjusted depending upon the lot width and different height standards could come into play. Other concerns were about aesthetics, light and air.

Mr. Szymanski said the municipal land use law says that the zoning standards that you apply, should be uniform for each zoning district. In the R-1 zone there are different lot sizes. In the beachfront there are 30' wide lots, others are 40' wide. If it is a non-conforming lot, if the width is less than that, perhaps it can be adjusted.

Mr. Burke stated in the beachfront, for the most part we are keeping them within the envelope, so not all the buildings are going to 35 feet, but as soon as you get off the beachfront, every one wants 35 feet, no matter what their lot width is. Mrs. Dunne stated if they do have the width, they are going 35 feet for sure.

Mr. Burke stated on the west side of First Avenue, which is not in the zone where we use the umbrella, every application before us has tried to go the 35 feet. This is where we want to extend the envelope coverage into those areas with the undersized lots.

Mr. Twadell was concerned about light and air. He wanted to know how it would be for getting side setbacks to have a minimum distance between foundations. Mr. Szymanski said the intent of the ordinance was to have 10 feet between buildings, but we know it doesn't always exist on the first floor, due to the pre-existing nature and the way lot lines were drawn. He stated he made recommendations to adjust lines in certain situations to get a maximum distance from lines and that went no where. In many places where your going to build a new house and foundation, you can achieve that. If someone is just fixing up an existing house that is only 2 ft. off the line, there's nothing you can do. The ordinance says on a vacant lot or new construction you can impose the 5 ft. requirement on side lines.

Mr. Schmeling felt there has to be some consideration to put the houses in proportion. A 35 ft. house on some lots will fit, but on another it will not. While we have the right to discourage 35 ft. houses in certain areas, the trend to them is, we allow them any where in town, so it's somewhat hard to say they shouldn't get it. He feels we need to change the height, period, rather than leave it 35 every where.

Mr. Triggiano liked Mrs. Dunne's concern to allow 30' and 40' frontage the 30' height, and properties with less frontage 28 ft. height. He thinks that's a great idea.

Mr. Szymanski felt it would be a good idea to extend the height sub ordinance to west of the beach. It would be easy to change it later, but at least you'd be getting something going in that regard. All Board members agreed that would be a good start on the height issue.

Another issue dealt with the multi family issue in the Leggetts block. Board members feel they don't want any more condo's, it's not our single family town, it's going to create school kids. For those that want more commercial place, it's really the only place left in the beach area, although there are 2 blocks along East Main St. that are in the commercial zone. It's a complicated issue down there.

On the O'Neills property, historically it was zoned as a hotel site back in the 70's, and it was at time that the zoning changed to put it in the R-1 zone.

A motion to bring Mr. Szymanski back at the May 1st meeting at 6:30 p.m. for an hour was made by G.Twadell, seconded by P.Dunne, followed by the following vote: "YES" - J.Muly, P.Dunne, N.Hamilton, Councilman Schmeling, T.Carroll, J.Tischio, J.Burke, G.Twadell, J.Coakley, K.Monaco. ABSTAIN - C.Triggiano.

#### REGULAR MEETING

John Burke opened the regular meeting stating this is an open public meeting held in accordance with the Open Public Meetings Act and held according to law.

Mr. Burke asked all to stand and salute the Flag.

ROLL CALL - J.Muly, P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, T.Carroll, J.Tischio, J.Burke, G.Twadell, J.Coakley, K. Monaco  
ABSENT - D. Place, Mayor Winterstella

A motion to approve the minutes of April 3, 2001, with a correction on Page 4, paragraph 5, was made, seconded and approved by the following vote: "YES" J.Muly, P.Dunne, N.Hamilton, Councilman Schmeling, T.Carroll, J.Tischio, J.Burke, G.Twadell, J.Coakley, K.Monaco. ABSTAIN - C.Triggiano.

Councilman Schmeling thinks it is unfair for the people in the audience to sit here and listen to this, he would rather see us do it at the end when we do the vouchers.

APPLICATION - 15-2001 - Joseph Lucas - 60 So. McClellan Ave.  
The property in question is located at the northeast corner of So. McClellan Ave. at East Virginia Ave. This location is within the Residential Zone 2 (R-2). The parcel is ~~545-85~~ 55-85 foot by 101.68 foot lot currently containing a 1 story frame and brick dwelling. The applicant proposes to construct an addition to the garage and the rear of the structure. The existing and proposed structures are conforming for the zone; however, the existing and proposed structures are non-conforming for the zone.

Joseph W. Lucas - 60 So. McClellan Ave. was sworn in by Mr. Cramer. He testified he lives on the corner of So. McClellan and E. Virginia. He proposes to add 8 ft. on to the garage and 4 ft. onto the rear of a storage area which is adjacent to the garage. He testified he doesn't conform to the 8' he wants to add on to the garage. He wants to make the storage room into a living area, like a den with a pull out couch. The reasons he is here before the Board are (1) his mother who lives by herself and is 83 years old, her health is failing and he would like to get her to come down and stay for an extended period of time. His house now is small and she doesn't want to invade on his privacy, so by making that room right off the kitchen gives her the opportunity to come down and spend some time. His sister who has had 2 strokes and a heart attack, will be able to come down and have her privacy. (2) At present he has his utilities in the storage room and would like to put them in the garage, also his furnace and water heater. He testified he has spoken to his next door neighbor and the neighbor in the rear and they wished him well and have no problem with the addition. Photos entered were marked as Exhibit A1 to A7. He testified he is not adding another kitchen.

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

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

A motion to approve this application was made by N.Hamilton,

seconded by P.Dunne, followed by the following vote: "YES" - J.Muly, P.Dunne, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, J.Burke, G.Twadell.

APPLICATION - 17-2001 - Broadview Development Group LLC - 22  
Woodland Avenue.

The property in question is located on the north side of Woodland Avenue between Pearce Ave. and Broad St.. This location is within the residential R-2 Zone. The parcel is a 100 ft. x 140 ft. lot currently containing a single-family framed dwelling. The applicant proposes to demolish the existing structure, subdivide the subject parcel into two equal and oversized lots, and construct two new single-family homes on the lots created. The proposed subdivision calls for no variances from the Borough's zoning ordinance and is considered a "subdivision by right".

Paul T.Swanicke, Martinsville, N. J., put himself on record as Attorney representing the applicant. James Sapio, was sworn in as a witness.

Mr. Swanicke stated the present lots front on Pearce Avenue and have a width of 50' each by 140' deep. We are proposing to switch the lots around so that they front on Woodland Ave. with a width of 70'x100'. He stated they are not seeking any variances as there are no variances required with the application. Because there are no variances, we have asked the Planning Board Attorney and Secretary to grant a waiver of publication and public notice.

Mr. Swanicke prepared a sub-division deed, and it has been submitted to Mr. Cramer tonight and returned before memorializing this. We still have to fill in the Resolution # and date in which it was passed. If the planning board approves this tonight, the water and sewer lines will have to be taken care of immediately, per letter from Harry Martinson, Supt. of the Water & Sewer Dept. Mr. Sapio said the trees in front they will keep, also in the rear if possible. Mr. Sapio testified both front doors will be on Woodland Avenue. He also testified, they will put new sidewalks in and a handicap ramp on the corner. They will not be putting sidewalks on Pearce Avenue.

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

There being no comments from the audience, motion by C.Triggiano to close, seconded by T.Carroll was unanimously carried.

Glen Lines for Birdsall Engineering, stated all their concerns have been addressed.

C. Triggiano would like to see concrete walks on Woodland Avenue and Pearce Ave. and he moved that they approve the sub-division, seconded by J. Tischio. Being motion is held up. Mr. Swanicke said there are no sidewalks on Pearce now, and feels that it would look better without them, but if the Board felt they wanted them, they would do what ever the Board wanted them to do.

N. Hamilton in referring to C. Triggiano's motion, he thought maybe he would want to consider instead of concrete walks, if they put curbing in, it would be more aesthetic and improve the property there, also better for drainage. He thought they might be able to slide that into the project for that 100'. Neil also said they could probably run the water & sewer from Pearce Ave. on the end house and they wouldn't break up the curbing on Woodland. Neil stated without the Engineer's recommendation, we never gave it a thought to take a look at this road to go that extension on this project, we don't know if we have trees and telephone poles in the way, so we don't know if sidewalks would even be feasible.

Mr. Triggiano amended his motion with stipulations for new sidewalks and curbing on Woodland Avenue and only curbing on Pearce Avenue and approve the sub-division, seconded by J. Tischio, followed by the following vote: 'YES' - J. Muly, P. Dunne, C. Triggiano, N. Hamilton, Councilman Schmeling, T. Carroll, J. Tischio, J. Burke, G. Twadell.

APPLICATION - 12-2001 - William Sepe - 40 $\frac{1}{2}$  Main Street  
The property in question is located on the north side of Main Street, between Osborn Ave. & N. Main St.. This location is within the residential R-2 Zone. The parcel is a 55' x 190' lot currently containing a single 2-story dwelling and a single 1-story dwelling to the rear. The applicant proposes to sub-divide the property to develop individual lots for each of the dwelling units. One of the lots proposed is commonly referred to as a "flag" lot. The existing lot and the proposed use are conforming for the zone; however, the existing use and existing structures are nonconforming for the zone.

C. Keith Henderson, put himself on record as Attorney for the Applicant. The property in question is owned by William and Patricia Sepe.

Brad Sepe, 40 $\frac{1}{2}$  Main St. and James P. Kovacs, President of Abbyton Associates, Inc., 922 Hwy. 33, Freehold.

Mr. Sepe testified he resides at 40 $\frac{1}{2}$  Main St. and the property is owned by his parents. He resides in the rear building and has for 7 years. He testified he is not planning any new construction at the present time. He testified they want to sub-divide and have no plans of selling the property. The former property owners were old and didn't do any repairs, so he is

just trying to fix it up and make it inhabitable again. Mr. Cramer stated we will need a letter of consent from his parents. Mr. Henderson stated Mr. Sepe has indicated to him that he is authorized to do it. Mrs. Dunne had a question on the green house. Mr. Sepe testified it is off their bedroom and it is nice to go out and have coffee, but it leaks and he just wants to fix it up. Mr. Henderson stated he put that in the application, as he didn't want to deceive the Board, but he was told by the building dept. that that will not require a variance for what he is planning on doing, if he eliminates the use variance issue. He stated it is not something they are asking a variance for.

Mr. Sepe testified there is parking for 6 cars actually. He also testified, they are putting in separate water & sewer lines as the water pressure in the rear is not very good, also granting an easement across the driveway for vehicular access.

Mr. Kovacs, licensed in N. J. and several others, as Land Surveyor and Professional Engineer, came forward as witness. He testified he has been retained by the applicant. He testified there would be no detriment to the public good, if this application is approved. He testified the property to the north west is a flag lot. If application is approved it will eliminate the two single family dwellings on one lot. It would be an advancement of the zoning ordinance.

MR. Henderson, in response to the Birdsall report, they have no difficulty in complying with the easement request and the separate utilities.

Mr. Hamilton stated the only problem he has with the sub-division is the parking in the front house. He thinks there should be some provision made to accommodate the second car for that front house. Mr. Henderson said they have no problem with amending the plan to show two parking spaces for the front house.

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

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

A motion to approve the sub-division and bulk variances, with submission of plans showing the parking spaces also letter from his parents, was made by T. Carroll, seconded by J. Muly, followed by the following vote: "YES" - J. Muly, P. Dunne, C. Triggiano, N. Hamilton, T. Carroll, J. Tischio, J. Burke, G. Twadell.

RESOLUTION - 11-2001 - Dan & Erica Grogan - 4 Captains Court  
A motion to memorialize was made by T. Carroll, seconded by

G.Twadell, followed by the following vote: "YES" - J.Muly, T.Carroll, J.Tischio, J.Burke, G.Twadell, J.Coakley, K.Monaco.

RESOLUTION - 13-2001 - James Larkin - 143 Lake Avenue.  
A motion to memorialize was made by, J.Tischio, seconded by G.Twadell, followed by the following vote: "YES"- J.Muly, T.Carroll, J.Tischio, J.Burke, G.Twadell, J. Coakley.

Mrs. Dunne suggested all the members have a copy of the Master Plan Booklet.

MR. Burke stated there has been a discussion between a couple of board members on 135 First Avenue. This is an application that came before us a few months ago and the woman sat in front of us and swore that she was going to build this house and make it her permanent home. It did not come out at any time during this testimony that this woman was a licensed real estate agent. Within 2 months of getting her approval the house is up for sale, advertised as having a variance for an expansion of the house, approved by the zoning board. Mr. Burke wanted to know if we have any recourse against this woman that sat there and lied under oath?

Mr. Cramer stated first of all we would have to get a transcript of the proceedings, to see if she did lie under oath, because if she swore falsely then you have perhaps a criminal act, which would be something you'd have to refer to the County Prosecutor.

After some discussion, the Board will have the Secretary listen to the tape on that application to see just what she testified. Mr.Cramer will also listen to the tape.

Reference to letter from Ralph Shields on the 2 lots on Glimmer Glass, Mr. Lines recommended that we recommend Boro Council not do it, as these were not there for the parking lot. One is a site triangle for the corner coming out of the Glimmer Glass and the other is a site triangle for the parking lot the Boro owns for the fishing docks. These have nothing to do with the restaurant parking lot. Mr. Cramer thought it should be referred over to the traffic dept..  
Mr.Lines stated we want to keep both triangles on the Glimmer Glass Circle corners, and traffic safety should comment on the other site triangle.

Letter from Keith Henderson on O'Neills requesting a special meeting.

A motion for the special meeting for O'Neills on May 22, 2001 at 7:00 P.M. by G.Twadell seconded by J.Tischio was unanimously carried.

Mr. Cramer, on the Broderick case the Attorney was to file

the complaint by last Friday, but he didn't do it, so now it goes back to the Judge. Keith told Mr. Cramer, the problem as he heard it was that she hadn't paid her attorney, but stated it was hearsay, he didn't know if that was true.

MR. Triggiano wanted to know why we keep having Paul Szymanski come back? Isn't Alan Hilla capable of doing it? Mr. Burke stated the reason we asked Mr. Szymanski back was because we had questions about the original Master Plan and how it was done, and since he was the one who did the original Master Plan, he was in the best situation to answer all of our questions.

Glen Lines said Birdsall was capable of doing the Master Plan. Mr. Burke told Glen if he has any questions to feel free to direct them to Mr. Szymanski when he is here at the next meeting.

Mr. Cramer stated the Planning Board is the one who hires a Planner to do the Plan, but Council has to put the money in the budget, so it can be accomplished. Every seven years a re-examination has to be done.

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

There being no more business a motion to adjourn was made, seconded and unanimously carried.

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Boar

Omitted from the minutes of April 3, 2001.

Mr. Carroll's view on the beach front area, it says in our Master Plan under Goals & Objectives, "Recognizing that the Borough's beachfront housing area is a special and unique resource and that development regulations should be modified to reflect the general established character of the beachfront area as well as promote and encourage the area's upgrading through private reinvestment". He feels what's happening here as we all know, within the last 10 years since American Timber Co agreed to sell their property, the people are buying the property and developing their houses into all year round homes and living there. To his way of thinking, every time one of those goes up there are 3 group rentals that are gone, as the groups on either side of them are taken care of by the one in the middle. He stated at the council meeting last night under another subject, the Mayor happened to mention, that the biggest cause of problems up on the beachfront is group rentals. The Mayor also said it's been getting better each year. Mr. Carroll said the people are now buying their homes, fixing them up, they are no longer bungalows, they are year round homes and living there year round. He doesn't think the people go for the height on first Ave. so they can see the ocean, because that's a dream, he thinks they go on First Ave. with the height, because the houses are narrower, they need room, they don't have a basement any more, they don't have a garage and they want to live there all year round. Incidental to that too, it's quite interesting to note that all the people that are moving up there, that I'm aware of, he thinks it's only one that has impacted the schools, all the rest are basically kind of like myself, retired. He feels in light of the problems that we used to have up there on the beach front every summer, get better and better each year. To put a hinderance on some one that wants to buy and put up a lovely new home, I think we are at cross purposes to be honest with you. I just love it when I see a new home going up there. I'm not talking about these monsters either. On the corner of Brielle Road and First Ave. on the beach side, there are 2 houses that just sold, and the corner of Brielle Rd and Third Ave., there are 2 houses pending, that is 4 houses, all group houses, your talking about 50 to 75 kids in those 4 houses every summer, they've just been sold. I'm sure the people that bought them are going to come in hear and present a case to us about putting up a nice home in lieu of these animal houses.

He grants it that we have to have some rules and regulations, but if you go back to what it says, to modify and encourage the areas up grading to private reinvestment, he thinks we really have to look at the whole picture. There's a house on the corner of Pompano and Timber Lane right now, it's a little green house it has a for sale sign on it right now. He doesn't think you'd need a hand grenade to blow it up, and it is listed at \$289,000., with a bid on it already. Who ever is buying it will knock it down and put up another home. We do have in our ordinances now, we can limit the height to 35 feet. Apparently we haven't been

too forcefull in forcing that our selves.  
If your buying this 30 ft. lot and your going to pay \$250,000  
for it and you can only put up a 25 foot house, he thinks that's  
tough, considering what we've done in the past.

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JOHN L. WINTERSTELLA  
Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08738  
PLANNING BOARD

COLLEEN SCIMECA  
Municipal Clerk

MAY 1, 2001 REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on May 1, 2001, in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Councilman Schmeling in the absence of the Chairman and Vice Chairman opened the meeting at 6:40 P.M.. The first hour will be spent reviewing issues and concerns of the Board on the Master Plan with Mr. Szymanski. Vice Chairman Mr. Burke arrived at 6:45 p.m. and took over the meeting.

Mr. Szymanski suggested that this one hour doesn't lead to a smooth process to do the re-examination report. We discuss a few things and then it sits around for a month. He would like to suggest, that a committee of the Board meet and we work things out and based on what that committee can do, than he can present back to the Board the re-examination report for review, and then have a full meeting of the whole Board for it. This isn't the master plan that we're doing, it's just a re-examination.

Mr. Szymanski stated he had a follow up discussion with Chris Rice about height, as things were such that the people are coming in with the 32' not the 35' height. Mr. Rice told him that you have to provide for height, even back further where you have to meet the flood requirements and you have to raise the house, your going to need it there too. Mr. Rice told Mr. Szymanski that he would be willing to meet with the Board just to discuss the height issue, These homes that aren't on wide lots, they end up stacking the rooms on top of each other in order to have an efficient proper number of rooms in the building.

Before extending the issue of height which exists along the beach area, to other zones beyond that, Mr. Szymanski thought it best to have the discussion with either Mr. Rice or some one else.

Mr. Burke thought the main thing was the envelope, to extend that envelope back to other areas, primarily on the west side of First Avenue. Once you extend that envelope back, then that gives us more control over the building heights on the non conforming lots.

Councilman Schmeling felt that if someone is building a house on a narrow lot you have to make the height and lot coverage proportional to what ever size the lot is.

Mr. Hilla stated if they come before the Board, if done in the ordinance, the Board can weigh if they want to issue a height variance as oppsed to a building coverage varianace, give them more area to work with in order to get their rooms, as opposed to filling up the bulk and doing somthing that will look some what ridiculous.

Mr. Twadell felt we need some perimeters, some means of making a decision and it should be in the Master Plan. He felt that leaving it up to an individual application before the Board to make a decision, we're going to be making a decision upon who is here and who is not here and we're going to be making precedents as to whether we have to follow it or not.

Mr. Carroll thinks the Board is going to be very hard ~~de~~pressed after all that has gone on in the past, to tell some body all of a sudden because they bought a 30 ft. lot that they can only put a 28 ft. house on it. He stated he lives on Perch Avenue, lot is 40x85', paid \$73,000, for it and his neighbor across the street, up 4 houses just bought his property this year from American Timber, 85x40'- \$221,000.. We are going to be awfully hard pressed to tell someone that bought property at that price that they can't have something similar that has been granted 10 times already. He stated he has reviewed the minutes for a year and he found nothing in them about a complaint on height. There were no neighbors or Board members that complained or objected to height. Height wasn't mentioned once, so where is this coming from, where did it get started.

Mr. Szymanski stated it isn't a height issue but it is in the envelope buiding height, because he was told, west of first Ave., people expect to go the full 35', but to build a more traditional house, by applying the building height envelope in that area.

Mr. Twadell stated we have been complaining about building height on the beachfront for the last few years, it's not something that has come out the last decade of so. What we have in reality is these 3 story buildings, not 2 story. Architects are making statements with disney world types of roofs and what is happening is, it is impacting on the people right next door, whether or not they have the guts to stand up before the Board and complain about it or not. Are we going to have a domino effect down there?

Mr. Burke stated one issue is extending the building envelope to the west side of First Avenue. The second issue is - is there a way of restricting height by the lot frontage. Is there a formula that we can come up with, or any way to say if you have an undersized lot as far as the frontage goes, you can only go so high, you can not go to 35 feet, if you only have 28 ft. front.

Mr. Szymanski stated he doesn't know of any towns that have done that, but that is the recommendation of the Board, it can be included in the story of the planning process. It can't be so restrictive, that it's going to have an effect on value, and the utility of the house that's built on the lot. It's more architectural.

Mr. Schmeling stated he thought it is important for Chirs Rice or any architect to meet with the Board and go over this.

Mr. Carroll's feeling is he doesn't want to discourage the development that is going on down there.

Mr. Szymanski is going to send a list to all board members to fill out and return before the next meeting. Mr. Triggiano would like to see the members go over the 1997 review, either in a regular meeting or during the work sesion, go over page by page, this way we all have imput together. After that is done then draw this up as the present re-examination.

A motion for a 5 minute recess to close this session was made seconded and unanimously carried.

#### REGULAR PUBLIC MEETING

Vice Chairman John Burke opened the meeting stating this is an open public meeting held in accordance with the Open Public Meetings Act and held accordng to law.  
Mr. Burke asked all to stand and salute the Flag.

ROLL CALL - PRESENT - J.Muly, P.Dunne, C.Triggiano, Councilman Schmeling, T.Carroll, J.Tischio, J.Burke, G.Twadell, J.Coakley.  
ABSENT - D.Place, N.Hamilton, Mayor Winterstella, K.Monaco, K. Thompson.

APPLICATION - 16-2001 - Edward Edwards - 112 Curtis Avenue  
Edward A. Edwards and Bettina L. Edwards, 112 Curtis Avenue were sworn in by Mr.Cramer.

The property in question is located on the north side of Curtis Ave., between Mount Lane and Highway # 71. This location is within the Borough's Office Zone(0). The parcel is a 49.85' by 125' lot currently containing a recently constructed 2 story dwelling. The applicant proposes to construct a covered porch along the west side of the structure. The existing propped structure is non-conforming for the zone.

Mr. Edwards testified he would like to build a wrap-around porch on the exterior left hand side. The house is set sideways on the lot. As of right now we use our garage as the front door. We have 2 small children and it is not very safe for them to be going in the garage as I have a alot of tools around as it is a new home and I'm still doing work on it. We would like to construct this porch to make it the main entrance to the house, and it will add quite a bit of aesthetics to the house. Plans were submitted to show the type of porch they wish to

construct. The porch will come out 6 feet from the side yard. Mr. Edwards built the house and was denied for the porch. He had to come before the Board for the porch. He testified he hasn't done any planting of grass in the front as it will be torn up when they build the porch. The back has been soded. The driveway is asphalt and the curb cut will be 20 feet wide.

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

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

Mr. Edwards testified, he will have the sod put down as soon as the porch is done, but will put down some quick rye to hold the erosion if the Board so desires. He testified he is willing to do what ever the Board wants. They are considering to put sand based pavers down for the walkway.

Mr. Triggiano would like to see the sidewalks and curbing put in now.

Mr. Schmeling made a motion to approve the application subject to the applicant putting in some kind of soil erosion down (straw or rye grass), seconded by J.Muly followed by the following vote: "YES"- J. Muly, P.Dunne, C.Triggiano, Councilman Schmeling, T.Carroll, J.Tischio, J. Burke, G.Twadell, J.Coakley.

Mr. Burke stated we put off our June meeting to the 12th because of election day, now that election day was changed, the Board decided to keep the date of the 12th and not put it back to the first Tuesday.

A motion to approve the minues of April 3, 2001 was made by Councilman Schmeling, seconded by C. Triggiano, followed by the following vote: "YES"- J.Muly, P.Dunne, C.Triggiano, Councilman Schmeling, T.Carroll, J. Tischio, J.Burke, G.Twadell, J.Coakley.

RESOLUTION - 15-2001 - Joseph Lucas - 60 S. McClellan Ave.  
A motion to memorialize was made by Councilman Schmeling, seconded by P.Dunne, followed by the following vote: "YES"  
J.Muly, P. Dunne, C.Triggiano, Councilman Schmeling, T.Crroll, J. Tischio, J.Burke, G.Twadell.

RESOLUTION - 17-2001 -Broadview Development LLC-22 Woodland

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

J.Burke, G.Twadell.

RESOLUTION - 12-2001 - William Sepe - 40 $\frac{1}{2}$  Main Street.

A motion to memorialize was made by J.Muly seconded by C.Triggiano, followed by the following vote: "YES" - J. Muly, P.Dunne, C.Triggiano, T.Carroll, J.Tischio, J.Burke, G.Twadell. This resolution cannot be signed until a revised site plan for parking on the lots is received.

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

Mr. Cramer's response to the Roberta Gilligan application, was that the testimony pretty much went the way the Board members recalled it at the last meeting. He stated he could not hear any affirmation of oath by Mrs. Gilligan, maybe she noded yes. Mr. Schmeling felt we should not pursue it. He stated what the case does bring up is that basically you have to forget who is sitting in front of you, you just have to vote for the property, once the house is built, the house is built. He recomends the Board doesn't pursue it, it's not worth it, it's not what the planning board is for.

The Board decided not to carry this any further, but will be aware that they might see this piece of propery in the near future.

Mr. Carroll had questions about Mr. Szymanski's contract. Mr. Hilla stated he probably adopted his fee from what he has.

Mr. Burke stated we have a couple of options. 1. Form a sub-committee to meet with him first and then come back to the Board and make reccommendations according to the meeting with him. 2. To go along as we are. 3. Have a full special meeting on planning and sit here 3 or 4 hours and go over everrything on that list. Mr. Burke feels all the Board members should be involved in all the discussions on this.

Mr. Schmeling feels a committee is better because it will helps to bring some of the issues and narrow it down, because if we have a meeting 3 or 4 hours, we will wind up arguing for 3 hours and we'll barely get through 1 point. It's much better for us to set up an agenda and have a sub-committee go and set up a meeting with Szymanski and Mr. Rice.

Mr. Triggiano stated on the questionnaire Mr. Szymanski is giving out, he should report that back to us, let us go over that as a group, rather than have us give him \$250. for an hour. He doesn't think we need a sub-committe, the group should all go over the whole thing.

Mr. Carroll stated if we get the questionnaire, s back and

to Szymanski, and then we can appoint a sub-committee at the next meeting to act on that, at least it will give us some kind of feel to act on.

Mr. Burke suggested the Board get that questionnaire back as soon as possible, so we can get them to Szymanski and at our next meeting get the results and then decide if we are going to go for a sub-committee, a full meeting or a complete re-examination. The Board will meet at 6:30 p.m. at our next regular meeting on June 12, 2001, to go over his results, without him.

A motion to start the meeting on June 12, 2001 at 6:30 p.m. was made by J.Tischio, seconded by P Dunne and carried by all but C.Triggiano, who was constitutionally opposed to the time of 6:30 p.m..

Mr. Twadell questioned pervious and impervious surface. Alan Hilla quoted "Impervious Coverage" "That portion of the lot that is covered by non-permeable surfaces, including but not limited to buildings, parking areas, driveways, service areas, streets, walkways, patios, pools and plazas, with reference to walkways, patios and plazas, the materials utilized in construction of such areas may determine to be permeable based upon commonly accepted construction standards and creditable testimony received by the Board. All required parking areas which are permitted to remain unimproved and all gravel areas and landscape areas shall be considered as impervious surfaces, if they are lined with inhibited plastic or other material".

For the record, revised plans of Flanders have been received and given out to each Board member.

There being no more business, a motion to close the meeting 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

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the April 3, 2001, meeting. Please consider the following Agenda for the May 1, 2001, Regular Meeting at 6:30 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA  
May 1, 2001 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

6:30 P.M. - WORK SESSION

1. For Discussion - Paul Szymanski, - Master Plan
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 16-2001 - Edward Edwards - 112 Curtis Avenue.

RESOLUTION- 15-2001 - Joseph Lucas - 60 S.McClellan Avenue

RESOLUTION- 17-2001 - Breatview Development Group LLC  
22 Woodland Avenue

RESOLUTION- 12-2001 - William Sepe - 40½ Main Street

3. MOTION ON MINUTES
4. APPROVAL OF VOUCHERS
5. COMMENTS FROM INDIVIDUAL BOARD MEMBERS
6. REPORTS OF SUBCOMMITTEES OF BOARD
7. AUDIENCE PARTICIPATION

BOROUGH HALL  
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JOHN L. WINTERSTELLA  
Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08738  
PLANNING BOARD

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Please consider the following Agenda for the May 22, 2001, Special Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J..

MANASQUAN PLANNING BOARD AGENDA  
MAY 22, 2001 - SPECIAL MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

1. Salute to Flag

7:00 P.M. - SPECIAL MEETING

APPLICATION - 22-2001 - O'Neill's Real Estate, L.L.C.  
390 E. Main Street

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

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MANASQUAN PLANNING BOARD AGENDA  
May 1, 2001 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

6:30 P.M. - WORK SESSION

1. For Discussion - Paul Szymanski, - Master Plan
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 16-2001 - Edward Edwards - 112 Curtis Avenue.

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3. MOTION ON MINUTES
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JOHN L. WINTERSTELLA  
Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD

MAY 22, 2001 - SPECIAL MEETING MINUTES

Manasquan Planning Board held the special meeting on May 22, 2001 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

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

ROLL CALL - PRESENT - J. Muly, P. Dunne, D. Place, C. Triggiano, N. Hamilton, T. Carroll, J. Tischio, G. Twadell, J. Coakley, K. Monaco, K. Thompson, J. Burke.

ABSENT - Councilman Schmeling, Mayor Winterstella

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

APPLICATION - 22-2001 - O'Neill's Real Estate, L.L.C.  
390 E. Main Street

Keith Henderson, Esq. put himself on record as Attorney for the applicant.

Mr. Burke excused himself from this application after a discussion with Mr. Cramer, who advised him not to sit on this application since his daughter works for O'Neill's and has for the past 6 years, and is a member of his management team on weekends.

Mr. Carroll is the Mayor's Designee and will not participate.

Mr. Henderson stated the owner is the same as the applicant. Mr. Henderson has submitted a Certificate of Ownership of Applicant for the records.

The property in question is located on the northwest corner of Main St. at Potter Ave.. The parcel consists of building Lots 4 through 8, Block 14, each having dimensions of 51.30 ft. by 142.75 ft. (7,323 sq. ft each) The entire parcel is located within the Borough's Residential Zone R1. The property currently is host to O'Neill's Guest House and Restaurant. The applicant proposes to demolish the existing structure and construct 6 duplex structures, totaling 12 dwelling units. The proposed use is non-conforming for the zone. It appears that the applicant wishes to bifurcate the application before the zoning board to address the use variance issue prior to completing any detailed engineering or architectural plans.

Mr. Henderson stated the applicant is requesting the Board to consider use relief based on very preliminary information

James O'Neill the owner, Christopher Rice, the Architect and James Higgins were sworn in by Mr. Cramer as witnesses.

James O'Neill came forward and testified he resides at 76 Allen Ave.. He testified he is a general partner and member of the Real Estate Corp. as well as the Bar Grille and Guest House. LLC Real Estate has been owned for about 6 years. He testified the building was run down when he took over, it was more or less a biker bar and on it's way out.

Mr. O'Neill testified it is a hotel, restaurant and bar with a 50 room hotel with a 100 person occupancy, a bar and restaurant with an occupancy of 300 people and we operate the facility year round. The license is a hotel motel license contigence on it's 50 rooms. If the building was to burn down, he said he would probably have to buid a 100 room hotel.

There were 3 conditions attached to the liquor license when he purchased it and now there are 16 conditions on the license. The total occupancy of the property is 400 people at any given day. There are approximately 40 or 50 parking spaces on the property right now. Additional parking is done in the neighborhood. Mr O'Neill has asked the Board for a use variance to put town houses on this site. He testified he has considered alternate uses. He doesn't think the word town houses is what it's all about. He believes the use they are looking at is attached single family unit. He testified with the help of the Mayor and a couple of the congress men to get the number or rooms reduced from 50 to 30 and he was flatly denied by John Hall the director of the ABC. We also asked if we could build a 100 room hotel but would not be able to, due to the way the license reads.

He testified the rooms do not comply with modern standards, they don't have private baths, sitting rooms, they are approximately 8x12 or 9x15. He testified there is no way of bringing them up to code at this time, based on the license the way it reads. If he demolished the hotel he would need 100 rooms to build a new one and there is no way to put 100 room hotel on that property. He considered 5 single family units, but at this time it is not feasible to do, for the shear fact that the amount of momey that is owed on the building now, he would not be able to get out from under his debt.

Mr. Rice Licensed Architect came forward testifying he was retained by the applicant. Exhibit A-1 is a colorized version of the site plan the Board has before them. He testified there are 6 buildings proposed for the site. Each building has 2 single family homes attached. The reason for that is, the location and sorroundings made a lot of sense to design these buildings to look very residential in style, design and scale.

Exhibit A-2 is the front elevation, a typical 1 building with 2 units. To scale this is actually like some of the bigger homes that are being built in town. This was designed to look like a single home. Every unit is an end unit, there are no interior units. Exhibit A-3 - The floor plans, there is a first floor and second floor, a garage, driveway for an additional car for each unit, living room, dining room, den, kitchen, 2 bathrooms laundry room on the first floor, the second floor has stairs up to a master bedroom a den which we call an office, an additional bedroom and bath. He stated these units are ideal as they are close to the beach, churches and there are not a lot of families with children buying town houses, probably due to the lack of bedroom space, lack of yard. There is nothing planned for children in these units. This project would be an improvement in the aesthetics over what is there now. This is an improvement in the fire code also. There will be one ingress and egress from Main St. and one on Potter Avenue.

Mr. Rice explained to Mr Tischio that the end units will have wrap around porches with the front door on Main St.. What is in their packets are true and accurate of each building.

Mr Henderson stated there are state standards of residential sites of what we must meet on parking and they will meet that.

Mr. Triggiano wanted to know if there is an age limit on the people that would be purchasing them, like 55 or older? Mr. Henderson stated the project as presented, we believe that the natural market would be the empty nesters. If it is the Board's conclusion that you wanted it age restricted, the applicant would be willing to do that, and the permitted catagorie is 55. He stated he knows the Board is concerned about school problems, we don't believe this project would impact that and we would produce testimony about that. The square footage on each unit is 1750, each unit varies a little bit so it doesn't look so stagnant and similiar, varies from 1745 to 1800, as testified by Mr. Rice, roughly 3400 to 3500 per building.

Mr Place wanted to know the square footage of the last 6 houses he designed in Manasquan? Mr. Rice testified they usualy range 2800 to 3400.

Mr. Tom Higgins, Professional Planner, office located 901 W. Park Avenue, Ocean Township. Licensed for approximately 21 years in N.J. and has testified before 200 Municipalities through out N. J. as an expert in the field of Planning as well as before Superior Courts in 5 seperate counties, and has testified before this Board.

Mr. Higgins testified he has been retained by the applicant in this matter. He has reviewed the plans by Mr. Rice, reviewed the application for development and he visited the site on a number of occasions. He testified the project consists of 12 town houses, located in 6 separate buildings on site, that's 36,615 sq. feet in area. It involves eliminating the existing building on site which is in a residential area. The zoning is R-1 permitting single family residence on 7,000 sq.ft. lots, with 50 ft. of frontage. The use variances for the construction of 12 attached dwellings on the site which are not permitted in the zone. The zone permits single family structures. If you construct single family residences, you could put 5 single homes on this site, which would be very close in size to what is proposed, and you would have 5 separate driveways facing Main St.. He testified this site is particularly suited for this proposed use. The site has a certain value, it has a use on it, it's a viable use and it doesn't make sense to the applicant at this point and time to knock that building down and construct 5 single family houses. The return isn't there and he doesn't have to do it because he has a pre-existing non-conforming use on the site. The likely hood is, that this use is going to continue on the site for the foreseeable future. The applicant is looking for an alternative mechanism.

Mr. Twadell stated "you have spent a lot of time going over the advantages of this as an alternative of what is there now and only a few minutes apply to the continuance of the R-1 Zone and making it an economic situation between the two options. That seems to be the crux of the matter, because the best alternative is to maintain the R-1 as it is and construct 5 houses on that property. What is the economic difference, it's not that we should be held to making money for Mr. O'Neill, what is that difference,".

Mr. Higgins testified he didn't know the difference in numbers. He said his discussion with the applicant, was it just wasn't going to happen, not that he can't make a profit, it's just that it doesn't work for him, he winds up losing money.

Mr. Twadell " you can't make a profit - it doesn't take a genius to figure out what that property is worth, with 5 houses on it - your probably talking a couple million. What kind of debt are we talking about?

Mr. Place wanted to know if there was any expert testimony that this Board must take into consideration Mr. O'Neill's financial situation? Mr. Henderson stated it is our position that if it's age restricted the Board cannot reject the application. Mr. Henderson stated there will be no more testimony regarding the density of this application.

Motion to take a ten minute recess was made by N.Hamilton, seconded by J. Tisdchio and was unanimously carried.

The Board returned from recess at 8:00 P.M.

Mr. Henderson stated that concludes the applicants testimony for the evening, other than summation which he will reserve for the end.

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

Rose Marie O'Neill, 366 E. Main St., came forward stating she has lived there for 18 years She stated she bought the lot, we knew the place was there and we had no problem with that and have never had a problem with it.

The notice I received from the Attorney was a multi-family residences, now I'm hearing a senior citizen residence. She stated she has no problem with a senior citizens, but I do have problems with the other one, because regardless of what he said, I pay enough taxes now, but we are talking 12 units, 2 children each, I pay enough money now, I already payed my dues, I don't want to keep on paying them. What if a developer buys the units and they become a rental, lets face it, we all live in Manasquan because we love it. Jim is on one corner I am on the other, I have no problems with it. Her concern is, will a developer buy those units and rent them out? We have enough rentals down the beach. Schafer property is up for grabs, so what are we going to have now, that will also become something else. She does wish the Board members would give all that some consideration.

Alice Hemphill, Fletcher Ave. came forward stating " she has lived there sinc 1959, the property across the street was all woods, and the Jackson House sat there as a summer hotel. There was an application made for a service bar for the summer hotel. You all know how it has escalated and the problems we've had over the years. Fortunately Mr. O'Neill has run a much quieter and more desirable place, if we want a bar. The question here is down grading the zoning. She felt the density was too much. Mrs. Hemphill read a petition from the "Taxpayers of Manasquan".

Mark Heinze, 381 First Avenue, stated he also agrees with Mrs. Hemphill, all the homes along 71, could they be knocked down and a developer comealong and put town houses up. He is concerned about the density.

Cecelia Rahner, 76 $\frac{1}{2}$  Ocean Avenue, has been comming here since 1943, lived here for 15 years, Jackson house was there when she got here. We have been given 2 choices here, either keep the bar or replace with 12 units that he wishes to build. She

stated we do not have an option of saying you need to do single housing. She doesn't think they need to be threatened that way.

George Dempsey, Pike Avenue, stated - "Jim you run a great operation, it really looks good. We've heard experts continually talk about residential, residential well it is R1, it is residential. We've heard about 5 single houses, 5 driveways on Main St., we now have 3 driveways there now. He thinks this Board has been going in the direction of getting away from spot zoning, so he thinks it would be going backwards and doing a spot zoning to change it from R-1 to a multi family.

Richard Manti, Sea Girt, N. J., stated he holds the mortgage on property at 161 Fletcher Avenue, which is directly in back of O'Neill's Bar. He wanted to know if he would be able to speak? Mr. Henderson said he supposes he would have to object as a matter of principal. Mr. Manti wanted to know if he was denying his free speech? Mr. Henderson stated he doesn't rule on whether he can speak, he did voice his objection. Mr. Manti is not in favor of this being built on this property, he is in favor of 5 single family houses to go with the rest of the neighborhood and that is what the rest of the neighbors have spoken about. He feels the Board has an obligation to the residents not to approve this application.

John Winterstella, Mayor of Manasquan and a neighbor, who has been a member of this Planning Board since 1974, came forward stating he is in favor of this project, he thinks it brings a couple of things to this community that we don't have. First in the area of school children, if it's age restricted to 55 years or older there should be no children. He stated it was zoned for R-1 because that's what the contiguous zone was and the Board chose not to isolate or spot zone properties, even though it was recommended by some planning board members, that the master plan should reflect the actual use of the property and not it's possible future. He stated it should be clear, there's a market in this community for age restricted 55 and over housing. It can be assured there will be very few school children, barring the comment from the audience, it's pretty well established from a planning doctrine that age restricted housing does not generate school children. It's also established that 5 single family homes in a neighborhood of \$300 to \$400,000. do generate school children and probably generate out of that kind of a use and that location would probably generate about 15 or 20 school children, so he thinks that's one thing they should look at. Two, he thought they should look at the need for that kind of housing in this community. Going back 6½ years ago before O'Neill's bought it, there was a tremendous problem there. The Mayor said it's not a perfect solution, but he thinks it's a better situation than what's there now, and it's probably better than continuing that use

if Mr. O'Neill tends to sell the property.

Mrs. Rahner, 76½ Ocean Avenue came forward stating she is 76 years old, has 6 children and 14 grandchildren and she is disturbed at what she hears tonight in regards to children. She knows the school system is stressed and strained, but they have no voice except for ours and to categorically say we don't want you constantly, that's what she hears this evening. She just finds it very painful the closed hearts about the children of our town and our country.

Fred Lockenmeyer, 146 Lake Avenue, tax payer for the last 43 years. In 1961 by a vote of 3 to 2, Manasquan Inn was given a very strict restriction for a liquor license. For the next 15 or 20 years, that restriction was constantly forgotten. It went from a small bar to a larger bar, from one music to two, the town was in an uproar, because of the type of actions that the bar was creating at that time. This area has had a problem for many years, and what we're producing here is another cancer in that particular area. We're asking people in that area to have a spot zone, and that means that particular area is much different than any where else. He and his group feels that they would like that area stay the same. We're asking the Planning Board to take the torch, be strong and go into the next millennium with R-1 zoning, so that people living in this town can stay in a residential community.

A motion to close the public portion of the meeting was made by N.Hailton, seconded by C.Triggiano and unanimously carried.

Alan Hilla, felt the gross density for the site being 36,615 sq. ft., based on the current zoning would be 5 almost oversized lots. Adjacent zoning could get to somewhat higher than that. The purpose of the R-1 Zone is to maintain a low density residential area allowing singlefamily detached structures at a density not exceeding 6 dwelling units per acre. Clearly, the proposed application differs drastically with the intent of the R-1 Zone. The proposal equates to a density of greater than 14 units per acre.

Mr.Cramer stated it being a use variance the vote will be 7 members.

Muly was concerned about density and not comfortable about proposal, and at this time he feels he cannot support this application. Mrs. Dunne agrees with Mr.Muly and felt that the Board is not allowed to consider financial constraint of the applicant. She also stated Jim has been running a decent operation, but feels that they should stick to single family houses. She stated she really can't support this project.

N.Hailton stated when he first heard about the concept he thought it might be good for the community and neighbors. When he heard

the comments from the neighbors tonight, it puts a difficult decision on the Planning Board, that we who live in other areas in the community, although we may want to support this, the density is too high, should he vote for this, he couldn't do it on 12 unit basis. He doesn't think he could support the concept the way it is, even though he feels there is a need for it. J. Tischio felt it is a hard situation to be in as he can see a picture of the need for senior citizens to have a lower income place than what the expensive houses have. He is faced with making a decision which is an economic decision, and he doesn't like being in that, making a decision for a use variance so that it is an economic advantage. He is uncomfortable in supporting it. G. Twadell would like to see it stay there, but if it has to come down he has strong objections to changing the zone to accommodate it, he feels it is a step backwards. We don't need more density in Manasquan and he feels very strongly about that. C. Triggiano stated he agrees with Neil and John Tischio and feels he could go with single family or something a little different than what is proposed. D. Place stated multi-family and density associated with it he believes is just not suitable for this zone R-1.

Mr. Henderson stated he doesn't think any one here, certainly not the applicant or the applicant's professionals meant to make a threat to the Board, that perhaps there would be different ownership down the road. We were simply presenting the fact that that is a reality, businesses change hands, at one point it was more trouble than it is now. We were not making a threat that we were going to sell this to someone who was going to turn it into something else. He wanted to clarify that point.

Another point he wants to clarify is there is a point that's being missed here on the economic side. Your approaching this as if we are talking about an economic benefit to Mr. O'Neill. That's not the economics we're talking about. We're talking about the economics of encouraging someone to get rid of a non-conforming use and develop a property productively. He stated please don't tell me that you haven't taken that into account, because your Master Plan is absolutely filled with language to that effect. That is the reason you put the RPM Zone up on the beach and it says right in your Master Plan that you did it for that purpose, so to say that economics are an impermissible factor in making decisions and in deciding whether land use issues should be addressed in a certain way, is just incorrect.

Mr. Henderson asked the Board to consider the following proposal, and that is not to vote on the application tonight, but to carry the application and give the applicant a chance to see if he can revise the application to make it palatable to the Board, but if the applicant feels that he can't do that in any way,

and that may very well be the case, then the applicant would simply withdraw the application. I would ask you to give us that opportunity to look at this with the professional to see if there is any way we could make it work, having taken into account, all of your comments this evening and the comments of the public. He would like the Board to give them a month.

P. Dunne objects to that, she stated she came here to vote on a use variance, not to see a change of plans.

C. Triggiano moved for a continuation, seconded by N.Hamilton, followed by the following vote: "YES" - C.Triggiano, N.Hamilton, J.Tischio. "NO" - J Muly, P.Dunne, D.Place, G.Twadell.

Mr. Henderson stated the Applicant has considered the Board's denial of a continuance and the applicant under those circumstances withdraws it's application without prejudice, reserving the right to resubmit.

A motion to withdraw the application was made by C.Triggiano, seconded by J. Tischio, followed by the following vote: "YES" J.Muly, P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Tischio, G.Twadell.

Mr. Henderson thanked the Board for their consideration.

A motion to adjourn was made, seconded and unaniously carried.

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

## TAXPAYERS OF MANASQUAN

### AT ISSUE:

Changing the Master Plan to allow twelve (12) townhouses where, at present, five (5) residential lots exist.

This is not about whether townhouses would be better than a bar which is how some people are looking at the issue. It is about changing the town and allowing more density which would, in turn, mean more children in the school system, more cars, more garbage, not to mention changing the character of Main Street and an increase in taxes for the additional services.

The following questions should be asked and thought given to the answers before approving any changes to the Master Plan.

#### 1. WHAT WOULD THESE TOWNHOUSES BE GIVEN A CERTIFICATE OF OCCUPANCY FOR?

There will be 12 townhouses containing three bedrooms each. Although the plans say there are two bedrooms and a den/office this room can be used for whatever purpose the owner sees fit and in a shore community this is usually a bedroom. They most likely will receive a Certificate of Occupancy for at least six persons. This is a total of 72 people. There will be parking for two cars per unit. This is 24 cars. Of the 72 people, 48 of these could be children that would attend the Manasquan School System. That is an additional 4 children in every grade of the elementary and high school.

Additionally, these units could possibly be bought by investors and rented summer and winter. Even in the Rental Section of Manasquan I doubt that there are Certificates of Occupancy given to five houses for 72 people.

#### 2. COULD THIS CHANGE OF THE MASTER PLAN OPEN THE WAY FOR TOWNHOUSES ON PERHAPS THE SCHAEFER OIL PROPERTY ON NORTH MAIN STREET WHICH CONTAINS 2 ACRES OF LAND OR ON THE GAS STATION PROPERTY ON HIGHWAY 71 THAT IS FOR SALE CURRENTLY? COULD OUR SCHOOL SYSTEM EDUCATE ALL THE CHILDREN THESE UNITS WOULD GENERATE IN THEIR CURRENT FACILITIES?

#### 3. COULD HOUSING THIS DENSE WITH ONE BUILDING BEHIND ANOTHER AND TWO CARS IN EVERY DRIVEWAY CREATE A PROBLEM FOR THE FIRE DEPARTMENT?

4. IS IT FAIR TO EVERYONE ON MAIN STREET--THE NEWER RESIDENTS WHO HAVE PAID IN EXCESS OF \$400,000 FOR THEIR HOMES AND THE RESIDENTS IN THE OLDER HOUSES THAT HAVE BEEN SO BEAUTIFULLY CARED FOR--TO HAVE THREE BUILDINGS PUT ON THEIR STREET THAT DO NOT EVEN FACE THE MAIN STREET BUT WILL HAVE THE SIDE ELEVATION OF THE BUILDING ON THE STREET SIDE?

Please look at the site plans and the position of the townhouses on the property before you make any decision.

5. IT IS FAIR TO THE PEOPLE ON FLETCHER AVENUE TO HAVE BUILDINGS IN THEIR BACKYARDS THAT DO NOT HAVE THE SAME REAR SETBACK AS THEY HAVE NOW OR WOULD HAVE WITH SINGLE FAMILY HOMES? WOULD YOU WANT THESE BUILDINGS IN YOUR BACKYARD?

6. WOULD THE CURRENT OWNER SUFFER IF HE SOLD THE PROPERTY AS RESIDENTIAL LOTS FOR SINGLE FAMILY HOMES?

The tax records indicate that the Bar was purchased in 1997 for \$500,000. Five residential building lots in Manasquan in the current market would have a sale value of approximately \$200,000 per lot for a total of ONE MILLION DOLLARS.

7. IS THE PRESENT OWNER A RESIDENT OF MANASQUAN? WOULD THE CONSTRUCTION OF THESE TOWNHOMES IMPACT ON HIS PROPERTY VALUE? WILL HE DEVELOP THE PROPERTY OR WILL HE SELL THE LAND TO A DEVELOPER AFTER HE OBTAINS THE VARIANCE?

8. WHY DIDN'T NEIGHBORING TOWNS SUCH AS SPRING LAKE ALLOW THEIR MASTER PLAN TO BE CHANGED?

A developer requested permission to put townhouses next to the railroad station on Mercer Avenue in Spring Lake and was denied. This initially would have looked like an upgrade since there was an abandoned sheet metal garage there and it was very unsightly. But, just as the issue wasn't "Aren't townhouses better than a Bar?" Or "Aren't townhouses better than a sheet metal garage?" It is "DO WE WANT TO CHANGE THE CHARACTER OF THE TOWN?" In the future do we want to see, instead of single family homes being built by families (which is what ultimately was done on the Mercer Avenue property in Spring Lake) developers, who have more capital than an ordinary family, grabbing up any available land and changing the character of Manasquan and then moving on. Had Spring Lake granted the variance for the sheet metal site would that have been a loophole to put multiple dwellings on the Warren property? The same developer bought both properties.

We must be very careful when changing a Master Plan that was paid for by Manasquan and done by experts in this field. We must look at the whole picture, not just one project because this decision will affect every homeowner in Manasquan. Density has been proven to increase taxes and change a town.

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 May 1, 2001 meeting. Please consider the following Agenda for the June 12, 2001 Regular Meeting at 6:30 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N.J..

**MANASQUAN PLANNING BOARD AGENDA  
JUNE 12, 2001 - SPECIAL MEETING**

Sunshine Law Announcement - Chairman

ROLL CALL

6:30 P.M. - WORK SESSION

1. For Discussion - Master Plan Review
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Monmouth County Community Development Program
3. Consent Agenda

APPLICATION - 18-2001 - Howard & Linda McKeon - 113 Main St.

APPLICATION - 19-2001 - Linda Werdann - 25 Ocean Avenue

APPLICATION - 21-2001 - Jeffrey Michals - 297 Euclid Avenue

RESOLUTION - 16-2001 - Edward Edwards - 112 Curtis Avenue

4. MOTION ON MINUTES
5. APPROVAL OF VOUCHERS
6. COMMENTS FROM INDIVIDUAL BOARD MEMBERS
7. REPORTS OF SUBCOMMITTEES OF BOARD
8. AUDIENCE PARTICIPATION

Manit

— NOTICE —

The Borough of Manasquan Citizen Participation Group will conduct a Public Meeting on Tuesday, June 12, 2001 at 7:30pm at Borough Hall, 15 Taylor Avenue, Manasquan for the purpose of soliciting ideas for projects which will be submitted to the Monmouth County Community Development Program for funding. The meeting will be held in the Borough Council's meeting room.

On June 18, 2001 at 7:00pm the Mayor and Council of the Borough of Manasquan will conduct a public meeting at Borough Hall on the contents of an application to be submitted to the Monmouth County Community Development Program.

The public is invited to attend and participate. If you wish to attend and require a sign language interpreter (voice, TTD, and ITY), you can contact the Borough of Manasquan through the Monmouth County Office of the Handicapped by calling (732) 577-6696.

For additional information, contact:  
C.D.P. Representative - John Tengrove 223-0544  
C.D.P. Alternate Representative, Mayor John L. Winterstella, 223-0544

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COMMUNITY BLOCK GRANT HEARING  
JUNE 12, 2001, - 7:30 P.M.  
MINUTES

A Community Block Grant hearing was held in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N.J.. Borough Administrator John Trengrove called the hearing to order at 7:30 p.m.. He announced that, as in past years, this hearing was being held in conjunction with the regularly scheduled Manasquan Planning Board meeting.

Mr. Trengrove distributed a map for a point of reference to the Board, stating the Borough is in the process of making an application for a County Community Development Block Grant. He stated he wished to discuss an idea for a possible project, as well as solicit input from the Planning Board if they have any ideas for any projects.

Mayor and Council have discussed making an application to replace two bulkheads, one located at the street end of Roger's Avenue and the other at the street end of Deep Creek Drive.

"The purpose of replacing these bulkheads is really two fold", he said. "One, they are in very poor condition and we are starting to get seepage through the wooden slating that holds back the dirt from the water, and second, we are also having some problems as there are storm water pipes that do empty through there and we are having some problem with drainage. We also have to do something with the storm water pipe repair to try and help with some of the flooding that occurs down there in those areas."

"These two locations are within the approved zone, so they are eligible for the application process. Approximately 475 running feet of bulkheading is going to be needed for the two locations. We are also going to have to do road work, storm water work, as there is piping that goes through there to discharge water from the streets," he explained.

Mr. Trengrove stated there is also an obligation to also protect the street, so that the end of the street does not wash away. This is important if there is a need for the fire trucks to get in there and do some drafting from the creek or in case there are any emergency situations down there. They will be putting in new pilings, new sheathing and dead heads, and new

pipng that has to go into the storm water. The total cost is approximately \$125,000.00, and the Borough will be making application for about \$100 to 110,000.00, as the engineering costs are not a permissable part of the CBG funding.

Members of the public stated they wanted to keep those street ends open, so people could fish or crab. At that time there was a discussion about possibly stopping the road a little short so there could be a little park there. That still may occur, but Mr. Trengrove will have to talk with the Fire Co. a little more and make sure it will not hinder the fire apparatus.

"Fibre Optic cable will not be affected, as they were given a distance to stay below the creek from our Engineer, so they actually stayed down an extra 15 or 20 feet so when we drive the pilings down it will in no way affect them," he said.

Christopher Rice, 61 Cowart Avenue, wanted to know if there would be a place to launch kayaks. He stated Roger's Avenue would be a perfect spot.

Mr. Trengrove stated they will be redoing the Fourth Avenue parking lot probably in the fall and there are discussions regarding installation of a floating dock. This however would not be at the south end, but probably by the bridge area. Mr. Monaco stated the MBA has one on Perrine Blvd. & South Jackson Avenue.

There being no further comments, the hearing was adjourned at 7:50 P.M..

Respectfully submitted,



Marie Applegate, Secretary  
Manasquan Planning Board

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15 TAYLOR AVENUE  
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JUNE 12, 2001 REGULAR MEETING MINUTES

MANASQUON Planning Board held their regular meeting on June 12, 2001 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N.J..

Vice Chairman, John Burke opened the meeting at 6:30 P.M. Mr. Burke stated this hour will be spent to review issues and concerns of the Board on the Master Plan.

Mr. Burke stated in the last meeting we had Mr Szymanski provide us with a questionnaire, to go over all the different items that have been on the Master Plan reviews for the past 7 years. Mr. Szymanski did send a questionnaire, approximately 20 pages with 70 to 80 items on it, and wanted a yes, no, or whatever before the next meeting.

Today he sent over a tally of this questionnaire, but on only 18 items of the 70 or 80. He only tallies the R E section which goes up to 29 and he did up to 18.

Mr. Burke stated in this hour we were to discuss his answers which were to give us a clue and idea as to what we thought were the most important items to go over on this review of the re-examination of the Master Plan. What he did here does not really help us. Basically what we have to do this hour, is to decide how we are going to proceed from here, how much we are going to try to accomplish on this re-examination, since a complete Master Plan review has to be done in three years.

Mr. Triggiano felt the Board should go through page by page of the 1997 Plan to accomplish what we can tonight and then at the next half hour work session, go through another couple pages, we can get the re-examination ourselves, and Birdsall Engineering can write it up, because their our Planners. He doesn't see why we have to have Mr. Szymanski any more, because he hasn't really come through, like he should have. He stated he has asked Birdsall if they could do it and they said they could.

Mrs. Dunne stated the Board has discussed this before and Paul is only a Planner, not an Engineer. He deals full time and he also created the doctrine we have now and that is why we brought him in. To go on we really have to fall back on why we did another one, she doesn't think he is falling down on the job.

Mr. Cramer stated the purpose of the survey was an attempt and effort made to isolate what the planning areas are that the Board feels Mr. Szymanski should direct his total attention to. At the May meeting, the Board clearly felt that the issues were the west side of First Ave., whether to extend the Building envelope requirements all properties to the west of First Ave., the building height and building width. The other issue is

this town house development. Is that something that the Board feels is there any possibility of looking to any particular zone or zones in the town to identify as possible sites for town house development. The other issue that came up at the last meeting was the issue of surfaces, pervious vs. impervious and whether or not the Board should go and encourage the adoption of a more restrictive view as to what impervious surfaces include. He believes at the last meeting, the Board wanted to see some type of imputing from Mr. Szymanski on these 3 issues. He felt the Board needs some vision or alternative expressed so that the Board can grapple with.

Mr. Cramer is going to take a look at the contract between Mr. Szymanski and the Boro at the present time, to see what the perimeters are before we get into a discussion about who is doing what.

Mr. Hamilton felt the Board's time would be well spent to put together what their own thoughts are and try to digest what each one thinks their vision is to get into 2003.

The two ideas put before the Board to decide on are;  
One is to take this questionnaire and go down it item by item and find the ones that are important to discuss the ones important for the Master Plan Review.  
The other way is to sit down go over the goals that are in the Master Plan and write down what you think are the important items and what the goals should be as far as, residential use, commercial area, public and semi public and the land use plan.

Most of the Board felt a separate meeting is the way to go.

A motion was made by T.Carroll, seconded by P.Dunne to start the July 10, 2001 meeting at 6:30 P.M. to go through all the questions and items on the two lists, was unanimously carried.

Gordon Hobbs, First Avenue Realty, who has owned the corner opposite the Osprey for 34 years, is here to see what he can do to develop the property. He would like to build an apartment over the store to live there permanently. HE was told he could come in for the July 10th meeting to see what will take place.

A motion to adjourn the work session was made, seconded and unanimously carried.

#### REGULAR MEETING

John Burke opened the regular meeting stating this is an open public meeting held in accordance with the Open Public Meetings Act and held according to law.

Mr. Burke asked all to stand and salute the Flag.

John Trengrove, Borough Administrator came forward to speak about the Community Block Grant. A Community Block Grant hearing was held in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N.J.. Borough Administrator

John Trengrove called the hearing to order at 7:30 p.m.. He announced that, as in past years, this hearing was being held in conjunction with the regularly scheduled Manasquan Planning Board meeting.

Mr. Trengrove distributed a map for a point of reference to the Board, stating the Borough is in the process of making an application for a County Community Development Block Grant. He stated he wished to discuss an idea for a possible project, as well as solicit input from the Planning Board if they have any ideas for any projects.

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"The purpose of replacing these bulkheads is really two fold", he said. "One, they are in very poor condition and we are starting to get seepage through the wooden slating that holds back the dirt from the water, and second, we are also having some problems as there are storm water pipes that do empty through there and we are having some problem with drainage. We also have to do something with the storm water pipe repair to try and help with some of the flooding that occurs down there in those areas."

"These two locations are within the approved zone, so they are eligible for the application process. Approximately 475 running feet of bulkheading is going to be needed for the two locations. We are also going to have to do road work, storm water work, as there is piping that goes through there to discharge water from the streets," he explained.

Mr. Trengrove stated there is also an obligation to also protect the street, so that the end of the street does not wash away. This is important if there is a need for the fire trucks to get in there and do some drafting from the creek or in case there are any emergency situations down there. They will be putting in new pilings, new sheathing and dead heads, and new piping that has to go into the storm water. The total cost is approximately \$125,000.00, and the Borough will be making application for about \$100 to 110,000.00, as the engineering costs are not a permissible part of the CBG funding.

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Christopher Rice, 61 Cowart Avenue, wanted to know if there would be a place to launch kayaks. He stated Roger's Avenue would be a perfect spot.

Mr. Trengrove stated they will be doing the Fourth Avenue parking lot probably in the fall and there are discussions regarding installation of a floating dock. This however would not be at the south end, but probably by the bridge area. Mr. Monaco stated the MBA has one on Perrine Blvd. & South Jackson Avenue.

There being no further comments, the hearing was adjourned at 7:50 P.M..

ROLL CALL - PRESENT - J.Muly, P.Dunne, C.Triggiano, N.Hamilton,  
T.Carroll, J.Tischio, J.Burke, K.Monaco.  
ABSENT - D.Place, Councilman Schmeling, Mayor  
J.Winterstella, G.Twadell, J.Coakley,  
K.Thompson.

APPLICATION - 18-2001 - Howard & Linda McKeon - 113 Main St.  
The property in question is located on the south side of Main St., between Preston Way and Broad Street. This location is in the Business Zone B-1. The 37.5 ft. x206.5 ft. (IRR) lot currently contains a 3 story building, a garage, and other amenities. The applicant proposes to remove the existing garage, construct new parking and convert the third floor of a storage area to a 1,680 sq. ft. apartment. The existing and proposed uses are conforming for the zone

C. Keith Henderson, Esq. placed himself on record as Attorney representing the applicant.  
He stated the applicant is Howard & Linda McKeon, the owners of the Center Food Market, 113 Main St., Block 65, Lot 5.01.

Site Plan had been approved on this Resolution 17-1993 by the Planning Board. This is to modify one aspect of that application. Specifically in that resolution, the Board recited the fact that no application was made for anything on the third floor

of the building and the purpose of this application is to address that item which was left out.

Christopher Rice, Architect, Sea Girt, Licensed in N.J. and N.Y. He testified there is a third floor in the building, which is a large space, vacant for some time. Presently there is an apartment on the second floor of this building. The applicant would like to make 2 small one bedroom apartments on the third floor. They are not changing the building in any way, just working within what is there. There is a garage on the property at the present time and at some point the Board had asked that the garage come down to make for a better flow back there.

Mr. Henderson stated he represented Mr. Yatter, who originally owned the building, and at the time he sold that building there was a provision in the agreement which permitted him to lease the garage back for \$1.00 a year for the rest of his life. Mr. Yatter has now passed away, so Mr. McKeon is now free to tear that garage down. By tearing it down it picks up 4 parking spaces, which will be needed for the apartments, and it will clean up the back.

Mr. Rice testified they will comply with anything they are asked to do with regard to the fire escape, from Sandy Ratz. The second floor has only 1 apartment. Mr. Rice testified, if approved, they will comply with any additional data required by Glen Lines, or Alan Hilla, Jr..

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

A motion to approve the application was made by T. Carroll, with the conditions which Birdsall asked for if necessary, seconded by P. Dunne, followed by the following vote: "YES"-J. Muly, P. Dunne, C. Triggiano, N. Hamilton, T. Carroll, J. Tischio, J. Burke, Mr. Monaco.

APPLICATION - 19-2001 - Linda Werdann - 25 Ocean Avenue  
The property in question is located on the South side of Ocean Avenue, between Potter Ave. and the Ocean Avenue Bridge. This location is within the Borough's Residential Zone R-2. The 50 ft. by 150 ft. lot currently contains a 2½ story frame dwelling and a wood shed. The applicant proposes to remove the existing shed, construct several additions to the existing single-family residential dwelling, and construct a new two-car detached garage at the rear of the property. The existing lot and use are conforming for the zone, however the existing and proposed principal structure is nonconforming for the zone.

Linda Werdann, 25 Ocean Avenue, Collin Wynd, 25 Ocean Avenue (her husband), and Donald Passman from Passman & Ercolino,

Ocean, N J. were all sworn in by Mr. Cramer. Mr. Passman testified he is an architect and has testified before this Board.

Linda Werdann testified she bought the house 8 years ago when she was single. Since then she has gotten married and has a 2 year old child. The house is very old, about 90 years old, there are very few closets, none on the first floor, The house has 4 very small bedrooms. Their final decision was to add on to the house.

Mr. Passmann submitted drawings which were marked Exhibits A1 to A5. First drawing was page A-1, site plan, showing the existing house, additions will be a front porch, heading over to the west side an additon on the back and a two car garage. The reason for this is there is no room. The attached garage will become a family room, & build a new garage for 2 cars. The other addition will be a master bedroom on the back and under that on the first floor is the kitchen which will be expanded as it is very small. Exhibit A-2 shows the expanded living space, as a play room in what was the garage. Exhibit A-3 is the second floor plan, there is a Master bath room and large closet, and 3 bedrooms, 2 will become a play room. There will be a covered porch in front of the existing garage so it doesn't look like a garage when finished.

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

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

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

APPLICATION - 21-2001 - Jeffrey Michals - 297 Euclid Avenue  
The property in question is located on the south side of Euclid Avenue between Farragut Avenue and Dewey Avenue. This location is within the Borough's Residential Zone R-2. The lot is in an irregularly shape parcel containing 15,000 square feet, with frontages on Euclid Ave. and Cedar Ave. The Euclid Ave. frontage is 100 feet and the Cedar Ave. frontage is 50 feet. The property currently contains a two-story frame dwelling and an in ground pool. The Applicant proposes to construct a combination shed/cabana between the pool and the Cedar Ave. frontage. The existing and proposed uses are conforming to the zone.

Keith Henderson put himself on record as representing the

applicant. Henderson stated this is a double lot on Euclid Ave., 10,000 sq. ft. where 5,000 sq. ft. is required. Recently the applicant acquired property which abutted his property on the rear and actually fronted on Cedar Ave., which was another 5,000 sq. feet lot. The application which was characterized by the Zoning Officer as a Cabana/Shed, which isn't a fair description of it, as the only part of this structure that is enclosed is the shed, the rest is an open seating area.

John Gassner, was sworn in by Mr. Cramer. He testified he was engaged as the builder for this property. Five years ago he remodeled the main house which is a 100x100 ft. lot, ( 297 Euclid Ave.) Mr. Henderseon would like to enter into evidence as A-1, the Deed of Consolidation which has already been recorded on October 24, 2000, Block 118, Lot 7,8,25,26,27 & 28. Photos subitted were marked into evidence as A-2 to A-19. The reason for the height variance on the shed is to match up with the roof pitch on the house. Mr. Gassner testified, they want the Cabana/shed to match the house as much as possible, the same windows, trim and siding. It is purely a storage area only, 6'wide x18' long, with two doors.

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

Frank Hayes, 304 Cedar Avenue came forward, stating he lives two houses down, and the way it is designed with the windows, it is going to be a nice addition, and Mr. Michals assured him that in front of the fence, he will put up shrubs, and is putting an irrigation line out side, so they can water without going out side the pool. He is strongly in favor of it.

There being no nore comments from the public, a motion to close the public portion was made by C.Triggiano, seconded by J.Tischio was unanimously carried.

T. Carroll made a motion that the application be approved as submitted, seconded by J. Muly followed by the following vote: "YES" J.Muly, P.Dunne, C.Triggiano, N.Hamilton, T.Carroll, J.Tischio, J.Burke, K. Monaco.

A motion by P.Dunne to approve the minutes of May 1, 2001, seconded by J.Muly, followed by the following vote: "YES" J.Muly, P. Dunne, C.Triggiano, T.Carroll, J.Tischio, J.Burke. ABSTAIN N.Hamilton, K.Monaco.

RESOLUTION - 16-2001 - Edward Edwards - 112 Curtis Avenue.  
Mr. Cramer read the resolution into the record. A motiom to approve was made by C. Triggiano, seconded by P.Dunne, followed by the following vote; "YES" J.Muly, P.Dunne, C.Triggiano, T.Carroll, J.Tischio, J.Burke.

A letter from Kevin Thomas, Esq, with reference to a 6 month extension of time for Brian Luther to get his approval from CAFRA. to remove that condition from his redsolution for the sub-division approval.

A motion to approve this extension was made by T.Carroll, seconded by C.Triggiano. followed by the following vote: "YES" J.Muly, P.Dunne, C.Triggiano, N.Hamilton, T.Carroll, J.Tischio, J.Burke, K.Monaco.

A motion to approve all vouchers was made by N.Hamilton, seconded by T.Carroll, and unanimously carried.

Mr. Triggiano questioned a \$20.00 charge on Mr Cramer's invoice. He stated if any of the Board members have a question for Mr. Cramer, they should call the Secretary and she will get an answer for them.

Mr. Cramer stated in reference to the Broderick case, they will be back in court a week from Friday, and will be heard by Judge Lawson.

The meeting on July 10th will be at 6:30 P.M..

A motion to adjourn was made by T.Carroll, seconded by P.Dunne and unanimously carried at 9:20 P.M..

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Msanasquan Planning Board

**FYI**

**NOTICE**

The Borough of Manasquan Citizen Participation Group will conduct a Public Meeting on Tuesday, June 12, 2001 at 7:30 p.m. at Borough Hall, 15 Taylor Avenue, Manasquan for the purpose of soliciting ideas for projects which will be submitted to the Monmouth County Community Development Program for funding. The meeting will be held in the Borough Council's meeting room.

On June 18, 2001 at 7:00 p.m. the Mayor and Council of the Borough of Manasquan will conduct a public meeting at Borough Hall on the contents of an application to be submitted to the Monmouth County Community Development Program.

The public is invited to attend and participate. If you wish to attend and require a sign language interpreter (voice, TTD and ITY), you can contact the Borough of Manasquan through the Monmouth County Office of the Handicapped by calling (732) 577-6696.

For additional information, contact:

C.D.P. Representative, John Trengrove 223-0544

C.D.P. Alternate Representative, Mayor John L. Winterstella, 223-0544

MANASQUAN  
KEY 08736

ANY BOAT RAMPS?

... OF SEA GIRT

"CATHERINE JACKSON" 1870

LEGEND

- SCHOOLS
- CHURCHES
- FIRE HOUSES
- FIRST AID
- PARKS
- COMFORT STATIONS
- ALGONQUIN ARTS THEATRE
- BUSINESS DISTRICT
- PARKING

MANASQUAN: "Everything under the Sun."



WHITIN

INLAN WATERWAY BLUEFISH

FLUKE

BEACH 08742

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 12 2001 and the July 10, 2001 meetings. Please consider the following Agenda for the August 14 2001, Regular Meeting at 6:30 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N.J..

**MANASQUAN PLANNING BOARD AGENDA  
AUGUST 14, 2001 - REGULAR MEETING**

Sunshine Law Announcement - Chairman

ROLL CALL

6:30 P.M. - WORK SESSION

1. For Discussion - Master Plan Review
2. Informal Hearings:
3. Private Session:
4. Request - Special Meeting - McMenaman

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 27-2001 - Nadine Yanger - 225 Stockton Lake Blvd.

APPLICATION - 28-2001 - Brian O'Toole - 333 Beachfront  
334 First Avenue

APPLICATION - 30-2001 - Bruce Sandberg - 167 Beachfront

RESOLUTION - 23-2001 - Mario Gentile - 65 Ocean Avenue

RESOLUTION - 24-2001 - Sean Coffey - 18 First Avenue

RESOLUTION - 29-2001 - Mary Lou Finan - 16 Broad Street

RESOLUTION - 25-2001 - John Zampino - 125 Beachfront

RESOLUTION - 40-A-2000 - Brian Luther - Extension of time.

4. MOTION ON MINUTES
5. APPROVAL OF VOUCHERS
6. COMMENTS FROM INDIVIDUAL BOARD MEMBERS
7. REPORTS OF SUBCOMMITTEES OF BOARD
8. AUDIENCE PARTICIPATION

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

Incorporated December 30, 1867

732-223-1480  
FAX 732-223-1900

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PLANNING BOARD  
JULY 10, 2001 - REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on July 10, 2001 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Vice Chairman John Burke opened the meeting at 6:30 P.M., stating this hour will be spent on reviewing Mr. Szymanski's questionnaire on the Master Plan Review. Regular meeting will begin at 7:30 P.M.

Mr. Burke stated the Board will go through this questionnaire item by item, to see which one's the Board agrees on, the one's they don't agree on, and at that point they can decide on where they want to go.

- Re-1- yes
- Re-2- yes
- Re-3- yes
- Re-4- yes
- Re-5- more discussion.
- Re-6- yes
- Re-7- yes
- Re-8- ? Opposed by Triggiano B-3 Zone. More Discussion.
- Re-9- yes Notify of change.
- Re-10- ? More Discussion.
- Re-11- No Schmeling - no need to change.
- Re-12- ? More discussion
- Re-13- yes
- Re-14- yes Sherman's should be notified. More discussion.
- Re-15- yes
- Re-16- ? Triggiano - B-1 Zone. More discussion
- Re-17- ? More discussion
- Re-18- yes
- Re-19- ? More discussion
- RE-20- yes
- Re-21- yes
- Re-22- yes Done
- Re-23- yes Done
- Re-24- ? More discussion.
- Re-25- ? Schmeling - more discussion on lighting.
- Re-26- Yes Rezone.
- Re-27- yes
- Re-28- yes
- Re-29- ? More Discussion.

Specific Goals & Objectives

- MP-1- yes
- MP-2- yes
- MP-3- ? More Discussion on Wording
- MP-4- ? More Discussion
- MP-5- ? More Discussion
- MP-6- yes
- MP-7- yes

MP-8- ? Schmeling - More Discussion.  
MP-9- Done  
MP-10- yes  
MP-11- More Discussion. Triggiano B-1 Zone.

The Board ended here until the next meeting, which will be on August 14, 2001 at 6:30 P.M.

T. Carroll made a motion to start the August meeting at 6:30 P.M. for an hour of going over the Master Plan Review seconded by J.Muly, followed by the following vote: "YES" J.Muly, P.Dunne, Councilman Schmeling, T.Carroll, J.Tischio, J.Burke, G.Twadell, J.Caodley, K.Monaco, K.Thompson. "NO" - C.Triggiano.

Mr. Cramer stated there is a new procedural issue that was presented to him today in regards to the Kirsch Property.

Mr. Henderson is here tonight with reference to the Board's approval of the site plan approval on the Condominium site. He stated they ran into a problem, which he doesn't believe has to go back to the Board, but he wants to explain a solution to it. He stated their Engineer erred in the marking of the flood zone in the A & V. He put the entire property in the A Zone, which the project was designed for the A-Zone. The reality of it is that a portion of the property is in the V Zone. If a portion of the property is in the V zone, all construction has to take place as if the entire property were in the V Zone. For the V Zone, you cannot have permanent walls on the basement, they have to be break-away walls. The practical point of view, the walls and the project will look the same, there's not a door, window, or shingle, nothing else will change, except for one thing. On the front side of the property, we had sand mounted against the foundation. You can't mount sand on break-away walls, so essentially what we have to do is put a retaining wall to hold the dunes in place that we have to build up in front and expose the wall in front of that. He suggested to Mr. Cramer, that we have a meeting with some of the Board to show what we have in mind to solve this problem. He doesn't think it affects the site enough to warrant re-hearings before the Board.

MR. Riccardi stated the retaining wall would be about 4 or 5 feet high. We're building the dunes up to elevation 15 and our elevation we have to keep on the first floor is at 9 feet, we can grade a little to the retaining wall, which is about 4 or 5 feet on the east side. There is no physical change to the structures, no variances, no set-backs, no change in height.

The following committee was picked, Alan Hilla, J.Burke, T.Carroll, P.Dunne and Mayor Winterstella, also Geoffrey Cramer, for next Tuesday, July 17th at 2:00 P.M. at Mr. Henderson's office.

Mr. Henderson stated if they have to come back before the Board, they will apply for a special meeting, as they want to get started.

REGULAR SESSION

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

ROLL CALL - PRESENT - J.Muly, P.Dunne, D.Place, C.Triggiano,  
T.Carroll, J.Tischio, J.Burke,  
G. Twadell, J.Coakley, K.Thompson.  
ABSENT - N.Hamilton, Councilman Schmeling, Mayor  
John Winterstella, K.Monaco.

Mr. Place asked all to stand and salute the Flag.  
Mr. Hilla excused himself but will return in a few minutes.

A motion was made to move the consent agenda to the end of the meeting and unanimously carried.

APPLICATION - 23-2001 - Mario Gentile - 65 Ocean Avenue.  
The property in question is located on the south side of Ocean Ave. approximately 800 feet east of North Potter Ave.. This property is within the Borough's Residential Zone R-2. These lots are flag shaped with a combined 5,000 sq. ft. and 25 ft. frontage along Ocean Avenue. The property currently contains a two-story structure (rear), and one-story structure (front) that contains 3 dwelling units. The applicant proposes to construct a second story addition to the one-story dwelling. The existing and proposed uses and structures are non-conforming to the zone.

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

Two witnesses were Mario Gentile, the owner and Charles Gilligan the Engineer were sworn in by Mr. Cramer.

Mr. Gentile testified he resides at 65 Ocean Avenue, year round. He has owned the property 27 years and there are 2 buildings on the property. The front house he resides in and the rear building has 2 apartments summer rentals only. He proposes to put a 2nd story on the front house.

Charles Gilligan came forward stating he was retained by the applicant. Variances required are expansion of a non-conforming use, where there are 2 principal structures on site and 3 dwelling units. Bulk variances are lot frontage, lot width, side yard set back on the East side, side yard set-back on the west side, also a parking variance.

There is no access to the rear property, and no way of increasing the parking. Out of 25 lots, 11 of them have more than one unit on them. He testified the construction will comply with all the Fire Codes, Construction codes and elevation codes. It will be raised to 9.0 to conform with flood elevation. The construction will totally conform with Construction Code. Exhibit A-1 was Mr. Gilligan's exhibit.

Mary Hearn of M.B.Hearn Associates, was sworn in by Mr. Cramer. She testified she designed the plans for the applicant. Her plan board was marked into exhibit as A-2. The upper right hand corner of A-2 represents the front elevation of the front house. She testified it is being raised to meet the flood standards, and the ridge would be at 29'7" after it meets the flood height. It will meet all the fire safety codes. Photo Board was marked as exhibits A-3 and 4. Exhibit A-5 was photo of neighbors property.

When asked if he ever thought of knocking down the house in the rear, Mr. Gentile testified he is retired and would like to have some rental income to supplement his income.

Personally, Mr. Place thought this is a problem property and we're making the problem worse. He said there are 3 dwelling units on an undersized lot and you want to expand on it. Mr. Henderson stated it is not going to change the number of units on the lot.

Mr. Gentile testified he pays 2 water and sewer bills and there has always been heat there in the front for 30 years, but no heat in the rear 2 apartments. In the rear each apartment has 2 bedrooms, living room, kitchen and bath. He testified there is a common walkway by easement 7' wide on the east side of the property, which gives access to the back property.

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

Frank Comisky, 69 Ocean Avenue, has no objection.

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

P.Dunne, concerned about density, the parking, no access to the back, would have more interest in it if they would give up one of the rentals.

J.Muly, concerned about density and access to the rear.

J.Tischio questioned the height, and Ms. Hearn said she could come down approximately a foot, it would not change anything.

Mr. Gentile testified he has 3 bedrooms now and will have only

3 bedrooms.,

J.Coakley, parking issue is curious, but it doesn't impact one way or the other, that was his only concern.

K.Thompson, he would like to see some improvements down there, but he isn't too happy, but would like to see some improvements.

G.Twadell is concerned about the height and agrees with Kevin about the improvements there.

C.Triggiano, stated it is unfortunate that some people get stuck with small lots like this with 25' frontage, but agrees with Kevin on the improvement in the area, and if we get the roof line down a little bit it will make it a little better also.

J.Burke agrees with the height, and wouldn't want to see it go over 29.7, but he would also like to see a deed restriction on the rental of the house on Ocean Avenue.

D. Place doesn't think there is any such thing as being stuck with a 25' lot and not being able to do anything with it. He disagrees with that whole concept. He believes you can easily rip that house down, conform with the set-backs and get rid of the back house entirely, that's an option for me. He feels the lot is being over used as is, with 3 families.

A motion to approve the use variance was made by J.Tischio, seconded by K. Thompson, followed by the following vote: "YES"

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

"NO" - P.Dunne, D.Place.

A motion by T.Carroll to approve application as submitted, with the changes of lowering the height and deed restriction on rental of house on Ocean Avenue, seconded by J.Tischio, followed by the following vote: "YES" - J.Muly, C.Triggiano, T.Carroll, J.Tischio, J.Burke, G.Twadell, J.Coakley. "NO" P.Dunne, D.Place.

A motion for a 10 minute recess at 8:25 p.M. was made, seconded and unanimously carried.

Mr. Schmeling returned to the Board at 8:35 P.M.

The Board returned from recess at 8:35 P.M.

APPLICATION - 24-2001 - Sean Coffey - 18 First Avenue

The property in question is located on the east side of First Ave. immediately adjacent to Sea Girt Army Camp. This location is within the Boro's Residential R-4 Zone. The 2 lots that comprise this property are total of nearly 3,200 sq. ft. and physically create a trapezoid with the frontage along First Ave. of 61 ft. The lot currently contains a 2 story frame and masonry dwelling and a masonry garage. The applicant proposes to construct an addition to attach the detached garage to the house and construct a second story addition over the garage and house. Existing and proposed uses are conforming for the

zone: however the existing and proposed structures are not conforming for the zone.

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

Kimberly Coffey, one of the owners of this property for 7 years was sworn in by Mr. Cramer. Richard Grasso, Architect was sworn in also.

Ms. Coffey, testified the property is a beach house with a garage. There are 2 rental units on it now. As part of this application she testified they are giving up one of the units. They are planning to turn this into a single family structure with an attached garage. This is not a corporation it is owned individually. She testified they are planning to reside there permanently when they retire. It is a summer house at present.

Richard Grasso, testified he was retained by the applicant and he prepared the architectural plans for the renovation. He testified there are no use variances required, only bulk variances, Front yard, side yard north and side yard south side, Building coverage and lot coverage. This property is triangular shape, there is no boardwalk in front or any houses to the north. A photo of the property was marked into exhibit as A-1. Exhibit A-2 were plans of what the house will look like. There will be a 2 car garage. The total square footage of the whole house is some where around 3000 sq. Ft.. The height of the building is 35 ft. from First Ave..

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

Harvey Mallick came forward who resides at 20 First Ave. who also owns 22 First Avenue which is a single dwelling, and a vacant lot on First Ave and a vacant beachfront lot, which is directly in front of the applicants property. He is the President of the Parker Agency, and owns that building and lot also. He stated "he is uncomfortable with speaking on this in public, he did speak with Mr. Henderson and Mrs. Coffey this morning, but the first notice he received of any building being proposed, was receiving the certified notice, and again this public airing of his opinion being quite unfortunate. He stated he sold the garage to Mr. & Mrs. Coffey not to any one else and we did it in the spirit of good neighborly, and because of that it makes this whole renovation. His beachfront lot is directly east of the Coffey home, it triangles out and we granted them a right of way onto the Manasquan Beachfront. The right of way is unclear, it has never been set in stone, where it is. We have been very liberal with that issue and have never had any problem with that issue. Our house faces 20 and 22 and is exposed to North East winds, on that little triangle property that is in front of the Coffey property, there are no trees, no fences,

no decks, no wind breaks, we have never put anything on that lot and therefore they have a clear view eastward. We currently reside at 20 First Avenue, and we don't engage in group rentals for summer and winter at the present time. He stated he isn't objecting, but his major area of concern is quite simple, he's just asking for consideration, the word is politeness. It blocks our northern view if they put the wall up in front. He is just asking the Coffey's to consider that view. He thought their good intent in selling them the garage in the first place would be reciprocated".

Mr. Hilla stated if we get another storm like the one in the 80's, that wall in the front could fill up with sand and there would be no egress from the lower portion.

Richard Hare, 28 First Ave. a few doors down from the applicant. He felt this project is very beneficial to the property. He hopes this project is approved by the Board.

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

A motion by C.Triggiano to approve this application as presented, seconded by D.Place, was followed by the following vote: "YES" J.Muly, P.Dunne, D.Place, C.Triggiano, T.Carroll, J.Tischio, J.Burke, G.Twadell, J.Coakley. ABSTAIN - Councilman Schmeling.

APPLICATION 29-2001 - Mary Lou Finan - 16 Broad Street

The property in question is located on the west side of Broad Street, approximately 110 feet north of Main St. This location is within the Borough's Business Zone B-1. The 59' x 184' lot currently contains an existing 2-story structure and accessory garage. The applicant proposes to demolish portions of the existing building, and make additions to the existing building to create 2 apartments on the second floor with retail space to remain on the first floor. The site plans also call for the creation of 8 off-street parking spaces where none currently exist. The existing and proposed uses are conforming for the zone; however the following existing and proposed structures are not conforming.

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

Mary Lou Finan, Charles Gilligan and John Amelchanko were all sworn in by Mr. Cramer.

Charles Gilligan, Engineer, testified he was retained by the applicant. He testified there is a garage in the rear and the main structure in front. There are some portions of that main structure that are going to be taken off, they are actually going to be making it more regular in shape. They can meet the requirement of the 1 parking space. The second floor there are

2 two bedroom apartments and on the first floor there are 2 retail stores. The number of parking spaces required are 9 which we can provide. There is approximately 10 ft. on the parking side entrance. There will be a 36 inch perforated pipe that will drain into an underground retention basin. They are proposing 2 lights on the northern side of the property and 1 on the southerly side to light the parking area. They will be 14 ft. high with a house shield on the side, high pressure sodium. They will have a fence along the north side of the property. Mr. Gilligan's Board "Design Grading Plan" was marked as Exhibit A-1.

Mr. Amelchanko a registered Architect in the State of N. J. and has appeared before this Board. He testified he drew the plans for this property. He testified the building is an older 1900 building, farm house look to it. Photos were marked exhibit A-2, A-3 and A-4. He testified they are planning to remove the Garage on the north side and also a second floor porch on the rear of the building that will also be removed. First floor plan will be 2 retail spaces, one approx. 1,000 sq. ft. and one approx. 700 sq ft. Each have entry's off Broad St. as well as entry's off the parking area to the rear. On the parking lot side is a stairwell that will lead the tenants up to the second floor units. Unit 1 is 800 sq. ft. and the new unit on the north side is 950 sq.ft. Each have 2 bedrooms, a single bath, individual kitchen facilities, laundry facilities and a large living room dining room area. He testified the rear of the building has been squared off, we have an indentation covered entry recessed into that space that provides rear entrances to the 2 retail units. The front porch is an extension.

Mrs. Finan testified she couldn't give an answer to the question is the owner going to live upstairs. She said it would be a financial situation, but some time she might live up there. She testified, she has no plans of renting to a food facility.

Motion to open the meeting to the public was made by J.Burke, seconded by J.Muly and unanimously carried.

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

A motion by W.Schmeling to approve with the ammendments by Mr. Gilligan, seconded by T.Carroll, followed by the following vote: "YES" - J.Muly, P.Dunne, D.Place, C.Triggiano, Councilman Schmeling, T.Carroll, J.Tischio, J.Burke, G.Twadell, J. Coakley.

A motion was made for a 10 minute recess seconded and unanimously carried.

Board Returned from recess at 10:20 P.M.

APPLICATION - 25-2001 - John Zampino - 125 Beachfront

The property in question is located on the beachfront approximately 171 feet north of the Riddle Way access ramp. This location is within the Boro's Residential Zone R-4. The lot is a 27'x149' lot currently containing a 3-story concrete and frame dwelling. The applicant seeks to construct a third story addition to the existing single-family home. Existing and proposed uses are conforming for the zone; however the existing and proposed structure and the existing lot are not conforming for the zone.

Keith Henderson put himself on record as Attorney representing the applicant. John Zampino and Christopher Rice were sworn in by Mr. Crmer.

Mr. Zampino testified he is the owner of the property and has been for 17 years. The property is for personal use only year round. The rear of the property is used for parking only. There is only one living unit on the property. At present the roof is contemporary style, and it runs at 45° angle north to south, with the lower end at the north of the property. A photo was marked as Exhibit A-1. Mr. Zampino testified he has extensive problems with the roof. When there is heavy rain or north easter, he has extensive water damage on the upper level on the ceiling and the walls. He has replaced flashing, roof shingles twice, gutters and the wall board inside. It is a problem that cannot be cured without rebuilding.

Christopher Rice, retained as Architect by the applicant came forward. He testified it is a two story house, with a roof that is problematic. They are taking the roof off and putting a new gable roof on, 12 on 12 pitch, 45° roof. By doing that we will have 2 rooms and a bath up on the 1/2 story. The building height is a little less than 35'. There is a dormer for the bath and a dormer for the stairs, one on the south and one on the north. There will be a shed roof on the dormers. There will be new siding, windows if needed. The house is already on pilings and they do not need CAFRA.

Mr. Zampino stated the house was built in 1980 and has always had the concrete in the rear, and there is parking for 9 cars. Mr. Zampino testified he has 2 kitchens but it is only 1 unit and has no intentions of changing anything. There is only 1 water and sewer.

There was a complaint on the stair dormer on the north, but Mr. Rice stated he can reduce the width of the dormer from 13½ to probably closer to 8'. He stated he can reduce the stair and pull it in.

A motion by J. Burke to open to the public seconded by C. Triggiano

seems to me that 3 members of Council can change my neighborhood, and it's now a night club, we do not need another. She was told by the Mayor that no one complained, she is sorry she didn't complain. She does not like the sign Happy Hour, and now there are 11 signs. We don't need a honky tonk hotel around the corner.

Mr. Place said the Mayor and Council made all the decisions on O'Neill's.

Mr. Cramer stated she should address her questions to the Zoning Officer, Mr. Furey or the Code Enforcement Officer, if you feel there are violations of existing ordinances. This Board only exists to act upon applications it receives from property owners who want to do some development on their property. It also exists to review matters that are referred to from time to time by the Mayor and Council. He doesn't think any members of this Board should respond to any questions on this subject.

Marilyn Jacobson stated she believes her issue with the Use Variance was because it's a non-conforming property and that is why it was brought to your attention.

Mr. Cramer stated to Mrs. Jacobson it's not been brought before this Board for it's attention. As I said to you before, the only matters that can come before this Board are applications presented by property owners, or it has to be referred to this Board by Mayor and Council for it's review. Those are the only situations that this Board is going to act on. He stated he will send Mrs. Jacobson a copy of his letter.

A move by J.Burke to close the public portion seconded by C.Triggiano, was unanimously carried.

C. Triggiano made reference to the letter from Paul Syzmanski. He believe that we should send him the balance of his contract which is \$8.00, and go to Mayor & Council for money to pay the balance of the \$110.00 bill which is still open.

A motion by J.Burke to adjourn, seconded and unanimously carried at 11:40 P.M.

Respectfully submitted,

Marie Applegate, Secretary  
Manasquan Planning Board

was unanimously carried.

Robert Magnabosco, 133 Beachfront, stated he lives 4 houses south of the Zampinos, has known them for approximately 16 years, and he knows they can't keep water out of that house when the wind blows 100 miles an hour with that roof. The application will be a benefit to the neighborhood and it should be approved as submitted.

Motion to close the public portion was made by W.Schmeling, seconded by P.Dunne and unanimously carried.

A motion by T.Carroll to approve this application as presented with the modification on the Dormer width from 13½ to 8', pull it in and the gable roof, seconded by J.Burke, followed by the following vote: "YES" J.Muly, P.Dunne, C.Triggiano, T.Carroll, J.Tischio, J.Burke, J.Coakley. "NO" -D.Place, G.Twadell, Councilman Schmeling.

Motion to approve the minutes of May 22, 2001 was made by P.Dunne, seconded by T.Carroll with a deletion on page 4, paragraph 2, by Mr. Place, "who did not base his decision on Mr.O'Neill's financial situation, it should have been on the density", and was unanimously carried..

RESOLUTION - 18-2001 - Howard & Linda McKeon -113 Main St.  
Motion to approve this resolution was made by J.Burke, seconded by C.Triggiano, followed by the following vote: "YES" J.Muly, P.Dunne, C.Triggiano, T.Carroll, J.Tischio, J.Burke.

RESOLUTION - 19-2001 - Linda Werdann - 25 Ocean Avenue  
Motion to memorialize was made by J.Muly, seconded by C.Triggiano, followed by the following vote: "YES" J.Muly P.Dunne, C.Triggiano T.Carroll, J.Tischio, J. Burke.

RESOLUTION - 21-2001 - Jeffrey Michals - 297 Euclid Avenue  
Motion to approve was made by C.Triggiano, seconded by J.Tischio, followed by the following vote: "YES" J.Muly, P.Dunne, C.Triggiano, T.Carroll, J.Tischio, J.Burke.

A motion to approve the vouchers was made seconded and unanimously carried.

Mr. Triggiano questioned the petition received on O'Neill's.

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

Susan Bitton, 428 Euclid Ave. stated she lives around the corner from O'Neill's, she has been here for 50 years. She is concerned about the expansion of a 2 piece band to a 4 piece band, the zone use of the porch, being allowed to build a patio and it

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

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

COLLEEN SCIMECA  
Municipal Clerk

JOHN L. WINTERSTELLA  
Mayor

PLANNING BOARD

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the May 22, 2001 meeting. Please consider the following Agenda for the July 10 2001, Regular Meeting at 6:30 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N.J..

MANASQUAN PLANNING BOARD AGENDA  
July 10, 2001 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

6:30 P.M. - WORK SESSION

1. For Discussion - Master Plan Review
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 23-2001 - Mario Gentile - 65 Ocean Avenue

APPLICATION - 24-2001 - Sean Coffey - 18 First Avenue

APPLICATION - 29-2001 - Mary Lou Finan - 16 Broad Street

APPLICATION - 25-2001 - John Zampino - 125 Beachfront

RESOLUTION - 18-2001 - Howard & Linda McKeon - 113 Main St.

RESOLUTION - 19-2001 - Linda Werdann - 25 Ocean Avenue

RESOLUTION - 21-2001 - Jeffrey Michals - 297 Euclid Avenue

4. MOTION ON MINUTES
5. APPROVAL OF VOUCHERS
6. COMMENTS FROM INDIVIDUAL BOARD MEMBERS
7. REPORTS OF SUBCOMMITTEES OF BOARD
8. 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 May 22, 2001 meeting. Please consider the following Agenda for the July 10 2001, Regular Meeting at 6:30 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N.J..

MANASQUAN PLANNING BOARD AGENDA  
July 10, 2001 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

6:30 P.M. - WORK SESSION

1. For Discussion - Master Plan Review
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 23-2001 - Mario Gentile - 65 Ocean Avenue

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COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD

AUGUST 14, 2001 - REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on August 14, 2001 at 6:30 P.M. in Manasquan Borough Hall, 15 Taylor Avenue Manasquan, N. J..

Vice Chairman John Burke opened the meeting at 6:30 p.m. stating this is a special meeting for the next 55 minutes, reviewing questions by Mr. Szymanski relating to reexamination of the Master Plan. On July 10th we went through 1/2 and tonight we will do the other half.

- MP - 12 Yes
- MP - 13 Yes
- MP - 14 Yes
- MP - 15 Yes
- MP - 16 Yes - Not our job
- MP - 17 Yes - " " "
- MP - 18 Yes
- MP - 19 Yes
- MP - 20 Yes
- MP - 21 Yes For discussion
- MP - 22 Yes Tischio questioned - For Discussion
- MP - 23 For Discussion
- MP - 24 Yes
- MP - 25 For Discussion
- MP - 26 For Discussion
- MP - 27 Yes
- MP - 28 Yes
- MP - 29 Recommend to eliminate Motels and Hotel as Cond. Uses
- MP- 30 Triggiano no hwy. commercial, in Squan, changed to B-2 zone - he opposes.
- MP - 31 Yes
- MP - 32 Discuss Notify Sherman's and other properties.
- MP - 33 Yes
- MP - 34 Yes
- MP - 35 Yes - Shut out.

OTHER COMMENTS

1. Reflect Boro Hall relocation. Done
2. Something about an acquisition on Atlantic Avenue. Done
3. Check to see other places where zone lines and property lines differ. ( Done )
4. Can't have a moratorium on development. ( ? )

OTHER ISSUES RAISED

1. Schafer Grove - acquire & preserve, develop as residential, a committee already involved, recreation center, senior housing. (Discussion item)
2. Senior housing needs - why was Stewart proposal shot down? along Taylor Ave, what is needed, is there a demand?. etc. ( More Discussion )

3. Redevelopment of Boro Hall site - offices, senior housing, tear down and start again, what are options? (Done)
4. Housing rehab-encourage, encourage when historic (architecturally property involved, permit total demolition and rebuild - Happening anyway, county program. (Discuss)
5. Recreation facility - needed, out of hands, yes - but concerned re: costs.
6. School expansions - planning decisions impact schools, costs, sending district impacts. (out of our hands)
7. Architectural compatibility needed - new to existing.
8. Height issue at beach - light and air. (On our list)

Mr. Burke stated the initial plan was to go through all of these and decide which one's we wanted to discuss - we have done that - we now have a list of probably 10 questions that we want to discuss, plus a couple of other major one's, where do we go from here? Do we need a special meeting to complete?

The Board decided to put the two together and decide if a special meeting is required, which they will do at the end of tonight's meeting.

Mr. Place arrived at 7:20 P.M.

#### REGULAR SESSION

Chairman David Place opened the meeting at 7:30 p.m. stating this is an open Public Meeting, held in accordance with the Open Public Meetings Act and held according to law.

ROLL CALL - PRESENT - J.Muly, P.Dunn, D.Place, C.Triggiano,  
N.Hamilton, T.Carroll, J.Tischio,  
J.Burke, G.Twadell, J.Coakley,  
K.Thompson.  
ABSENT - Councilman Schmeling, Mayor John  
Winterstella, K.Monaco.

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

Keith Henderson, Esq. came forward representing Flanders L.L.C Case # 23-200, also Robert Richardi came forward who is the principal of the development.

Mr. Henderson stated they are here in regards to an erroneous flood zone certifications, which we had received from our project Engineer. That necessitated that we do the garage level to have break away walls instead of concrete walls and reconfigure and design the pilings. A committee was put together and we met

with them. During the course of that meeting a second problem arose, which was a problem, which Mr. Henderson said he didn't think anyone thought about it, and that was that they had 3 sand dunes on the front of the property between the Boardwalk and the buildings. Those sand dunes were required by CAFRA, they encroached on Boro property, the Council took offense at that because they didn't want sand dunes on their property, they wanted flat property. As part of our revision with CAFRA, they also redesigned the dune, pulled them back entirely on our property. The project hasn't been changed in any shape or form and the aesthetics haven't changed, it was only field change.

Mr. Riccardi had renderings to show there is no change. They are building a full planter on the First Ave side in front of the buildings so that it buffers that first level, and it also shows the driveway on First Ave. instead of Main St. Mr. Henderson stated there is no dimensional change in any of the buildings.

Mr. Riccardi testified they are building the same 18 inch wall that you can sit on along the street and we are bring the planter up to a 6 ft. wall to the back, so we are buffering the look of the first level, and it appears more of a 2 story building. We will have a walkway behind the wall so that, if the break way wall blow out they can be serviced, repaired. The 3 dunes come up to about 18 ft. on our property that slopes down to the building, a slight retaining wall 3 ft. away from the building. From the beach walk to the property line will be flat.

APPLICATION - 27-2001 - Nadine Yanger, 225 Stockton Lake Blvd. Nadie Yanger appeared before the Board and asked to have a postponement until the next meeting, as she did not notice in time. The Board granted her the request and she will have to renote in the paper. A motion by N. Hamilton to carry the matter to the next meeting, seconded by T. Carroll, was unanimously carried.

APPLICATION - 30-2001 - Bruce Sandberg - 167 Beachfront  
The property in question is located between First Ave and the beachfront, north of E. Main St. and south of Riddle Way beach access. This location is within the Boro's Residential Zone (R-4). The parcel is a 28 ft. x 156 ft. lot, currently containing a 1-story frame dwelling (beachfront) and a 1½ story frame dwelling (First Ave). The applicant wishes to sub-divide the lot into 2 non-conforming lots, demolish the existing beachfront structure, and construct a new single-family residential dwelling on the beachfront. The existing lot,

existing use, and existing and proposed structures are non-conforming for the zone; however the proposed use is conforming for the zone.

Keith Henderson, put himself on record as Attorney representing the applicant. Bruce Sandberg and Christopher Rice were sworn in a witnesses.

Bruce Sandberg testified he is the owner of this property, and ha been for 2 years. There are 2 living units on this property. He testified there are 3 parking spaces in the garage on First Ave. and 2 spaces encroaching on Boro property in front of garage. He purchased the property from Mary Ciccolella and Jack English, reside on the property next to this. He testified he saw the letter they have written to the Board regarding no independent access other than through their property at 165 Beachfront and 166 First Ave. He testified there is a shared walkway between the houses on the north side to the beachfront. On the south side is a cinder block wall approximately 5 feet high.

Mr. Henderson checked and there is no easement, it's just one of those things that's been there for ever. Mary Ciccolella was noticed and did send a letter objecting to any sub-division, but was not present to object. Mr. Henderson stated that access issue is an issue irrespectable if this application is granted, and they will produce testimony to say that in fact that issue is going to be improved upon. He stated he would say it is an applied issue and he doesn't think any court would make it disappear.

Christopher Rice, Architect, came forward and described the property. He testified they are going to tear the beachfront house down and improve both side yard setbacks with the new house. Building and lot coverage will both be improved. According to his plans, anything in red is where they are decreasing. They are asking for a variance on the dormers. They are doing option B, dormers on both the north and south, for stairs and light that face the south. Height envelope they are o.k. which will be  $31\frac{1}{2}'$ . He testified they are not asking for dormers on the West side. The front unit will be assigned 2 spaces in the garage and the rear unit one. Utilities will be separate. The shower which is encroaching on the neighbors property will be removed, which will make pedestrian access to and from the beach on the First Ave property. The property on the south is approximately 3 to  $3\frac{1}{2}$  ft. away and on the north is 3.4ft. away.

There was a question on why the windows on the right side elevation were small 2'x2'square. The reason they are so small

and don't match the others, Mr. Rice stated because he likes them. He testified they are limited to the unprotected openings they can have, which is 5% of that wall. We are restricted to have certain sizes, and we choose to put the bigger windows in the more important rooms. House will be on pilings. A question as to what was going to be on the 3rd. floor. Mr. Rice stated to his knowledge they didn't have any plans for that. Board member wanted to know, why then the dormers. Mr. Rice replied for air and light. They prefer not to put sky lites in as they leak and they don't provide for light and air.

Mr. Sandberg testified it wasn't planned to be a bedroom but it was planned for a rec room.

Mr. Henderson stated on the 1.7 ft. would do an easement and on the other side an easement for utilities and an easement in the garage for parking. N. Hamilton said the property was subdivided in 1984 by Chicant Corp. and there was no easement proposed. Most properties were part of the American Timber sub-division, and on all of those properties they had crafted easements addressing that issue. This happens to be a property which was not part of that as it was in common ownership.

Mr. Rice stated the ceiling heights are 9' on first floor, 8' on the second and on the 1/2 story 7'. The roof is a steep pitched roof. A lot of the concrete on the beachfront property is coming out also in the rear. Gate on First Ave. will be taken down, gate on beachfront is shared and what ever is on applicants property will be taken down.

Mr. Rice asked the Board for a front yard setback on this application. Instead of having a 15 ft. front yard set back, they would like a 6' or 8 ft. to give more light between the buildings, and help reduce the coverages. The steps will have the first riser at 6 ft.

N. Hamilton couldn't support the dormers on both sides of the structure, especially the south side. Burke also would like to see that dormer removed.

Mr. Henderson stated they will file the sub-division by deed, and will have the plat revised and submitted to Mr. Hilla for approval.

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

Noel Hood, 161 Beachfront, stated "this property has been a problem since he purchased his own property in 1984. This house

APPLICATION - 28-2001 - Brian O'Toole - 333 Beachfront-334 First Ave and fronts on the beach walk right of way. This location is within the Boro's Residential Zone Four (R-4). The parcel is a 31 ft. x 140 ft. lot, currently containing a 1-story frame dwelling (beachfront) and a 2 story frame dwelling with a garage under (First Ave). The applicant proposes to construct first, second and third floor additions to the existing beachfront structure, and does not propose any improvements for the First Ave structure. The existing and proposed uses and structures are not conforming for the zone.

Keith Henderson put himself on record as Attorney for the application. Brian O'Toole the owner and Christopher Rice the Architect were sworn in by Mr. Cramer.

Mr. O'Toole testified he has owned the property for 2 years. There are 2 buildings on the property and 2 living units. He testified there are 2 garages with parking for 2 behind and 2 in the garages and 2 on the side - parking for 6 cars. He testified he is proposing renovations and expansion of the beachfront property. When finished there will only be 2 living units.

Mr. Rice testified this application is quite unusual. They are just adding a 2nd story and a half above that existing story. The first floor is staying as is. One dormer only on the south side, a gable dormer that nestles into the roof with one small window in it. The dormer is almost inside the envelope, it's almost not a variance. They are adding 2 bedrooms and a bath upstairs on the 2nd floor, the 1/2 story will be one open room. The stair is existing in the house and it's kind of in the middle of the house and they are going to stack on top of that so there will be no dormer for the stair. Use variances are 2 structures on one lot and 2 dwelling units. He testified they are bringing the house up to code. 2nd story will have full egress windows in bedrooms. The house will be much safer.

Alan Hilla stated there is another use variance, and that is an expansion of a non-conforming use. He stated there are only 2 parking spaces in the garage and the 2 on the side are encroaching the neighbors property. The Board could put in the resolution that the code construction office is fully aware that what is approved here is solely the structure and they have the full FEMA review. Mr. Henderson said that has been done and has no problem with that being put in the resolution.

Mr. Rice stated they would be willing to change the dormer to

a shed dormer, they would get more glass, it would be less imposing, and now we would be within the envelope by reducing from a 12-14 to a 10, which is allowed. The height of the house is 33'.

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

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

Mr Sandburg testified they didn't do a sub-division, as he has no plans of ever selling.

A motion by J. Burke to approve the Use Variance on this application, seconded by C.Triggiano, followed by the following vote: "YES"- J.Muly, P.Dunne, D.Place, C.Triggiano, N.Hamilton J.Tischio and J.Burke.

T.Carroll made a motion to accept the application as presented, changing the dormer to a shed dormer, seconded by J.Burke followed by the following vote: "YES" J.Muly, P.Dunne, D.Place, C.Triggiano, N.Hamilton, T.Carroll, J.Tischio, J.Burke, G.Twadell.

Request for a special meeting by Tom McMenaman primarily because of a summer rental situation. They have 3 small children and will need to move out of their house during renovations. If they have to wait until November to go before the Board it will not be done by May 1st. The rentals go up and they won't be able to do it. The Board gave him the date of our next regular meeting on September 11, 2001.

Christopher Rice was asked to come to the next Board Meeting September 11, 2001 at 7:00 p.m. to explain Option A & B.

RESOLUTION - Mario Gentile - 65 Ocean Avenue  
The resolution was read by Mr. Cramer. A motion to memorialize was made by J.Muly, seconded by John Burke, followed by the following vote: "YES"- J. Muly, C. Triggiano, Councilman Schmeling, J. Tischio, J. Burke.

RESOLUTION - 24-2001 Sean Coffey - 18 First Avenue  
Motion to memorialize was made by C.Triggiano seconded by J. Burke, followed by the following vote: "YES"- J.Muly, P.Dunne, D. Place, C.Triggiano, T.Carroll, J.Tichio, J.Burke, G.Twaddell J.Coakley.

RESOLUTION - 29-2001 - Mary Lou Finan - 16 Broad Street  
Motion to memorialize was made by C.Triggiano, seconded by  
J.Muly, followed by the following vote: "YES" J.Muly, P. Dunne,  
D.Place, C.Triggiano, T.Carroll, J. Tischio, J.Burke, G.Twadell,  
J.Coakley.

RESOLUTION 25-2001 -John Zampino - 125 Beachfront.  
Motion to approve was made by J.Burke, seconded by C.Triggiano,  
followed by the following vote: "YES" J.Muly, P.  
Dunne,C.Triggiano, T.Carroll, J.Tischio, J.Burke.

RESOLUTION - 40A-2001 - Brian Luther - Extension of time.  
Motion to approve was made by J.Burke, seconded by C.Triggiano  
followed by the following vote: "YES"J.Muly, P.Dunne, D.Place,  
C.Triggiano, N.Hamilton, T.Carroll, J.Tischio, J.Burke, G.Twadell

Motion to approve the minutes of July 10,2001 and July 12, 2001  
was made by J.Burke, seconded by P.Dunne and unanimously carried.

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

Request from Andrew Waring for an extension of the variance  
approved by Resolution 27-2000, was unanimously denied by the  
Board as it is past the 9 months.

A special meeting with respect to the Master Plan Review was  
set for September 18, 2001 at 7:00 P.M. with a 3 hours time  
limit until 10:00 P.M..

Chris Rice will come in at 7:00 p.m. at the meeting of September  
11, 2001.

There being no more business a motion was made to adjourn,  
seconded and unanimously carried.

Respectfully submitted,

*Marie Applegate*

Marie Applegate. Secretary  
Manasquan Planning Board

RESOLUTION VOTE

23-2001 Mario Gentile

J.Muly  
C.Triggiano  
J.Tischio  
J.Burke  
G.Twadell

No - Dunne & Place

24-2001 - Sean Coffey

J. Muly  
P. Dunne  
D. Place  
C. Triggiano  
T. Carroll  
J. Tischio  
J. Burke  
G. Twadell  
J. Coakley

29-2001 - Mary Lou Finan

J.Muly  
P.Dunne  
D.Place  
C.Triggiano  
W.Schmeling  
T.Carroll  
J.Tischio  
J.Burke  
G.Twadell  
J.Coakley

25-2001 - J.Zampino

J.Muly  
P.Dunne  
C.Triggiano  
T.Carroll  
J.Tischio  
J.Burke  
J.Coakley

No - Place-Twadell  
Schmeling

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COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the August 14, 2001 meeting. Please consider the following Agenda for the September 11, 2001, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N.J..

MANASQUAN PLANNING BOARD AGENDA  
SEPTEMBER 11, 2001 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

6:30 P.M. - WORK SESSION

1. For Discussion - Christopher Rice
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 27-2001 - Nadine Yanger - 225 Stockton Lake Blvd.

APPLICATION - 20-2001 - James Morrissey - 19 James Place

APPLICATION - 26-2001 - Kevin & Linda Sage - 14 Lockwood Ave.

APPLICATION - 31-2001 - Tom McMenaman - 48 Morris Avenue

APPLICATION - 29-2001 - Patricia Maldjian - 57 Virginia Avenue

APPLICATION - 33-2001 - Scott & Eileen Loftus - 34 Newark Ave.

RESOLUTION - 28-2001 - Brian O'Toole - 333 Beachfront, 334 First

RESOLUTION - 30-2001 - Bruce Sandberg - 167 Beachfront

4. MOTION ON MINUTES
5. APPROVAL OF VOUCHERS
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Municipal Clerk

**MANASQUAN PLANNING BOARD  
MEETING MINUTES – SEPTEMBER 18, 2001  
WORK SESSION AND REGULAR MEETING**

The Manasquan Planning Board held its work session and regular meeting in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, NJ on September 18, 2001.

**WORK SESSION**

Acting Chairman John Burke called the work session to order at 7 p.m. Mr. Burke recognized Christopher Rice, architect. Mr. Rice offered a presentation on beachfront design criteria.

Referring to three models and assorted graphics, Mr. Rice discussed with the board such issues as Beachfront/First Avenue building heights, setbacks, dormer and roof styles, aesthetics and improvements in the area. Possible changes in zoning criteria were discussed to deal with the issues presented.

Mr. Burke then recognized Donald L. Sherman, Jr., president of W.F. Sherman and Son, Inc., and his representatives. It was noted Mr. Sherman had been invited to address the board regarding his property at 84 Broad Street; the board has discussed rezoning this property from Industrial to Office use as part of the Master Plan reexamination process. Mr. Sherman has indicated he wishes to keep the zoning the same. Mr. Burke emphasized that the change in zoning could not affect his use of the property but would affect any future owners. After discussion, Mr. Burke indicated that the matter would be further discussed at the next special Master Plan meeting, with a date to be announced. Mr. Burke affirmed that Mr. Sherman would be notified of any proposal discussed at that meeting.

## REGULAR SESSION

Acting Chairman Burke called the regular meeting of the Manasquan Planning Board to order at 7:35 p.m. He noted that this meeting had been originally scheduled as a special meeting to discuss the Master Plan but would now be used to hear cases adjourned from the cancelled September 11, 2001 meeting. The meeting, he noted, had been published according to law and was being held in accordance with the Open Public Meeting Act.

ROLL CALL: PRESENT: *John Muly, Patricia Dunne, Carmen Triggiano, Neil Hamilton, Councilman William Schmeling, Thomas Carroll, John Tischio, John Burke, Gordon Twadell, and Kevin Thompson.*

ABSENT: *Mayor John Winterstella, James Coakley and Kevin Monaco. DAVID PLACE*

(NOTE: Councilman Schmeling noted he would need to leave early)

Also in attendance were Board Attorney Geoffrey S. Cramer, Board Engineer/Planner Alan Hilla, Jr. and Acting Secretary Sharon Bogie.

Mr. Burke asked all in attendance to observe a moment of silence for those killed and missing in the terrorist attacks of September 11, 2001. He then led the Board and attendees in the Salute to the Flag.

APPLICATION 27-2001 – NADINE YANGER – 225 STOCKTON LAKE BOULEVARD – Mr. Burke recognized the applicant and Mr. Cramer swore Ms. Yanger in to offer testimony regarding the application, which requested relief for installation of 715 square foot rear deck and hot tub. The application had been denied by Zoning Officer Richard Furey under Section 107-27 (sideyard setback – 5 feet required, 1.8 feet existing and proposed), Section 107-35 (Ordinance 1825-00 – swimming pools – sideyard setback – 10 feet required, six feet existing and proposed) and Section 107-35.1 (Non-conforming buildings C, D – proposed deck, hot tub are in violation of the required side yard setbacks for the R-1 Zone. The applicant seeks a Hardship Variance and the property is in the R-1 Zone.

It was noted that the case had been adjourned from the August 14, 2001 regular meeting due to noticing issues.

After Mrs. Yanger has given background on the request, Mr. Burke questioned her regarding just how close the deck would be to the side lot line, citing

differences between the survey, which shows 3.3 feet, and Mr. Furey's denial, which cites 1.8 feet. Discrepancies between the existing and proposed depictions were discussed, with comments on the fact the deck does jut further out than the house, thus taking it closer to the lot line. Ms. Yanger stated she felt this would not infringe on her neighbor's property. Mr. Burke in turn stated he had concerns that the portion jutting out raises the issue of expanding a non-conformity.

Options to the proposed location and design criteria were discussed by the applicant, board members, Mr. Hilla (who addressed some of the issues covered in his report as submitted to the Board) and Mr. Cramer. Among the issues discussed were the moving of the tub and roof structure, with Mrs. Dunne commenting on the roof design, as well as possible elimination of the protruding section and placement and size of the subject hot tub. Questions were also raised regarding types of materials to be used and construction specifications. There was also discussion moving to place a restriction in the resolution that would prohibit an enclosure over the open lattice work.

A motion was made by Mr. Tischio, seconded by Mr. Triggiano and unanimously carried to open the meeting to public comment. There being no public comment a motion was made by Mr. Hamilton, seconded by Mr. Tischio and unanimously carried to close the public hearing.

After the comments from the Board members, Mr. Burke suggested to the applicant that she may wish to request an adjournment until the November 13, 2001 meeting so she can consult with her contractor regarding options for the work and just what it would take to address some of the concerns, i.e. the elimination of the protruding section. He also set forth her other options, i.e. an immediate vote or withdrawal of the application. Ms. Yanger requested the adjournment, which the Board granted.

APPLICATION 20-2001 – ROBERT MORRISSEY – 19 JAMES PLACE – Mr. Burke recognized the applicant and Mr. Cramer swore in Mr. Morrissey to offer testimony on the application, which requested relief for the removal of an existing driveway apron and curb cut and installation of a 20' wide driveway apron and curb cut. The application had been denied by Mr. Furey under Section 107-23.3, Ordinance 1776-98 (maximum permitted curb cut shall not exceed 12 feet in all residential zones, except that a 20' curb cut is permitted if the premises has a two car garage. This premises only has a single car garage). A hardship variance was requested. The property is zoned R-2.

Mr. Morrissey discussed the background of the request. Upon questioning by Mr. Burke, Mr. Morrissey testified that the front curb cut as existing was 20' (later

he would testify it is actually 24') and that it was originally 16-17' in size. The Board and applicant also discussed such issues as the size of the garage door and other design criteria. Further questioning also noted the existence of a rear curb cut on McGreevey Drive that had not been depicted on the materials previously submitted to the Board. The applicant offered further materials (photographs and drawings) regarding the width of the existing and proposed openings and driveway at the meeting. It was noted, however, by Mr. Hilla that some of these depictions would be interpreted in different ways. Mr. Hilla also touched upon planning and engineering issues, including the parking situation on the property.

Mr. Hamilton was called upon in his capacity as Code Enforcement Officer to relate activity regarding the case. Mr. Hamilton made reference to a letter dated April 9, 2001 to Ethel Morrissey, the applicant's mother. This correspondence noted the Code Enforcement Department had received reports that work (removal of asphalt driveway and concrete curbing) was being done without a permit. Mr. Hamilton consulted with Mr. Furey, who confirmed that Mr. Morrissey had a permit to do this work but that the construction of the 20' curb cut was not permitted under Borough Ordinance 107-23.3 (now Section 35-7.7 of the Code of the Borough of Manasquan). In cases of a single car garage, the ordinance allows only a 12' curb cut. Mr. Hamilton advised Mr. Morrissey at that time to immediately contact Mr. Furey regarding the situation. A letter was also prepared by Mr. Furey on the same date advising Mr. Morrissey to reduce the curb cut size to the permitted 12'. Both gentlemen gave Mr. Morrissey until April 11, 2001 to rectify the situation or submit an application to the Planning Board for relief, with a summons to be issued for non-compliance.

It was also noted in the record that Mr. Morrissey had corresponded with Borough Attorney Kenneth Fitzsimmons and Borough Administrator John Trengrove on the matter, attempting to appeal to the governing body. It was determined jurisdiction was with the Planning Board in form of variance relief.

Concerns were once again voiced about the width of the curb cut rather than the driveway, with Mr. Burke noting the need to focus on what is "listed" as a 23 1/2' curb cut ("let's just look at what we have to look at right now") and affirming for the applicant that the Board was "not concerned" with the width of the driveway. Mr. Hilla cited definitions of curb cuts and depressions under Borough zoning.

A motion was made, second and carried to open comments to the public.

Clement Bramley, 15 James Place, was concerned that Mr. Morrissey had been told to stop work on the project but had continued without necessary permits. He felt Mr. Morrissey should feel the consequences of his actions.

John McKenzie, 30 N. Main Street, spoke in favor of the application. He stated he felt the opposition was not in reference to the merits of the case but rather in response to "what people thought he would get away with."

James Girard, 43 McGreevey Drive, noted that when he had installed a retaining wall he followed every instruction given to him by the Code Enforcement and Construction Department and he had a problem with Mr. Morrissey not doing the same. He also later commented enforcement of the code must be consistent, that either you go by the code or not.

Michael Parziale, Beachfront, discussed the reason for curb cut size criteria and how it is really an off-street versus on-site parking issue. The reason for the ordinance, he stated, is what should be looked at and felt that moving of the parking in front of the house could help the neighborhood.

Susan Horne, 7 James Place, felt that the code is in place to benefit of all residents.

Robert Hoffman, 12 S. Farragut Avenue, noted that the curb cut has gotten Mr. Morrissey's truck off the road and also commented on the limitations of a short driveway.

George McLaughlin, 10 James Place, stated that the site was once able to accommodate a full size vehicle but now it can not.

Jacqueline Lyons, 40 McGreevey Drive, gave some history of the property, stating that the back curb cut was established at the time when it was still not known whether the house would face McGreevey Drive or James Place. She also expressed concerns about the application.

William Walsh, 14 James Place, spoke in support of the application. He stated the only thing Mr. Morrissey did wrong was violate the code, that he had spent money on fencing and pavers to improve his property. He stated that Mr. Morrissey was only trying to comply with the neighbors' request to keep the truck off the street (he also, it was noted, has a car) and that "it takes two to make a battle."

Sheila Hoffman, 12 S. Farragut Avenue, stated that it seemed to her the objections were not with the curb cut itself but that Mr. Morrissey was going to get away with something they did not get away with.

There being no further comments, Mr. Triggiano moved to close the public commentary; motion seconded and unanimously carried.

The Board discussed the application, with each member being asked for their opinions.

Questions were once again raised on the present size of the curb cuts (front and back) as opposed to the original sizes. Mr. Muly questioned whether the McGreevey Drive curb cut was originally an approximate length of 17' such as the James Place cut. Mr. Burke and Mr. Cramer said it was reasonable to make that assumption since both curb cuts were built at the same time; Mr. Morrissey did not verbally confirm this assumption for the record.

After varied discussion regarding the Board's possible actions regarding the size of the curb cut, Mr. Burke suggested allowing the 20' wide curb cut and elimination of the back curb cut.

The Board discussed the curb cut ordinance and its purpose in preserving on-street parking. It was noted there would be an exchange in this case if the rear curb cut was to be eliminated.

After further discussion Mr. Morrissey was given his options, i.e. amending his application or withdrawing it. Mr. Morrissey elected to amend his application to request the 20' curb cut and eliminate the rear curb cut.

Mr. Triggiano moved to have a favorable resolution reflecting the 20' curb cut and elimination of the rear curb cut. Motion seconded by Mr. Tischio and carried by the following vote:

*YES: Board Members Muly, Dunne, Triggiano, Tischio and Burke.*

*NO: Board Members Carroll, Twadell and Thompson.*

*ABSTAIN: Board Member Hamilton.*

A motion was made, second and unanimously carried to conduct a 15 minute recess at 9:13 p.m. At 9:28 p.m. Mr. Burke called the meeting back to order and asked for a post-recess roll call:

ROLL CALL: *PRESENT: John Muly, Patricia Dunne, Carmen Triggiano, Neil Hamilton, Thomas Carroll, John Tischio, John Burke, Gordon Twadell and Kevin Thompson*

*ABSENT: Mayor John Winterstella, Councilman William Schmeling James Coakley and Kevin Monaco*

APPLICATION 26-2001 – KEVIN AND LINDA SAGE – 14 LOCKWOOD AVENUE – Mr. Burke recognized the applicants and Mr. Cramer swore in Mr. and Mrs. Sage to offer testimony on the application. The applicants requested relief for the following: demolition of an existing rear porch/ utility room, removal of two sets of steps on the south side of the building, removal of approximately 290 square feet of asphalt driveway and construction of a 25' x 18' single story rear addition.

The application had been denied by Mr. Furey under Section 107 -27 regarding lot frontage (40' required, 36' existing), front yard setback (25' required, 11.5' existing), north side yard setback (5' required, 2.5' existing and 2.5' proposed), building coverage (35 percent permitted, 30.8 percent existing and 39.4 percent proposed) and lot coverage (50 percent permitted, 69.7 percent existing and 69.7 percent proposed). A Hardship Variance was requested. The property is zoned R-3.

After background testimony from the applicants and discussion regarding, among other issues, the existing porch, lot coverage and footprint of the structure (i.e., location of steps), Mr. Hilla commented on the project. Addressing the need for a parking variance, he stated that under current code off-street parking must be provided on the same parcel of property on which the house is located. The issue arises with the existence of a common driveway easement with the abutting property to the south of the Sage property.

A motion was made, seconded and unanimously carried to open the hearing to public comment. There being no public comment, a motion was made, seconded and unanimously carried to close the public comment.

Mr. Hamilton moved for a favorable resolution with the addition of the discussed variance for parking. Motion seconded and carried by the following vote:

YES: *Board Members Muly, Dunne, Triggiano, Hamilton, Carroll, Tischio, Burke, Twadell and Thompson*

NO: *None*

APPLICATION 31-2001 – TOM AND TIFFANY MCMENAMAN – 48 MORRIS AVENUE - Mr. Burke recognized the applicant and Mr. Cramer swore in Mr. and Mrs. McMenaman to offer testimony on the application, which requested relief for the construction of a two story rear addition and interior alterations.

The application had been denied by Mr. Furey under Section 107-27 of the Code of the Borough of Manasquan regarding west side yard setback (5' required, 4'

existing and proposed), front yard setback (25' required, 20' existing) and accessory building side yard setback (5' required, 3.75' existing). A Hardship Variance was requested. The property is zoned R-2.

The applicants, board members and Mr. Hilla discussed the project and addressed the submitted plans to compare the existing structure to the proposed building.

A motion was made, seconded and unanimously carried to open the hearing to public comment. There being no public comment, a motion was made, seconded and unanimously carried to close the public comment.

Mr. Hamilton moved for a favorable resolution. Motion seconded and carried by the following vote:

YES: *Board Members Muly, Dunne, Triggiano, Hamilton, Carroll, Tischio, Burke, Twadell and Thompson*

NO: *None*

APPLICATION 29-2001 – PATRICIA AND PETER MALDJIAN – 57 VIRGINIA AVENUE – Mr. Burke recognized the applicants and Mr. Cramer swore in Mr. and Mrs. Maldjian to offer testimony on the application, which requested relief for the construction of an 8' x 30' covered front porch.

The application had been denied by Mr. Furey under Section 107-27 of the Code of the Borough of Manasquan regarding south front yard setback (25' required, 23.2' existing and 13.0' proposed). A Hardship Variance was requested. The property is zoned R-2.

The applicants, board members and Mr. Hilla discussed the project. Mr. Hilla noted the issue of the size of the detached garage; under zoning up to 600 square feet is permitted but, Mr. Hilla noted in his memo, it appeared the existing garage is 750 square feet.

A motion was made, seconded and unanimously carried to open the hearing to public comment. There being no public comment, a motion was made, seconded and unanimously carried to close the public comment.

Mr. Hamilton moved for a favorable resolution. Motion seconded and carried by the following vote:

YES: *Board Members Muly, Dunne, Triggiano, Hamilton, Carroll, Tischio, Burke, Twadell and Thompson*

NO: *None*

APPLICATION 33-2001 – SCOTT AND EILEEN LOFTUS – 34 NEWARK AVENUE – Mr. Burke recognized the applicants and Mr. Cramer swore in Mr. Morrissey to offer testimony on the application, which requested relief for the construction of a 12' x 16' covered rear porch and a 10' x 12' rear deck.

The application had been denied by Mr. Furey under Section 35-9.4 (formerly 107-27) of the Zoning Code of the Borough of Manasquan regarding building coverage ( 30 percent maximum permitted, 31.6 percent proposed). A Hardship Variance was requested. The property is zoned R-2.

The applicants, board members and Mr. Hilla discussed the project. It was noted that a pool mentioned in Mr. Hilla's memo and depicted on the submitted survey has been removed.

A motion was made, seconded and unanimously carried to open the hearing to public comment. There being no public comment, a motion was made, seconded and unanimously carried to close the public comment.

Mr. Hamilton moved for a favorable resolution. Motion seconded and carried by the following vote:

YES: *Board Members Muly, Dunne, Triggiano, Hamilton, Carroll, Tischio, Burke, Twadell and Thompson*

NO: *None*

RESOLUTION 28-2001 – BRIAN O'TOOLE – 333 BEACHFRONT/334 FIRST AVENUE – The favorable resolution was noted by Mr. Cramer. A motion was made by Mr. Tischio to approve the resolution; motion seconded and carried by the following vote:

YES: *Board Members Muly, Dunne, Triggiano, Hamilton, Carroll, Tischio, Burke, Twadell and Thompson*

NO: *None*

RESOLUTION 28-2001 – BRUCE SANDBERG – 167 BEACHFRONT – The favorable resolution was noted for the record by Mr. Cramer. The Board members discussed changes they felt were needed in wording on page seven regarding the utility and access easements between the Sandberg property and neighboring Ciccolella property. Mr. Cramer noted the changes and affirmed he would forward a revised page to the Board Secretary reflecting the alterations. A motion was made and seconded to approve the resolution with the noted changes. Motion carried by the following vote:

YES: *Board Members Muly, Dunne, Triggiano, Carroll, Tischio and Burke.*

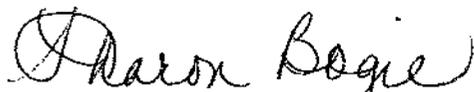
NO: *None*

OLD/NEW BUSINESS – The Planning Board discussed rescheduling of the special Master Plan meeting. The secretary was directed to check into availability of the Council Chambers in October and have a list of possible dates for the Board to act on at the regular October 2, 2001 meeting. In addition, Mr. Schmeling, Mrs. Dunne, Mr. Hamilton and Mr. Twadell were named to a subcommittee which would meet with Christopher Rice and continue discussion on some of the issues he touched upon during his presentation. The Board Secretary was directed to schedule this meeting amongst the subcommittee members and Mr. Rice prior to the October 2, 2001 regular Planning Board meeting.

A motion was made, seconded and unanimously carried to pay bills as submitted to Mr. Burke by the Board Secretary.

There being no further business, a motion was made, seconded and unanimously carried to adjourn the meeting at 11:02 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

COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the August 14, 2001 meeting. Please consider the following Agenda for the September 11, 2001, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N.J..

MANASQUAN PLANNING BOARD AGENDA  
SEPTEMBER 11, 2001 - REGULAR MEETING

Sunshine Law Announcement - Chairman

ROLL CALL

6:30 P.M. - WORK SESSION

1. For Discussion - Christopher Rice
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 27-2001 - Nadine Yanger - 225 Stockton Lake Blvd.

APPLICATION - 20-2001 - James Morrissey - 19 James Place

APPLICATION - 26-2001 - Kevin & Linda Sage - 14 Lockwood Ave.

APPLICATION - 31-2001 - Tom McMenaman - 48 Morris Avenue

APPLICATION - 29-2001 - Patricia Maldjian - 57 Virginia Avenue

APPLICATION - 33-2001 - Scott & Eileen Loftus - 34 Newark Ave.

RESOLUTION - 28-2001 - Brian O'Toole - 333 Beachfront, 334 First

RESOLUTION - 30-2001 - Bruce Sandberg - 167 Beachfront

4. MOTION ON MINUTES
5. APPROVAL OF VOUCHERS
6. COMMENTS FROM INDIVIDUAL BOARD MEMBERS
7. REPORTS OF SUBCOMMITTEES OF BOARD
8. AUDIENCE PARTICIPATION

BOROUGH HALL  
15 TAYLOR AVENUE  
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JOHN L. WINTERSTELLA  
Mayor

Incorporated December 30, 1887

BOROUGH OF MANASQUAN  
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COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD

AUGUST 14, 2001 - REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on August 14, 2001 at 6:30 P.M. in Manasquan Borough Hall, 15 Taylor Avenue Manasquan, N. J..

Vice Chairman John Burke opened the meeting at 6:30 p.m. stating this is a special meeting for the next 55 minutes, reviewing questions by Mr. Szymanski relating to reexamination of the Master Plan. On July 10th we went through 1/2 and tonight we will do the other half.

- MP - 12 Yes
- MP - 13 Yes
- MP - 14 Yes
- MP - 15 Yes
- MP - 16 Yes - Not our job
- MP - 17 Yes - " " "
- MP - 18 Yes
- MP - 19 Yes
- MP - 20 Yes
- MP - 21 Yes For discussion
- MP - 22 Yes Tischio questioned - For Discussion
- MP - 23 For Discussion
- MP - 24 Yes
- MP - 25 For Discussion
- MP - 26 For Discussion
- MP - 27 Yes
- MP - 28 Yes
- MP - 29 Recommend to eliminate Motels and Hotel as Cond. Uses
- MP- 30 Triggiano no hwy. commercial, in Squan, changed to B-2 zone - he opposes.
- MP - 31 Yes
- MP - 32 Discuss Notify Sherman's and other properties.
- MP - 33 Yes
- MP - 34 Yes
- MP - 35 Yes - Shut out.

OTHER COMMENTS

1. Reflect Boro Hall relocation. Done
2. Something about an acquisition on Atlantic Avenue. Done
3. Check to see other places where zone lines and property lines differ. ( Done )
4. Can't have a moratorium on development. ( ? )

OTHER ISSUES RAISED

1. Schafer Grove - acquire & preserve, develop as residential, a committee already involved, recreation center, senior housing. (Discussion item)
2. Senior housing needs - why was Stewart proposal shot down? along Taylor Ave, what is needed, is there a demand?. etc. ( More Discussion )

3. Redevelopment of Boro Hall site - offices, senior housing, tear down and start again, what are options? (Done)
4. Housing rehab-encourage, encourage when historic (architecturally property involved, permit total demolition and rebuild - Happening anyway, county program. (Discuss)
5. Recreation facility - needed, out of hands, yes - but concerned re: costs.
6. School expansions - planning decisions impact schools, costs, sending district impacts. (out of our hands)
7. Architectural compatibility needed - new to existing.
8. Height issue at beach - light and air. (On our list)

Mr. Burke stated the initial plan was to go through all of these and decide which one's we wanted to discuss - we have done that - we now have a list of probably 10 questions that we want to discuss, plus a couple of other major one's, where do we go from here? Do we need a special meeting to complete?

The Board decided to put the two together and decide if a special meeting is required, which they will do at the end of tonight's meeting.

Mr. Place arrived at 7:20 P.M.

#### REGULAR SESSION

Chairman David Place opened the meeting at 7:30 p.m. stating this is an open Public Meeting, held in accordance with the Open Public Meetings Act and held according to law.

ROLL CALL - PRESENT - J.Muly, P.Dunn, D.Place, C.Triggiano,  
N.Hamilton, T.Carroll, J.Tischio,  
J.Burke, G.Twadell, J.Coakley,  
K.Thompson.  
ABSENT - Councilman Schmeling, Mayor John  
Winterstella, K.Monaco.

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

Keith Henderson, Esq. came forward representing Flanders L.L.C Case # 23-200, also Robert Richardi came forward who is the principal of the development.

Mr. Henderson stated they are here in regards to an erroneous flood zone certifications, which we had received from our project Engineer. That necessitated that we do the garage level to have break away walls instead of concrete walls and reconfigure and design the pilings. A committee was put together and we met

with them. During the course of that meeting a second problem arose, which was a problem, which Mr. Henderson said he didn't think anyone thought about it, and that was that they had 3 sand dunes on the front of the property between the Boardwalk and the buildings. Those sand dunes were required by CAFRA, they encroached on Boro property, the Council took offense at that because they didn't want sand dunes on their property, they wanted flat property. As part of our revision with CAFRA, they also redesigned the dune, pulled them back entirely on our property. The project hasn't been changed in any shape or form and the aesthetics haven't changed, it was only field change.

Mr. Riccardi had renderings to show there is no change. They are building a full planter on the First Ave side in front of the buildings so that it buffers that first level, and it also shows the driveway on First Ave. instead of Main St. Mr. Henderson stated there is no dimensional change in any of the buildings.

Mr. Riccardi testified they are building the same 18 inch wall that you can sit on along the street and we are bring the planter up to a 6 ft. wall to the back, so we are buffering the look of the first level, and it appears more of a 2 story building. We will have a walkway behind the wall so that, if the break way wall blow out they can be serviced, repaired. The 3 dunes come up to about 18 ft. on our property that slopes down to the building, a slight retaining wall 3 ft. away from the building. From the beach walk to the property line will be flat.

APPLICATION - 27-2001 - Nadine Yanger, 225 Stockton Lake Blvd. Nadie Yanger appeared before the Board and asked to have a postponement until the next meeting, as she did not notice in time. The Board granted her the request and she will have to renote in the paper.

A motion by N. Hamilton to carry the matter to the next meeting, seconded by T.Carroll, was unanimously carried.

APPLICATION - 30-2001 - Bruce Sandberg - 167 Beachfront  
The property in question is located between First Ave and the beachfront, north of E. Main St. and south of Riddle Way beach access. This location is within the Boro's Residential Zone (R-4). The parcel is a 28 ft. x 156 ft. lot, currently containing a 1-story frame dwelling (beachfront) and a 1½ story frame dwelling (First Ave). The applicant wishes to sub-divide the lot into 2 non-conforming lots, demolish the existing beachfront structure, and construct a new single-family residential dwelling on the beachfront. The existing lot,

existing use, and existing and proposed structures are non-conforming for the zone; however the proposed use is conforming for the zone.

Keith Henderson, put himself on record as Attorney representing the applicant. Bruce Sandberg and Christopher Rice were sworn in a witnesses.

Bruce Sandberg testified he is the owner of this property, and ha been for 2 years. There are 2 living units on this property. He testified there are 3 parking spaces in the garage on First Ave. and 2 spaces encroaching on Boro property in front of garage. He purchased the property from Mary Ciccolella and Jack English, reside on the property next to this. He testified he saw the letter they have written to the Board regarding no independent access other than through their property at 165 Beachfront and 166 First Ave. He testified there is a shared walkway between the houses on the north side to the beachfront. On the south side is a cinder block wall approximately 5 feet high.

Mr. Henderson checked and there is no easement, it's just one of those things that's been there for ever. Mary Ciccolella was noticed and did send a letter objecting to any sub-division, but was not present to object. Mr. Henderson stated that access issue is an issue irrespectable if this application is granted, and they will produce testimony to say that in fact that issue is going to be improved upon. He stated he would say it is an applied issue and he doesn't think any court would make it disappear.

Christopher Rice, Architect, came forward and described the property. He testified they are going to tear the beachfront house down and improve both side yard setbacks with the new house. Building and lot coverage will both be improved. According to his plans, anything in red is where they are decreasing. They are asking for a variance on the dormers. They are doing option B, dormers on both the north and south, for stairs and light that face the south. Height envelope they are o.k. which will be  $31\frac{1}{2}'$ . He testified they are not asking for dormers on the West side. The front unit will be assigned 2 spaces in the garage and the rear unit one. Utilities will be separate. The shower which is encroaching on the neighbors property will be removed, which will make pedestrian access to and from the beach on the First Ave property. The property on the south is approximately 3 to  $3\frac{1}{2}$  ft. away and on the north is 3.4ft. away.

There was a question on why the windows on the right side elevation were small 2'x2'square. The reason they are so small

and don't match the others, Mr. Rice stated because he likes them. He testified they are limited to the unprotected openings they can have, which is 5% of that wall. We are restricted to have certain sizes, and we choose to put the bigger windows in the more important rooms. House will be on pilings.

A question as to what was going to be on the 3rd. floor. Mr. Rice stated to his knowledge they didn't have any plans for that. Board member wanted to know, why then the dormers. Mr Rice replied for air and light. They prefer not to put sky lites in as they leak and they don't provide for light and air.

Mr. Sandberg testified it wasn't planned to be a bedroom but it was planned for a rec room.

Mr. Henderson stated on the 1.7 ft. would do an easement and on the other side an easement for utilities and an easement in the garage for parking. N. Hamilton said the property was subdivided in 1984 by Chicant Corp. and there was no easement proposed. Most properties were part of the American Timber sub-division, and on all of those properties they had crafted easements addressing that issue. This happens to be a property which was not part of that as it was in common ownership.

Mr Rice stated the ceiling heights are 9' on first floor, 8' on the second and on the 1/2 story 7'. The roof is a steep pitched roof. A lot of the concrete on the beachfront property is coming out also in the rear. Gate on First Ave. will be taken down, gate on beachfront is shared and what ever is on applicants property will be taken down.

Mr. Rice asked the Board for a front yard setback on this application. Instead of having a 15 ft. front yard set back, they would like a 6' or 8 ft. to give more light between the buildings, and help reduce the coverages. The steps will have the first riser at 6 ft.

N. Hamilton couldn't support the dormers on both sides of the structure, especially the south side. Burke also would like to see that dormer removed.

Mr. Henderson stated they will file the sub-division by deed, and will have the plat revised and submitted to Mr. Hilla for approval.

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

Noel Hood, 161 Beachfront, stated "this property has been a problem since he purchased his own property in 1984. This house

is one of the original beach houses, no foundation, wooden skirt, cedar posts, it's 4 or 5 floors 2x10 on the flat. It's the worst house on the block and he is happy to see this application. In the early 1990's Chicant came in to sub-divide this property, there were 4 buildings, which Mr. Sandburg now has 2. He stated the steps are in bad shape, the chimney should come out and there would be less of a problem with the easement going through there."

A motion to close the public portion by N.Hamilton seconded by C. Triggiano, and unanimously carried.

Mr. Henderson stated they cannot do the steps, as a majority of the steps are on the neighbors property and until they get back from vacation, they will not be able to talk to them to see what their view is on it.

The chimney will fall under the same conversation the applicant will have with them and if they are adamant about moving the chimney, we can't work an easement out, we may have to work out an easement. Mr. Henderson stated we only came in for a subdivision and we were only touching the beachfront property.

The major issues are the dormers and the front yard set back, C.Triggiano - no problem with dormers, moving house up front is reasonable, reducing the size of the building an asset, he would be in favor the the application.

J.Burke - dormers both sides moving the house forward, and the first step at 6'.

N.Hamilton o.k. with everything, J. Coakley ok. with everything.

J.Tischio ok with everything. G.Twadell would like to see the ceiling height drop. He also agrees with J.Burke on the dormer. P.Dunne would prefer the dormers on one side or the other, leave it up to Chris on what side that would be, she would like to see some of the concrete removed, remove the gate.

J.Carroll, no problem with dormer. J.Muly no problem with the dormer, no problem with set back, but would like to see some of the concrete removed.

D. Place agrees with Neil and J.Burke regarding the setback, the only dormer he would like to see if the one for the stair only.

Mr. Rice stated they will keep the dormer for the stairs on the north side, and reduce the south side to one if any.

A motion to approve this application with the stipulation made by Mr. Rice of dormer on north side, one on south side, and front yard setback going to 6' at first landing, was made by J.Burke, seconded by P.Dunne followed by the following vote:

"YES" - J. Muly, P. Dunne, C.Triggiano, T.Carroll, Tischio, J.Burke. "NO" - D.Place, N.Hamilton, G.Twadell.

APPLICATION - 28-2001 - Brian O'Toole - 333 Beachfront-334 First  
The property in question is located on the east side of First Ave and fronts on the beach walk right of way. this location is within the Boro's Residential Zone Four (R-4). The parcel is a 31 ft. x 140 ft. lot, currently containing a 1-story frame dwelling (beachfront) and a 2 story frame dwelling with a garage under (First Ave). The applicant proposes to construct first, second and third floor additions to the existing beachfront structure, and does not propose any improvements for the First Ave structure, The existing and proposed uses and structures are not conforming for the zone.

Keith Henderson put himself on record as Attorney for the application.

Brian O'Toole the owner and Christopher Rice the Architect were sworn in by Mr. Cramer.

Mr. O'Toole testified he has owned the property for 2 years. There are 2 buildings on the property and 2 living units. He testified there are 2 garages with parking for 2 behind and 2 in the garages and 2 on the side - parking for 6 cars. He testified he is proposing renovations and expansion of the beachfront property. When finished there will only be 2 living units.

Mr. Rice testified this application is quite unusual. They are just adding a 2nd story and a half above that existing story. The first floor is staying as is. One dormer only on the south side, a gable dormer that nestles into the roof with one small window in it, The dormer is almost inside the envelope, it's almost not a variance. They are adding 2 bedrooms and a bath upstairs on the 2nd floor, the 1/2 story will be one open room, The stair is existing in the house and it's kind of in the middle of the house and they are going to stack on top of that so there will be no dormer for the stair. Use variances are 2 structures on one lot and 2 dwelling units. He testified they are bringing the house up to code. 2nd story will have full egress windows in bedrooms. The house will be much safer.

Alan Hilla stated there is another use variance, and that is an expansion of a non-conforming use. He stated there are only 2 parking spaces in the garage and the 2 on the side are encroaching the neighbors property. The Board could put in the resolution that the code construction office is fully aware that what is approved here is solely the structure and they have the full FEMA review. Mr. Henderson said that has been done and has no problem with that being put in the resolution.

Mr. Rice stated they would be willing to change the dormer to

a shed dormer, they would get more glass, it would be less imposing, and now we would be within the envelope by reducing from a 12-14 to a 10, which is allowed. The height of the house is 33'.

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

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

Mr Sandburg testified they didn't do a sub-division, as he has no plans of ever selling.

A motion by J. Burke to approve the Use Variance on this application, seconded by C.Triggiano, followed by the following vote: "YES"- J.Muly, P.Dunne, D.Place, C.Triggiano, N.Hamilton J.Tischio and J.Burke.

T.Carroll made a motion to accept the application as presented, changing the dormer to a shed dormer, seconded by J.Burke followed by the following vote: "YES" J.Muly, P.Dunne, D.Place, C.Triggiano, N.Hamilton, T.Carroll, J.Tischio, J.Burke, G.Twadell.

Request for a special meeting by Tom McMenaman primarily because of a summer rental situation. They have 3 small children and will need to move out of their house during renovations. If they have to wait until November to go before the Board it will not be done by May 1st. The rentals go up and they won't be able to do it. The Board gave him the date of our next regular meeting on September 11, 2001.

Christopher Rice was asked to come to the next Board Meeting September 11, 2001 at 7:00 p.m. to explain Option A & B.

RESOLUTION - Mario Gentile - 65 Ocean Avenue

The resolution was read by Mr. Cramer. A motion to memorialize was made by J.Muly, seconded by John Burke, followed by the following vote: "YES"- J. Muly, C. Triggiano, Councilman Schmeling, J. Tischio, J. Burke.

RESOLUTION - 24-2001 Sean Coffey - 18 First Avenue

Motion to memorialize was made by C.Triggiano seconded by J. Burke, followed by the following vote: "YES"- J.Muly, P.Dunne, D. Place, C.Triggiano, T.Carroll, J.Tichio, J.Burke, G.Twaddell J.Coakley.

RESOLUTION - 29-2001 - Mary Lou Finan - 16 Broad Street  
Motion to memorialize was made by C.Triggiano, seconded by  
J.Muly, followed by the following vote: "YES" J.Muly, P. Dunne,  
D.Place, C.Triggiano, T.Carroll, J. Tischio, J.Burke, G.Twadell,  
J.Coakley.

RESOLUTION 25-2001 -John Zampino - 125 Beachfront.  
Motion to approve was made by J.Burke, seconded by C.Triggiano,  
followed by the following vote: "YES" J.Muly, P.  
Dunne,C.Triggiano, T.Carroll, J.Tischio, J.Burke.

RESOLUTION - 40A-2001 - Brian Luther - Extension of time.  
Motion to approve was made by J.Burke, seconded by C.Triggiano  
followed by the following vote: "YES"J.Muly, P.Dunne, D.Place,  
C.Triggiano, N.Hamilton, T.Carroll, J.Tischio, J.Burke, G.Twadell

Motion to approve the minutes of July 10,2001 and July 12, 2001  
was made by J.Burke, seconded by P.Dunne and unanimously carried.

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

Request from Andrew Waring for an extension of the variance  
approved by Resolution 27-2000, was unanimously denied by the  
Board as it is past the 9 months.

A special meeting with respect to the Master Plan Review was  
set for September 18, 2001 at 7:00 P.M. with a 3 hours time  
limit until 10:00 P.M..

Chris Rice will come in at 7:00 p.m. at the meeting of September  
11, 2001.

There being no more business a motion was made to adjourn,  
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

COLLEEN SCIMECA  
Municipal Clerk

**PLANNING BOARD**

Dear Manasquan Board Members:

Enclosed please find a copy of the minutes from the September 18, 2001 meeting. Please consider the following Agenda for the October 2, 2001, Regular Meeting at 7:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N.J..

**MANASQUAN PLANNING BOARD AGENDA  
OCTOBER 2, 2001 - REGULAR MEETING**

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion -
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 38-2001 - Dr. Richard & Sharon Borgatti  
54 First Ave. & 57 Beachfront

APPLICATION - 36-2001 - Cable & Wireless USA Inc.-  
79-81-83 Beachfront -138 Ocean Ave.

APPLICATION - 32-2001 - Michael Budzek -518 Perrine Blvd.

RESOLUTION - 20-2001 -Robert Morrissey - 19 James Place<sup>e</sup>

RESOLUTION - 26-2001 -Kevin & Linda Sage - 14 Lockwood Ave

RESOLUTION - 31-2001 -Tom McMenaman - 48 Morris Avenue

RESOLUTION - 29-2001 -Patricia Maldjian - 57 Virginia Avenue

RESOLUTION - 33-2001 -Scott & Eileen Loftus - 34 Newark Ave.

RESOLUTION - 50-A-2000 - Ronald Dana - 293 Beachfront  
Extension of Time.

RESOLUTION - 45-A-2000 -Jeffrey C.Woszczak-Block 171.Lot4-6.01  
Extension of Time

4. MOTION ON MINUTES
5. APPROVAL OF VOUCHERS
6. COMMENTS FROM INDIVIDUAL BOARD MEMBERS
7. REPORTS OF SUBCOMMITTEES OF BOARD
8. AUDIENCE PARTICIPATION

BOROUGH HALL  
15 TAYLOR AVENUE  
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**BOROUGH OF MANASQUAN**  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

**PLANNING BOARD**  
MANASQUAN PLANNING BOARD  
MEETING MINUTES - OCTOBER 2, 2001

JOHN L. WINTERSTELLA  
Mayor

The Manasquan Planning Board held it's work session and regular meeting in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan N.J. on October 2, 2001.

7:00 P.M. WORK SESSION

Acting Chairman John Burke called the work session to order stating the Board will have to go into closed session for about 15 minutes to discuss some legal matters.

ROLL CALL: PRESENT: J.Muly, P.Dunne, C.Triggiano, N.Hamilton,  
J.Tischio, J.Burke, G.Twadell, J.Coakley,  
K.Monaco.  
ABSENT: D.Place, Councilman Schmeling, T.Carroll,  
Mayor J.Winterstella, K.Thompson.

Chairman David Place arrived at 7:05 p.m.

Board returned from closed session at 7:30 p.m.

7:30 P.M. REGULAR MEETING

Chairman David Place called the regular meeting to order at 7:35 p.m.,

ROLL CALL: PRESENT: J.Muly, P.Dunne, D.Place, C.Triggiano,  
N.Hamilton, Councilman W. Schmeling  
J.Tischio, J.Burke, G.Twadell, J.Coakley,  
J.Monaco, K.Thompson.  
ABSENT: Mayor J.Winterstella, T.Carroll.

Mr. Place asked all to join in the Salute to the Flag.

APPLICATION 38-2001 - Dr. Richard & Sharon Borgatti-54 First Avenue & 57 Beachfront.

Keith Henderson, put himself on record as Attorney for the applicant, stating the applicant has written a letter to the Board asking that this matter be carried. The purpose of that request was the discovery of the ordinance which puts a nine month termination date on validity of variances and my client will not be able to start in the fall, as the variances would have expired before he could get started. We're asking to be carried until November until we understand how the Board is going to handle these matters, and we ask that we do not have to renotece.

A unanimous vote by the Board that the applicant will not have to renotece. The Board gave Mr. Henderson the December 4, 2001 date to return with this application.

APPLICATION - 36-2001 - Cable & Wireless USA Inc.  
79-81-83 Beachfront - 138 Ocean Ave.

The property in question is located east of First Avenue, immediately north of the Ocean Ave. ramp. This property is commonly known as the Mueller Sea Watch property. This location is within the Boro's Business Zone B-1. The parcel is 200 feet wide by an average 478 feet deep, containing a 2 story restaurant, three 1-story frame dwellings and assorted parking surfaces. The Applicant (which is not the owner) proposes to construct underground Telecommunication Cable within a 5-foot easement from the oceanfront to First Ave., including 2 grounding beds and a beach manhole. All improvements to be constructed are below ground with the only manifestation of the work upon completion being the surface location of manholes and other access points.

Councilman W.Schmeling excused himself from this application.

Thomas J. O'Connor, Esq. put himself on record as Attorney representing the applicant.

Mr. O'Connor stated the applicant has an agreement for an easement on the property known as the Sea Watch Restaurant corner of Ocean and First Ave., to run an underground telecommunications cable beneath that property. It is an application for a site-plan review in connection with those improvements.

John Shannon, Project Engineer, and a Civil Engineer for 25 years, was sworn in by Mr. Cramer. He testified the landing site will be Sea Watch Restaurant property. He testified a horizontal drilling machine is brought on the property and they drill out towards the ocean. The machine sets up not far from the building itself and drills at a 10 degree angle until the drill is about 40 ft. deep at which point it will level off and drill horizontally out into the ocean about 1400 feet. At that point, that pipe will stay in place, and it forms the casing for the cable that goes through. The machine starts the second hole, drills that adjacent to the first pipe out to a point where they split, (called a fan point) where the second one is split off the side a distance of about 100 -120 feet from the first one. Once those pipes are in place as the cable gets laid across the Atlantic, when they get to this point they unravel additional cable and it is pulled back through the steel conduit to a mantel location near First Avenue. The mantel will have cables going across the ocean and also cables from First Ave. continuing to the terminal building site in Wall Township.

He stated they are also planning 2 Ocean grounding beds which are essentially grounding the trans-atlantic cable, these will be built in the beach area, and are built by drilling a vertical

hole about 30 feet deep and putting antrose down in those holes and wires are run from those grounding beds back to a common point and back along the bore to the mantel itself. The constuction will be about 6 weeks long to install the horizontal bore and the grounding beds and the cable laying operation is scheduled for about April. It is essential that we begin these bores as soon as we can. This project is all underground and when done the service will be restored, the parking lot area will be restored and the only thing visable will be a man hole lid. He testified there is no radiation from this. We are only approving the aspect of the Sea Watch property, the Council would be approving the off site route.

Mr. O'Connor stated there is an agreement with the Boro, for the route to run the conduit and will provide for an annual payment to the Boro for the ability to run the lines through the right of way and also an agreement that the various streets that the conduit is run will be repaved.

Mr O'Connor stated they have an application pending before the DEP now for the installation of the grounding bed on the beach, as we do for the cable installation across the beach.

James Higgins, Licensed Professional Planner in N. J. for about 22 years was sworn in by Mr. Cramer. He testified this property is in a B-1 zone, with a restaurant and apartment, also 3 single family residence on it, which makes it an existing non-conforming situation in terms of both the uses which residences are prmitted and the number of principal buildings on the site. In his opinion a Use Variance is not required, as it is not the construction of another building on the site, it is all underground and has no impact on the uses of the property.

Mr. Hilla stated he doesn't think this is considered a principal structure, so the use issue goes away. The other issue is whether it's an expansion of a non-conforming use, the site is not conforming as it is, the applicant is proposing a permitted use within that zone, super imposing it on that site and he feels it is an expansion of a non-conforming use.

Mr. Higgins testified, the site is particularly suited for the proposed use, it is a trans-atlantic cable and has to cross the beach some where to reach land fall and get to the distribution system on land under the streets. The negative criteria, there's no visual impact, there's no impact on the surrounding properties and because of the size of the site and the location through the site, this site could be developed in the future. He testified the width of the easement is 5 ft..

Mr. Cramer stated if the zoning changed for this property and

it was no longer a permitted use, it would be characterized as a lawful non-conforming use and would have to come back to this Board.

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

There being no comments from the public, Mr. Burke moved the public hearing be closed, seconded by N.Hamilton and unanimously carried.

Mr. Burke made a motion that they grant the expansion of the non-conforming use and that the other use is not required, seconded by P. Dunne, followed by the following vote: "YES" J.Muly, P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Tischio, J.Burke.

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

There being no comments, motion to close was made by J.Burke, seconded by C.Triggiano and was unanimously carried.

A motion to approve the bulk variances was made by P.Dunne, seconded by N. Hamilton followed by the following vote: "YES" J.Muly, P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, G.Twadell, J.Coakley.

A motion to approve the site plan as presented by the applicant was made by J.Burke, seconded by C.Triggiano, followed by the following vote: "YES" J.Muly, P.Dunne, D.Place, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, G.Twadell, J.Coakley.

APPLICATION 32-2001 - Michael Budzek - 518 Perrine Blvd.

The property in question is located on the northwest corner of Perrine Blvd. and Euclid Ave.. This location is within the Boro's Zone 2 (R-2). The parcel is 100 ft. in width, with depths varying from 50 ft. to 71 ft.. The lot currently contains a 1-story frame structure that contains 2 dwelling units. The applicant proposes to demolish the existing 2-family residence and construct a new single-family residence. The proposed use is conforming for the zone; however the existing use and the existing and proposed structures are non-conforming for the zone. Application denied for Front Yard -25' required, 8'10" proposed. Building Coverage - 35% maximum allowable, 36.8% proposed.

Michael Melillo, Michael Budzek and Dorothy Budzek were sworn in by Mr. Cramer.

Michael Melillo, Architect with Barlo Associates, testified he

has been an architect for 13 years. He read a short letter from Paul Barlo who was unable to attend tonight. In addressing Mr. Hilla's report submitted, new drawings which were marked Exhibit A-1.

Mr. Hilla stated the condensers protrude into the 5 ft. set back which would necessitate a variance for those items. The other issue which differs with the opinion of the zoning officer and the denial that was set forth for this application. The zoning officer established Euclid Ave. as the frontage for this property. Euclid Ave. is the minor street, Perrine Blvd. is the through street. By the convention adopted by this Board and the Construction Office, rightfully Perrine Blvd. should be the frontage, where you would apply the main front set-back for a corner.

Mr. Ratz, Building Construction Officer goes by the short side of the lot as the front and has been adopted by the Board. Mr. Hilla stated he was mistaken on that, as he thought the through street was considered the frontage, that was what his letter predicated on.

Mrs. Budzek stated her address is 518 Perrine Ave. and she will have a door on that side.

Mr. Hilla stated the front set back quoted in Mr. Furey's denial is correct. The building coverage hasn't changed. The additional set back on the front is o.k.. Mr. Hilla stated the side yard corner (secondary front) is 15 ft. required, 8.97' proposed. Building coverage 37% max. allowable, 36.8% proposed. Testimony for the side yard air conditioners 5' could be arranged so that variance would disappear. Those are the only two bulk variances to be discussed. The height issue that was in his review is not an issue. The 8.97' is to the second floor porch. 3494 ft. includes all spaces including the porches and finished attic. The first two floors are 2747 ft.

Mrs. Budzek testified they have a handicap mother with them and that is why they need a first floor bedroom and she said they really can't cut down any more. The planter is at grade 24" high. Mr. Burke stated then they will need a variance as it is attached to the house.

Mr. Schmeling stated that we have a zoning officer and if we're not happy with his interpretation, he thinks we should address it at some other date, if we don't like the planter, then say move the planter, but not that they need variance at this point to tell them they need a variance.

Mrs. Budzek testified it was her opinion that it would just be sitting on the deck to put some plantings for privacy, but it's not that important, we can eliminate it if that be the case, but Mr. Barlo definitely would not have gone in the 5' set back requirement.

Mr. Melillo testified it is 6 feet from the front step to the front door.

In answer to Mr. Tischio's question about pulling it back, Mrs. Budzek said we are pulling it back 34' off Euclid as to the 25' required. It is a lot wider at one part than the other. To get the width of the house we had to do it that way. It's going to provide more openness on that particular lot than what we have there right now.

Mr. Hilla stated this application calls for a retaining wall along the perimeter of the property along the frontage on Euclid Avenue and Perrine Blvd.. A grading plan is not shown, but it is important to require one. This wall will keep her front and side yard from flooding. The wall will be 30 inches tall. The drive will be graded up.

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

Bob Grunder, 416 Perrine Blvd., stated he believes the application should be approved by the Board. If your familiar with the area, you know you need a retaining wall. Last night he couldn't get out of his house and his house is quite high. From looking at the plans it is aesthetically nice and the house is big but it is replacing a two family older house. They want to make this their prime residence and it is an asset to the town and the neighborhood.

There being no more comments, motion to close by W.Schmeling seconded by J.Burke and unanimously carried.

Motion by W.Schmeling to approve this application subject to removal of the planter, also removal of the air conditioning units so it does not intrude into the 5' set back area, also repair sidewalks on Euclid Avenue, seconded by P.Dunne, followed by the following vote: "YES" J.Muly, P.Dunne, D.Place, C.Triggiano, N.Hamilton, Councilman Schmeling, J.Tischio, J.Burke G.Twadell, J.Coakley.

J.Burke made motion for a 5 minute recess, seconded by J.Muly, and unanimously carried at 9:30 P.M.

Board returned from recess at 9:40 P.M. motion by J.Coakley, seconded by J. Burke and unanimously carried.

RESOLUTION -20-2001 - Robert Morrissey - 19 James Place.

Mr. Cramer stated the only people eligible to vote on this resolution are the people who voted affirmatively for the grant of the variance at the September 18, 2001 meeting, and they are J.Muly, P.Dunne, Carmen Triggiano, J.Tischio, J.Burke

"Mr. Burke stated before he votes on this resolution, he was advised by Mr. Cramer that I have to put on record exactly how

I feel about this. He stated he voted on this resolution taking into account testimony given by the applicant, and that testimony given was that the original driveway was 16 to 18 feet wide and that the driveway on McGreevey is the same size as the original driveway. Since my vote on this I have found out by listening to the tapes, that the applicant did state that the driveway on McGreevey was the same as the original and that the driveway was 16 to 18 feet. I looked at that driveway, Mr. Hamilton in his capacity with the Boro went down and measured it and it is only 12 feet. If I had been given the true testimony, I probably would not have voted the way I did, so I subsequently vote No."

"Mr. Muly also feels the testimony given was not accurate, and because of that I vote no also".

"P.Dunne, voted the same way with Mr. Burke based on the testimony, I also assumed we were picking up a parking place by closing up the concrete curbing and I would like to change my vote to No, but Council advised that by voting no will not change once we voted on this resolution, so I vote Yes".

"Mr. Triggiano just received a survey dated 1973 when Michael Stoia owned the property and he doesn't think that was good evidence to present, because they could have made changes to the property between that year and I'm not sure the truth came out either, but based on the testimony I will have to vote YES".

"Mr. Tischio stated knowing the whole truth was not said is very disturbing, taking peoples word for what they are saying, puts a different reflection on my faith. I have to go by what the testimony was that night, If I'm in error believing someone than I'm in error. I have to vote Yes based on the testimony given then and the person that's involved cannot comment on the new data that is coming in, so I vote YES".

The final vote on this resolution was "YES" - P.Dunne, C. Triggiano and J.Tischio. "NO" - J.Muly and J.Burke.

RESOLUTION - 26-2001 - Kevin & Linda Sage - 14 Lockwood Ave.  
A motion to memorialize was made and seconded followed by the following vote:

"YES" J.Muly, P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, G.Twadell, K. Thompson.

RESOLUTION - 31-2001 - Tom McMenaman - 48 Morris Avenue  
Motion to memorialize was made seconded, followed by the following vote:

"YES" - J.Muly, P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, G.Twadell, K.Thompson.

RESOLUTION - 29-2001 - Patricia Maldjian - 57 Virginia Avenue.  
Motion to memorialize was made, seconded, followed by the

following vote:

"YES" - J.Muly, P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, G.Twadell, K. Thompson.

RESOLUTION - 33-2001 - Scott & Eileen Loftus - 34 Newark Avenue  
Motion to memorialize was made, seconded, followed by the following vote:

"YES" - J.Muly, P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, G.Twadell, K.Thompson.

RESOLUTION- 50-A-2000- Ronald Dana - 293 Beachfront-Extension  
Motion to memorialize was made, by N.Hamilton, seconded by Councilman Schmeling, followed by the following vote:

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

"NO" - G.Twadell.

RESOLUTION - 45-A-2000 -Jeffrey C.Woszczak-Block 171, Lot4-6.01  
Extension of time.

Motion to memorialize was made by C.Triggiano, seconded by J.Burke, followed by the following vote:

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

"NO" G.Twadell.

Motion to approve the minutes of September 18, 2001 was made by C.Triggiano, seconded by J.Burke and carried.  
ABSTAIN: Councilman Schmeling, J.Coakley, K.Monaco.

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

The meeting for the Master Plan has been put off until after January 2002.

Councilman Schmeling stated he, G.Twadell, N.Hamilton did meet with C.Rice and discussed building height and came up with some general ideas and will be meeting again in the next week or two, so at the next meeting we will have recommendations on building height envelopes. We had some pretty good ideas and will give them to Chris. P.Dunne was not able to attend.

Mr. Place picked the following nominating committee;  
C.Triggiano, Councilman Schmeling and J. Tischio.

Mr. Coakley stated he's not sure that ripping up the streets from one end of town to the other, and the people that happen to live on that corner of our community, who have had two bridges replaced a wire-less project come through, and now we're going to do this again. The people who live here because they like the quality of life in the town, ultimately suffer, not for the community good of adding a sewer line or drainage. but for

a private enterprise, he has a real problem with that. We were only asked to approve an application that was valid and we did what we were suppose to do.

Mr. Schmeling stated he is on council and we do receive a significant lease payment from that each year, which goes to reduce our taxes and what the Boro tries to do in all of these situations is unlike the County, referring to Broad St., they did not require the Cable Co. to pay curb to curb. We do require all Cable Company's to pay curb to curb, and we try to route all of them to go on streets that have not been paved. As a quality of life, it is an inconvenience to those people that live on those streets. By having them pave, curb & sidewalks it is a benefit to the entire town, otherwise we would have to do that work through tax dollars. It is also a concern to Council.

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

Susan Bramley, 15 James Place, "stated you have a man that is in the paving business, put in a driveway, knowing he needed variances and permits, he did not obtain them, he was not stopped by Neil Hamilton, he was not given any summons, he then applied for a variance, you have neighbors come which is what we were suppose to do within 200 feet, voice our concern about this, he then lies to you. If you don't believe that the driveway was 12 feet where his car was, you can legitimately see that the curb cut is 12 feet, the man lied to you. We are neighbors that have lived there most of us 20 years or more and yet this is what you have allowed this man to do, so the neighbors have no say, don't bother getting a variance and lie in your testimony and it's o.k.. That's what this committee decides, am I correct?"

Mr. Place stated he was not here on the application but he can only say that the Board voted on testimony it was given under oath.

Mr. Cramer stated if Mr. Morrissey gave false testimony as he swore to tell the truth and didn't tell the truth, obviously you may have a criminal charge that arises out of false swearing, but that's not something for this Board to classify, that's a matter for a criminal court, County Prosecutors Office, it's not for this Board. This Board gave Mr. Morrissey an opportunity to make his application and gave every person that appeared at the hearing last month an opportunity to be heard, to ask questions and an opportunity to be heard.

Susan Horne, 7 James Place, stating when Mr. Morrissey told this Board that his driveway was 16 - 18 Feet, the entire back row, we had already been closed off from speaking, this was the time we were no longer allowed to speak, the entire back row was going no and no one even thought that there was an issue

here. We can prove that the driveway was 12 feet, we have pictures before he did it, but we weren't allowed to speak here and that doesn't seem quite fair.

Steven Horne, 7 James Place, "stating the thing that disturbs him is that 3 people here that voted yes tonight said how nice it looks, we drove over there and looked at it. You could have easily seen one was smaller than the other, no comment was made to that. I find this totally wrong, no summons was issued, I don't understand this, what kind of a town do we have here, we don't get an answer to this. Why wasn't Mr. Hamilton allowed to vote, he couldn't vote on this. Please answer these questions for us".

Neil Hamilton stated "to answer your question and this goes for anybody in town. If your involved in a zoning issue, I only issue summons for doing work without a permit, it's done through the uniform construction code, the State of New Jersey Law and it's issued under Construction Official and he is the one to impose a fine, not a summons, If they have an issue with the fine imposed by the Construction Official they would take that issue up in an appeals court in the State of N. J. not the Boro of Manasquan. He stated he does not issue a summons for a zoning violation, when I arrived there, the entire area of curbing and apron was gone, there was nothing there but dirt. I informed him of what he had done illegally and that he should stop. His only recourse was to put it back to basically what it was until he had the opportunity to apply for an appeal". "Mr. Morrissey said he will take his chances, build what I'm going to build and then go to the Planning Board", which he did. Mr. Hamilton stated we do not issue summons. That is why I didn't act as a voting member, I acted as an official of the Boro and acted in the capacity to give this Board testimony. I felt that would be the more fair way to handle it, as me being a # 1 official than a voting member on this application".

Clem Bramley, 15 James Place stated, "not to correct Mr. Hamilton, but a telephone conversation I had with Neil, at the time of the construction, you told me you would stop it, that never happened. Second, the credibility of the enforcement officer in this body was put in serious jepordy, allowing the circumstances to happen. We have some one in the mason business who knew the code and broke it, who told the zoning officer I don't care I'll take my chances, who then lied to this committee. The other thing Mr. Bramley doesn't understand is the process. We were told last meeting, that he would have to have 5 votes out of the 8 eligible members. The vote went 5 to 3. Tonight 2 members changed their vote. In simple mathematical terms that's a vote of 5 to 3 in the other lane, so I don't understand the process that goes on here. I don't understand how you can say this is approved".

Mr. Cramer stated the only 5 members that can vote on the memorialization of the resolution were the people that voted affirmatively for the variance at the last meeting. That's not a law I make, that's what the State Statute requires.

Mr. Bramly stated it doesn't make any sense, you need a majority and you don't have a majority, I don't understand how that goes through. The credibility of this Board is in serious jeopardy".

Mr. Cramer stated perhaps the State Statute should be amended, but that's not our prerogative to work out.

George McLaughlin, 10 James Place stated that night there were 5 people who spoke up against it who live within 200 feet. One who lived within 200 feet spoke against it and 3 or 4 some as far as the beachfront spoke for it. Mr. McLaughlin asked Mr. Burke, who said he listened to the tape, on that tape did Mr. Morrissey say the one driveway was 12 ft. on the side not in use and he had 12 or 24 ft.

Mr. Burke stated on the tape as he heard and what he remembered from the meeting, is that Mr. Morrissey said, that he had a 16 to 18 ft. original driveway, and he said that 3 times on the tape, not only that our Attorney and other Board members during their questioning of Mr. Morrissey said you have a 16 to 18 ft. driveway, and Mr. Morrissey never said no. He was always in the affirmative of that statement. Later on in the tape, Mr. Cramer & Mr. Muly brought up the fact that the 2 driveways were originally the same size. Mr. Morrissey agreed that they were originally the same size 16 to 18 ft.. Mr. Burke stated he made his decision on the fact that we were going to only give the gentleman 2 feet on the side that he wanted and we were going to get back 16 to 18 ft. on McGreevey, that's what Mr. Burke understood. In going over and looking at that Driveway and having Mr. Hamilton measure that driveway, that driveway on McGreevey is only 12 feet and Mr. Morrissey said they were both the same size. Mr. Burke is assuming that the original driveway was 12 ft., and if he had known that they were both 12' and that we were giving him 8 ft. and only getting 12' he might not have voted the same.

Bill Waldeyer, 11 James Place, stated he was the first to build there and all those driveways were the same and they were there when he built his house. He asked Mr. Cramer why he would advise someone to change their vote knowing that he gave false testimony to the committee.

"Mrs. Dunne replied that he said what was really voted for the first time, was memorializing, this is just memorializing, we did vote on the resolution and that was our real true vote, because that was voted on the testimony given that evening. I certainly never heard that, that gentlemen was in the paving

business that never came up from your neighbors or himself".

Mr. Cramer said he never advised Mrs. Dunne to do that. Mrs. Dunne said he told her it wouldn't make any difference.

Mr. Cramer said the statute says that the only people that can vote on the memorializing resolution are the ones that voted for it. Mr. Waldeyer said they got that. She said she was advised by Legal Council not to change her vote. This was a swing vote, something funny going on.

Mr. Cramer told Mr. Waldeyer that as objectors you have the right to take an appeal to the court of the Board's determination.

Cathy McLaughlin, 10 James Place, stated if there was doubt about the 12 ft. per cut that he originally had, why didn't the Board require a survey, that would have simply solved it right there.

Mr. Cramer told Mrs. McLaughlin th there were 2 surveys of the property that accompanied the application. The matter is of public record and if you want to inspect the application submitted to the Secretary of the Board they are available for inspection.

Mrs. McLaughlin, said she did inspect with her husband and did not see any surveys. Mr. Cramer said there were 2 surveys in his package. He did not recall the size of the driveways on them.

Susan Bramley, James Place, stated she does resent you saying yes we can take it to a higher court. We're tax payers, loads of us have paid taxes for 20 or 30 years here. She knows the committee doesn't get paid, she also works on a committee that doesn't pay, but she does her homework, she does what she feels is the best for the town. You people have over-looked what was the most credible thing to do. If you saw nothing else than us shaking our heads that night, you could have said, you know what Mr. Morrissey, could you bring us proof, of the size of those driveways. That curb cut is sitting there. You could have asked him to come back with the proof for that. We don't have the money or the time to go to court, thats what we're tax payers for, that's what this committee is set up for and you have let us down. She didn't see any neighbors for any other resolution tonight, everything was fine for what your doing, you have a large contingency come for this, and your completely ignoring us, completely. You have proof that the man fabricated his testimony and there's no recourse but for us to pay, to have him taken to court. She really resents that as a tax payer".

Mr. Tischio in response to Mr. Horne's comment, said he did not inspect the property and he know's for sure he never said how beautiful it was. It disturbs him to think we sit here and take what that person says who sits in that seat as factual, as truthful in the intent that they are portraying their application. That's all I could go on. I did not feel justified in changing a vote to no tonight, because I had to make a decision based on onlu the facts that I had. I'm a Scientist by trade, I must interpret the data as it is given me. Because some one comes in a month later and says it is a mis-interpretation, I can't change the vote that I gave. It does not make me go home very happy.

" Mr. Bramley stated he appreciates your scientific background, but I as a Phychologist have taught my students that 60% of all communication is non-verbal., You have ignored 60% of the message that was sent from people here, who did not have the opportunity to say somthing, because the public portion was closed down. About the public section, I find it almost comical in the way it's done, you open it and close it in 10 seconds, you check your tapes. If someone doesn't immediately stand up and say somthing you make it very apparent that you don't want to hear it. There were people back here that wanted an opportunity and tried to share with you more facts. Not one member of this Board took the time to look at that 60% of what was going on.

In answer to Mr. Bramley since I was acting chairman that night Mr. Burke stated when we ask for public comment, I gave the public all the time that they need to speak. We heard all your comments on it at that time and then we normally shut that portion of meeting down and make a decision and decide. His apology to you people is that I let testimony in afterwards, which I should not have done. What I don't like is that we have no recourse as a Board. Once we vote yes on an appliation it's done. If we could I would open it up right now, I would find some way of redoing this whole thing.

Mrs. Bramley made reference to Mrs. Yanger's case that night, saying you let her come back, why didn't you do the same with Mr. Morrissey, when you saw so many people there that night, that were against it, knowing there was a problem with it.

George Dempsey, Borough councilman wanted to know if this Board has any intention or legality whether they can do it, that they feel this man perjured himself, to send it to the prosecutor in Freehold, or are you just going to sit back, or you can't do it?

Mr. Cramer stated it could be referred to the Prosecutor's office for investigation. I have to get direction from the Board before

I can do it.

Mr. Cramer stated he has 9 months to complete the corrections, or he has to come back for an extension, and after what the Board has heard this evening, I think they would be reluctant to give it to him.

Motion by J.Tischio, seconded by W.Schmeling to close the public portion of the meeting was unanimously carried.

Mr. Burke proposed to the Board, to consider a resolution or letter to contact the County Prosecutor and inform him that we believe that someone that came before this Board lied under oath and ask if he will take appropriate steps, seconded by K.Thompson followed by the following vote: "YES"- J.Muly, P.Dunne, J.Tischio J.Burke, G.Twadell, K.Thompson.  
"NO" - C.Triggiano. "ABSTAIN" - N.Hamilton.

Councilman Schmeling said the Board has to be extremely carefull, you cannot let someone talk after we close the public portion. Once we close the public portion we should talk, and if you haven't made up your mind by then, it's too late. There's nothing more to talk about.

Motion to adjourn was made by Councilman Schmeling, seconded and unanimously carried at 10:50 P.M.

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

CLOSED SESSION - OCTOBER 2, 2001

7:00 P. M. Work session - The Board went into closed session.

Mr. Cramer made reference to a letter dated 9/28/01, on the highlights of the Broderick case before Judge Lawson on Thursday. The Judge set a sequence of dates when certain things have to happen. Oct. 29th Carol Brodericks has to be filed in court, the town and the applicant have until Nov. 29 to provide a reply brief, and the trial the hearing Broderick vs. Manasquan Borough matter will be on Dec. 10th at 10:00 A.M.

Chairman David Place arrived at 7:10 P.M.

Broderick file will have to be assembled and hand delivered to the Judge.

The Judge in his pre-trial order stated the trial shouldn't last more than 3 hours.

Mr. Cramer also made reference to the Morrissey application which was held at the September 11, 2001 meeting, as to whether or not he lied in his testimony. Mr. Burke felt that he did lie on the size of the driveways. Mr. Morrissey testified the driveways were 16 to 18' wide, but originally they were really only 12' wide. There was discussion as to the voting at the Oct. meeting and Mr. Burke would like to change his vote as he feels Mr. Morrissey lied in his testimony.

The closed session ended at 7:30 p.m. and the Board went into the regular meeting.

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 October 2, 2001 meeting. Please consider the following Agenda for the November 13, 2001, Regular Meeting at 7:00 P.M in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N.J..

**MANASQUAN PLANNING BOARD AGENDA  
NOVEMBER 13, 2001 - REGULAR MEETING**

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion - Nominating Committee
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 27-2001 - Continued - Nadine Yanger -  
225 Stockton Lake Blvd.

APPLICATION - 35-2001 - Ellen Jaeger - 400 Pine Avenue

APPLICATION - 34-2001 - Nancy Bock - 36 Broad Street.

RESOLUTION - 36-2001 - Cable & Wireless USA Inc.  
79-81-83 Beachfront-138 Ocean Avenue.

RESOLUTION - 32-2001 - Michael & Dorothy Budzek - 518 Perrine

RESOLUTION -44A-2000- Arthur & Mary Ryan - Extension of Time  
- 113 Beachfront/112 First Ave.

RESOLUTION -45-B-2000 -Jeffrey C. Woszczak- Block 171, Lot4-6.01

RESOLUTION - 53-A-2000 - James Donegan -101 Beachfront/100 First

4. MOTION ON MINUTES
5. APPROVAL OF VOUCHERS
6. COMMENTS FROM INDIVIDUAL BOARD MEMBERS
7. REPORTS OF SUBCOMMITTEES OF BOARD
8. AUDIENCE PARTICIPATION
9. CLOSED SESSION- Litigation (Tynday)

BOROUGH HALL  
15 TAYLOR AVENUE  
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Mayor

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08738

COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD  
MANASQUAN PLANNING BOARD  
MEETING MINUTES - NOVEMBER 13, 2001  
WORK SESSION AND REGULAR MEETING

WORK SESSION

Acting Chairman John Burke called the work session to order at 7P.M..

N. Hamilton stated we spent \$2500. to Mr. Szymanski for the Master Plan review. He doesn't think the Board gained anything out of the 2500. and hesaid that's not the fault of Paul, he thinks it's the fault of the Board, he doesn't think this Board knows where they want to go. He doesn't think we need to spend tax payers dollars to sit back here and listen to an outside individual who is not a resident of the community and maybe try and get some feed back from him. We as individuals need to give input to someone, and he doesn't think the Board has directly done that, because all he hears is the word we need planning, we need vision. He brings this to light tonight, because we are over budget. He spoke to the Mayor tonight and asked what kind of numbers do you want to plug in for the Master Plan. He spoke to Carmen prior to seeing John and they put in a minimal number for Birdsall Engineering as being Alan is a planner, that we have to go back to this concept again, what do the members want to see, what do they want to discuss, lets do this informally, lets put it together and if need be we'll have a special meeting and expend this money that night, give Alan direction that will eventually go to the Boro Attorney for adjustment of ordinances. That's where the Master Plan is right now. We don't have major amounts of open space, that we are going to be dealing with any more.

J.Burke said right now we are at a point where we have 12 or 15 questions that we want to pursue and go over, and that included the 3 or 4 major things that this Board was interested in, so in January we start at that point, go over those and decide what we really want to do.

Glen Lines, sitting in place for Alan Hilla, Jr stated one of the reasons we were doing this at the beginning of the meetings was so there wasn't any additional costs, as we're here for the meetings anyway, we charge a flat fee for the meetings, but if we add it in a Master Plan review, he doesn't think a re-writing or to do it into an amendment to the Master Plan to get you up to date, he doesn't think it will be that great of an endeavor. It's not like we're working with a clean slate, were you can say o.k. we want this section of town to be this and this section of town to be that. Your well past that.

Mr Cramer asked if it would be on an hourly basis or a lump sum basis. Mr. Lines will speak to Alan and see what his feelings are on it and come up with a cost.

REGULAR SESSION

Acting Chairman Burke called the regular meeting to order at 7:30 P.M. The meeting he noted, had been published according to law and is being held in accordance with the Open Public Meeting Act. Mr. Burke asked all to stand and salute the Flag.

ROLL CALL: PRESENT - P.Dunne, C. Triggiano, N. Hamilton, T. Carroll, J.Tischio, J.Burke, J.Coakley, K. Thompson.  
ABSENT - J.Muly, D.Place, Councilman Schmeling, Mayor Wintertella, G.Twadell, K.Monaco.

APPLICATION -27-2001-Cont.-Nadine Yanger-225 Stockton Lake Blvd. Mrs. Yanger was not present, so the Board put it off until the end, to see if she shows up.

APPLICATION - 35-2001 - Ellen Jaeger - 400 Pine Avenue Ellen Jaeger came forward and was sworn in by Mr. Cramer. Anthony Joseph T.Mouro, KNTM Architects, LLC, her Architect was sworn in by Mr. Cramer.

Ms. Jaeger testified she resides at 400 Pine Avenue, and has owned the property since 1985 and the construction was built in 1986. Her current house is a one story attached garage, single family, approximately 1300 sq. ft. including the attached garage. Her house is small and hasn't made any improvements or additions since it was built. She testified she would like to add an addition to it and bring it up to current and modern standards. She is proposing to add a formal living room on to the first floor to come out from the existing family room, add a second story which will include a master bedroom, master bath, 2 additional rooms and a bathroom, also a finished attic.

The first floor will have a little porch coming out of the formal living room and the second floor will also have a porch extending from east to west to increase the flow of air and light through the property. She is doing this to improve her home, the addition will contribute to the existing residential configuration of the neighborhood, similar to the new homes that have been added 2 doors down from her, both 2½ story with attached garages.

She testified her current home is an L shape and what protrudes out to the street is the garage, so when you view my home from Pine Ave, all you see is the garage, so by adding the addition coming out to the living room on the first floor and adding the second floor will decrease the emphasis of the garage and make the home more aesthetically attractive.

Rendering of the elevation was marked as exhibit A-1.

Mr. Mouro testified they are not extending past any existing building line. Mr. Mouro stated he did see Mr Hilla's report in respect to this application. His only comment is in

respect to the driveway. The current driveway is stone, and they are proposing to do a decorative concrete paver driveway. also the walk way which is minimum. She testified the curbing will be done also. He testified they have added a hip roof as opposed to a gable roof on the upper floor to try and minimize the visual impact of the roof. There are no sidewalks in the whole area.

She testified she is adding the 2 extra bedrooms for family when they visit and she also recently got married. She testified she doesn't have anything planned for the attic area, just to finish it off. It will not be a sleeping area.

A motion to open to the public was made by K.Thompson, seconded by J.Coakley and was unanimously carried.

A motion to close to the public was made by C.Triggiano, seconded by K.Thompson and was unanimously carried.

Motion to approve this application was made by K.Thompson, seconded by C. Triggiano, followed by the following vote: :YES" P.Dunne, C.Triggiano, N.Hamilton, T.Carroll, J. Tischio, J.Burke, J.Coakley, K.Thompson.

Application - 34-2001 - Nancy Bock - 36 Broad Street

Mrs. Bock was sworn in by Mr. Cramer.

Paul S. Kennedy put himself on record as Attorney with Middleton and Kennedy here to represent the applicant.

Mr. Kennedy stated Mrs. Bock is basically trying to obtain a use variance on the pre-existing non-conforming use of the Music store on Broad Street. When she originally opened the Music store in 1960, over 40 years ago it was apparently zoned for retail use and has been in that use since then and in 1970 she added some offices upstairs and also has a residential renter in the back. At some point in time the zoning was changed to Office zone, which Mrs. Bock just found out in the last couple of months when she attempted to sell the property as a retail use to the purchaser. They went to the office and found out it is an office zone. She is seeking to have the use of the property conform with the current zoning requirements of an office zoning. The prior use had several non-conformities in regard to lot frontage, side setbacks, the building coverage and also the parking situation, that were all pre-existing with the retail store. We are asking that variances be granted or simply carried forward from the retail use the non-conforming use forward with the office use, basically the change she is asking for is to conform more with what is out there now with the zoning. He stated Mrs. Bock is now retiring and has no more use for the Music Store.

Mr. Cramer stated there are three separate uses in that building

at the present time, a retail store, residential unit and office. She can relet the first floor to a retail type of use without requiring site plan review or approval. She could continue to lease to an office operation to the up stairs area as well as a residential apartment tenancy, she can do that, it's a nonconforming right she has to continue those uses, but she apparently had difficulty selling that property with those uses in place.

Mr. Burke stated you are looking to eliminate the one use which is the retail, looking to keep the office use and keep the apartment, reducing it down to two, but your looking for our blessing on those two, so that you can legally sell the property so the people don't have to come before us everytime they want to do something to the property.

Mrs. Bock testified there is no driveway access to the rear of the property. She testified she tried to do that years ago, but Mrs. McGrath who owned it, wouldn't sell us a few feet, for a driveway which we thought would be good, because there is a lot of room back there. She has since passed away, and Mrs. Bock doesn't know who in her family owns it now. She testified she has a retail store, 2 offices up stairs and an attached apartment.

Mr. Hamilton stated in the application, it says, office space down stairs and up stairs and one apartment attached to the rear. He wanted to know if this Board is leaving itself open to the fact, that we're going to permit 1 office use for one individual business, whether it be up or down or are we going to permit 3 types of office uses there, with a residential use? If we're going to deal with this as a down town business use, and we're going to permit this as an office, it's pretty hard to control what type of office goes in there, it's up to the individual who buys it and trys to operate it whether it's a doctor or what ever he is, he's going to have to deal with the parking issue. In our ordinance in the down town business use, we permit apartments over stores, they have to be a minimum of 800 sq. feet. His suggestion might be to provide a better use, is that the apartment be totally up stairs to meet the criteria of 800 sq. feet and the office be on the first floor, which would be one office use.

Mrs. Bock stated the apartment is not connected in any way, but they are in the same building. Mr. Hamilton stated you or the seller would have to reconfigure that to be the first floor being an office and the second floor would be an apartment. She testified it would be extremely costly to make the upstairs an apartment and turn the apartment into office. The second floor offices have just one rest room facilities. There are plumbing facilities up there. Mr. Hamilton

said then it could be done. He said to get conformity, and if that's the way we're going to do business here, and to be uniform in the way our thought process should be, in a business zone where there is a mixed use of a business and apartment above, which we would permit that, in his opinion that's the way it should be re-configured.

Mrs. Bock testified her tenant works all day, and she only parks at night and that is on the street, we all park on the street, even the office occupants. The office upstairs in the front is a salesman, who is out all day and the rear office is a teacher, so she hasn't had any problems. The McGrath estate owns the property on both sides of her.

C.Triggiano stated he has no problem with offices up and down and the apartment as it is. P.Dunne stated parking is really a problem there but the way Neil stated to get less parking is right, which she thinks it is, to put residents on the second floor and business on the first floor is a good solution, and hopefully the buyer would think the same way, there is good income there, which is good for downtown area and good for the owner of the property. She would support that. To have office in the whole building, would really impact the parking in that area.

Mr. Cramer stated he has a real problem with say non-conforming retail usage on that first floor, just as you have a non-conforming mixed residential office on the second floor. Those are uses the Board can't take away from you, they are non-conforming, they can continue to exist, you can't expand them.

Mrs. Bock said it used to be the old Fire House, the one that is over in the Plaza. It was one long building, which is probably the reason for the curb cut. Her intention is to market it for a retail, and a few people have responded.

Mr. Richard Halajian, 228 Koos Rd., Manchester, Va. said he has been a friend of Mrs. Bock for 40 years, and is familiar with the situation. He stated she decided to retire in the spring and sell the property. She put the property on the market and immediately got a buyer. The buyer went to the zoning officer and said they wanted to put in a nail salon and they were told they could not do it and the only way that property could be sold was as a music store, any thing else because it is non-conforming to the office zone, and anything else that has to be done would have to get a variance. We started the process to apply for a variance, so that she could sell this property. We wouldn't be here if you could tell us that we can sell it as a retail store, but we were told it could only be sold as

a music store, so we applied for the zoning as an office and were denied because it is non-conforming. We have a building that's in the office zone, that's non-conforming to the office zone and non-conforming to retail zone. The two offices upstairs have existed for almost 40 years since the late 60's or early 70's and at various times has had businesses in those 2 rooms. There has never been a problem with parking. Now to try and change this to an apartment upstairs at additional cost, doesn't seem to be the right thing to do. Your not going to impact the parking for an office building any more than it already has impacted as a music store with offices, nothing has changed, nothing is changing.

Mr. Cramer stated the information supplied by the zoning officer to your prospective buyer was correct, because that prospective buyer proposed to use that first floor area as a salon. Mr. Halijan said he would have purchased the property anyway on speculation for what ever reason as a retail, even if he couldn't put a salon in there. The setbacks aren't going to change, the only question that comes up is the parking. The parking is the same as it was under the present condition.

Mr. Halijan stated her purpose is to sell the building, she doesn't want to have to worry about converting the building, she doesn't want to worry about what is going in the building, as long as it conforms with the town's definition of office space. She's not asking for anything more than what she has now, except to be able to sell the property.

Mr. Cramer stated she is asking for something more, she's asking for the Board's approval to convert that first floor to an office use, and that in it self requires a use variance from this Board.

Mr. Burke said we are looking for 2 seperate votes, one is a use variance on changing to an office use down stairs, and you also have to address the bulk variances which is a separate vote. By addressing the use, is all we're doing is addressing the use of the music store only. The rest of the building is staying the same. If they want to make changes upstairs, they have to come back to this Board. The apartment downstairs stays.

Mr. Halijan again stated, the Music store is on the first floor, and in the back of the building with a separate entrance is a one bedroom apartment. There is no access to the music store from the apartment. On the second floor are 2 individual offices.

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

Councilman George Dempsey, Pike Avenue, former businessman in town stated he whole heartedly agrees with C.Triggiano, that the change in zoning and not notifying her was a great error. She should have been notified that she was being changed from business to office. He also agrees with Mr. Cramer, retail is retail, she had sales, she had rentals and she had service repairs. There is no reason why she couldn't put a candy store in there, a knife store or stationary store in there and sell retail, that would increase traffic much heavier, your better off letting her put the office in there and eliminating the retail and still let her have her apartment in the back.

Joanne Narwick, ERA Good Neighbor Realty, stating that they were the realty representing Mrs. Bock when the property was on the market. She stated they had 4 contracts, one was for an office use and that gentlemen went to Mr. Furey and asked if it could be used for office and was told no. She wanted to know why it couldn't have been sold to him.

Mr. Burke stated the only thing he could think of was that the change from a retail to an office use would kick in all the other non-conformities on the property, which probable dictated him to say no.

A motion to close the public portion on this application was made by C.Triggiano, seconded by J.Coakley, and unanimously carried.

A motion to approve the use change from a retail on the first floor to a office on the first floor, retaining the use of the apartment in the rear, was made by C.Triggiano, seconded by J.Tischio, followed by the following vote: "YES" - P.Dunne, C.Triggiano, N.Hamilton, J.,Tischio, J.Burke, J.Coakley.  
NO - N. Hamilton, K.Thompson.

A motion to open the public hearing on this application was made by C.Triggiano, seconded by J.Tischio and was unanimously carried.

A motion to close the public hearing was made by N.Hamilton seconded by C.Triggiano and was unanimously carried.

A motion by T.Carroll to approve the bulk variances conditioned upon the requirement that before any zoning permits or construction permits or certificate of occupancy is issued with respect to any portion of the first floor of this property, that the application has to be received that covers a limited site plan covering what was set forth in Mr. Lines report, seconded by C.Triggiano, followed by the following vote: "YES"- P.Dunne, C.Triggiano, T.Carroll, J.Tischio, J.Burke, J.Coakley, K.Thompson. NO - N.Hamilton.

APPLICATION - 27-2001 - Nadine Yanger-225 Stockton Lake Blvd.  
Mr. Cramer stated since Mrs. Yanger did not show up and no one is here to represent this application, and since she was here for the initial hearing date and was informed of the date of the adjournment and was advised by the Board's Secretary by phone that the hearing was to be continued tonight, he suggested that the subject application should be dismissed for lack of prosecution. If she should come back again and renew, she will have to renotice and publish and a new fee to the Board.

Mr. Cramer stated once the Board determines to dismiss the application without prejudice, she has no protection as far as any violations that she has committed, Mr. Hamilton or Mr. Furey can proceed to issue violations to her to tear that work out, to take it down.

A motion by J. Tischio to dismiss the application for lack of prosecution seconded by T.Carroll followed by the following vote: "YES"- P.Dunne, C.Triggiano, N.Hamilton, T.Carroll, J.Tischio, J.Burke, J.Coakley, K.Thompson.

Motion for a 5 minute recess was made at 9:30 p.m. seconded and unanimously carried.

Board returned from recess at 9:40 p.m. with the following roll call: P.Dunne, C.Triggiano, N.Hamilton, T.Carroll, J.Tischio, J.Burke, J.Coakley, K.Thompson.

RESOLUTION - 36-2001 - Calbe & Wireless USA Inc. -79-81-83  
Beachfront - 138 Ocean Avenue

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, J.Tischio, J.Burke.

RESOLUTION - 32-2001 - Michael & Dorothy Budzek - 518 Perrine  
A motion to memorialize was made by C.Triggiano seconded by N.Hamilton, followed by the following vote: "YES" - P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, J.Burke, J.Coakley.

RESOLUTION - 44A-2000 - Arthur & Mary Ryan - Extension of Time.  
113 Beachfront/112 First Avenue

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

RESOLUTION - 45B-2000 - Jeffrey Woszczak - Block 171,  
Lot 4-6.01

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

RESOLUTION - 53A-2000 - James Donegan - 101 Beachfront/100 First Motion to memorialize was made by J.Tischio, seconded by P. Dunne, followed by the following vote: "YES"- P.Dunne, C.Triggiano, N.Hamilton, J.Tischio, J.Burke.

Motion to pay the yearly subscription to N. J. Planners was made by P. Dunne, seconded and unanimously carried.

Motion to approve the minutes of October 2, 2001 was made by J.Coakley seconded by J.Tischio and unanimously carried.

Carmen Triggiano chairman of the nominating committee presented the following: Chairman David Place, Vice Chairman John Burke, Secretary Marie Applegate, Attorney Geoffrey S.Cramer and Planner Alan Hilla, Jr., Birdsall Engineering, Inc. Engineers. Mr. Cramer stated his hourly rate is the same as it has been for the last 10 years, but he would request that the Board consider an increment on the hourly rate for handling litigation. The current rate is \$100.00 per hour but would like to be competitive with Mr. Fitzsimmons, which he believes is \$125.00 per hour. The Board agreed to that.

Mrs. Dunne made a motion to approve the nominating committees nominations, seconded by T.Carroll, and was unanimously carried.

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

A motion to adjourn the meeting at 10:00 P.M. was made seconded and unanimously carried.

Respectfully submitted,



Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

JOHN L. WINTERSTELLA  
Mayor

Incorporated December 30, 1887

BOROUGH OF MANASQUAN  
COUNTY OF MONMOUTH  
NEW JERSEY 08736

732-223-1480  
FAX 732-223-1300

COLLEEN SCIMECA  
Municipal Clerk

PLANNING BOARD

DECEMBER 4, 2001 - REGULAR MEETING MINUTES

Manasquan Planning Board held their regular meeting on December 4, 2001 in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, N. J..

Vice Chairman John Burke opened the work session at 7:10 P.M.. Mr. Cramer stated one of the resolutions tonight is a resolution that is in settlement to the Tynday appeal which is attached to the back of the resolution. There is a time frame of 6 months put on it to be completed.

At the last meeting the Master Plan was discussed and the Board decided that the Secretary send to all members the list of items that were discussed, they should look it over and write some comments down on each item. At the January meeting it will be decided if the Board is going to do it at a regular meeting or have extra meetings to go over it. Mr. Burke stated they will bring it down to 4 or 5 items that are most important, seriously discuss them and make recommendations to the town council on them.

Birdsall Engineering will officiate and go over the items and make their recommendations on the items.

Mr. Schmeling said the Mayor asked him to bring up a point on the downtown uses, whether the Board is considering the uses in the down town zoning, giving some consideration not necessarily to hotels, but similar to Bed & Breakfasts, something that would provide for people that come to visit to have a place to stay. We do advertise as a family town. It would require rezoning.

REGULAR SESSION

Chairman David Place arrived at 7:20 P.M.

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

ROLL CALL - PRESENT - J.Muly, D.Place, C.Triggiano, Councilman  
Schmeling, T.Carroll, J.Tischio, J.Burke,  
G.Twadell, K.Monaco.

ABSENT - N.Hamilton, J.Coakley, K.Thompson.  
Mayor J.Winterstella.

APPLICATION - 38-2001 - Cont. Dr.Richard & Sharon Borgatti,  
54 First Ave/57 Beachfront.

Keith Henderson put himself on record as Attorney representing the applicant, asked if he could flip flop the agenda and take the second application first. The Board agreed to do so.

APPLICATION - 39-2001 - Linda S. Toby Campagna - 293 First Ave. The property in question is located on the west side of First Avenue between Brielle Rd. & Pompano Ave.. The parcel is a 27'x 97' lot currently containing a one-story dwelling. The applicant is proposing to demolish the existing structure and construct a two and one-half story, single family dwelling. R-05 Zone.

Keith Henderson put himself on record as Attorney representing the applicant. He stated the owner will not be here to testify tonight, as they are in England. She and her husband are involved in the nuclear activities related to the post of September 11th. He has two witnesses, one is the Architect Richard Grasso and the other is the Planner & Engineer, Charles Gilligan.

Sworn in by Mr. Cramer, was Mr. Grasso, Architect licensed in N. J. and has appeared before this Board on several occasions. Mr. Grasso testified this house is 45 ft. in length, and 20 ft. in width, on a very narrow lot. The first floor consists

of living room - 14ftx19ft. kitchen 11'x13', the rear a family room 13'x16', full bath and shower, the second floor there are 3 bedrooms, 2 in front 11'x11½', 2 bath rooms and at the rear a master bedroom 14x19'. The ½ story is a loft with a front balcony. The entire structure from grade to top of ridge should not exceed 32feet. This structure will be in keeping with the homes around it. The covered porch is 5ft. from the front yard, The back is 7ft., so it will be slid back in keeping with the front street. It will be in line with the flood elevation. Will be an aesthetical improvement with what is there. We are improving all set backs. The deck on the second floor rear will be wolmaniszed treated lumber and will not increase the building coverage. The driveway area to the rear will be stone and are reducing the building coverage. The ceiling height first floor is 9' and the second floor is 8', the loft to 10 ft.. Four photos submitted were marked as A1 to A4. This property has the advantage of coming in and parking off Timber Lane instead of First Avenue. The half story will be 4 ft. back from the lower portion and the ridge will be 8' back. The parking is adequate for 2 cars. There will be two solid walls on each side.

Charles Gilligan, Planner & Engineer, Licensed on both in the State of N. J. He was sworn in by Mr. Cramer. He testified the variances required are for front yard set-back, side yard set-back, lot area, front yard frontage, building coverage. It is in an R-5 Zone. Photo marked as A-3. He testified the narrowness of this lot creates a hardship for this applicant, as there is no way to increase that lot to the east or south. The trend along First Ave is for the houses to go up. He testified the requirements for parking are 2 and that is what they will have.

Mr. Place thought it would look better if pushed back 10 or 15 ft.. Mr. Burke felt the same way. Mr. Gilligan stated he didn't think the applicant would mind pushing it back 10 feet.

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

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

A motion to approve this application was made by J. Tischio, with the stipulation that the proposed porch be pushed back 10 feet, a hip roof, and the corners on the first floor to 8 feet, seconded by C.Triggiano, followed by the following vote; "YES"- J. Muly, D.Place, C. Triggiano, Councilman Schmeling, T.Carroll, J.Tischio, J. Burke, K.Monaco. "NO" - G.Twadell.

APPLICATION - 38-2001-Dr. Richard & Sharon Borgatti -54 First/  
57 Beachfront.

Keith Henderson, Attorney representing the applicant, after speaking with his client, they asked to be carried to another meeting, as there are only 6 voting members and they need 5 affirmative votes for a use variance. He stated he did re-notice for this hearing, even though he was not required to do so, he will not be required to notice for the next meeting.

A motion to move this applicatin to February 5th meeting was made by J.Burke, seconded by K.Monaco and unanimously carried.

APPLICATION - 37-2001 - Andrew Waring - 535 N.Jackson Ave.

Mr. Waring came forward and was sworn in by Mr. Cramer. He testified he is re-proposing a 9x17' front porch that he had originally proposed in August of 2000. it was approved but was unaware that the varience expired in 9 months, and when he went for an extension on the 12th month, he was informed that it had already expired and was not renewed. He stated he had financial hardships and was not able to start the work.

Mr. Cramer stated this was a resolution adopted by the Board on August 1, 2000. It approved the construction of the front porch. The only restrictions were the applicant had to supply the Board with a plat plan to show all the dimensions, and at the completion of the construction to show the Planning Board an as built survey.

Mr. Waring testified that his application today is basically the same and he has enlarged the survey to show the porch. The distance from the street to the house is now 30 ft., the porch will be 21 ft. to the street. He testified he will be able to start and finish by August.

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

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

Councilman Schmeling moved that the applicant be granted an extension of 9 months, seconded by J. Burke, followed by the following vote: "YES" - J. Muly, D. Place, Councilman Schmeling, T. Carroll, J. Tischio, J. Burke, G. Twadell, K. Monaco.

Mr. Cramer stated Mr. Waring will have to publish the extension after the resolution is read in January and he will then be able to get his permit to start.

RESOLUTION - 35-2001 - Ellen Jaeger - 400 Pine Avenue  
A motion to memorialize was made by J. Burke, seconded by T. Carroll followed by the following vote: "YES" - C. Triggiano, T. Carroll, J. Tischio, J. Burke.

RESOLUTION - 34-2001 - Nancy Bock - 36 Broad Street  
A motion to memorialize was made by C. Triggiano, seconded by J. Burke, followed by the following vote: "YES" - C. Triggiano, J. Tischio, J. Burke.

RESOLUTION - 15A-2000 - Approve settlement of Litigation  
Tynday vs. Manasquan Planning Board.  
A motion to approve the settlement of litigation, was made by T. Carroll, seconded by J. Burke, followed by the following vote: "YES" - J. Muly, D. Place, C. Triggiano, T. Carroll, J. Tischio, J. Burke. ABSTAIN - Councilman Schmeling, G. Twadell, K. Monaco.

Chairman D. Place opened nominations from the floor for new officers for the coming year.  
T. Carroll nominated David Place for Chairman, seconded by J. Burke, no other nominations were made, nominations were closed with a unanimous vote.

D. Place nominated John Burke for Vice Chairman, seconded by T. Carroll, no other nominations were made, nominations were closed with a unanimous vote.

J. Burke nominated Geoffrey Cramer for Board Attorney, seconded by T. Carroll, no other nominations were made, nominations were closed with a unanimous vote.

The Meeting dates were approved and it was unanimously voted to keep the Coast Star and Asbury Park Press for publication.

T. Carroll nominated Marie Applegate for Secretary, seconded by D. Place, no other nominations were made, nominations were closed with a unanimous vote.

J. Burke nominated Birdsall Engineering, Inc, as Board Engineer,

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D.Place stated he received a letter from Ann Michaels of the Board of Education with reference to the expansion of the Grammer School, asking if we would like to have someone come to the meeting and speak.

Mr. Schmeling suggested the meeting be opened to the public as there are people in the audience who might have come comments. J.Burke made motion to open to the public, seconded by C.Triggiano and unanimously carried.

There being no comments from the public, motion to close was made by J.Burke, seconded by C.Triggiano and unanimously closed.

There being no more business, motion to adjourn was made at 9:30 P. M..

Respectfully submitted,

*Marie Applegate*

Marie Applegate, Secretary  
Manasquan Planning Board

BOROUGH HALL  
15 TAYLOR AVENUE  
POST OFFICE BOX 199

Incorporated December 30, 1887

732-223-  
FAX 732-223-1000

JOHN L. WINTERSTELLA  
Mayor

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

COLLEEN SCIMECA  
Municipal Clerk

Dear Manasquan Board Members:

Please consider the following Agenda for the December 4, 2001 Regular Meeting at 7:00 P.M in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N.J..

**MANASQUAN PLANNING BOARD AGENDA**  
**DECEMBER 4, 2001 - REGULAR MEETING**

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

1. For Discussion - Nominating Committee
2. Informal Hearings:
3. Private Session:

7:30 P.M. - REGULAR PUBLIC MEETING

1. Salute to Flag
2. Consent Agenda

APPLICATION - 38-2001 - Cont.-Dr. Richard & Sharon Borgatti  
54 First Ave. - 57 Beachfront

APPLICATION - 39-2001 - Linda S.Tobey-Campagna -293 First

APPLICATION - 37-2001 - Andrew Waring - 535 Jackson Avenue

RESOLUTION - 35-2001 - Ellen Jaeger - 400 Pine Avenue

RESOLUTION - 34-2001 - Nancy Bock - 36 Broad Street

RESOLUTION - 15A-2000 - Approve Settlement of Litigation  
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4. MOTION ON MINUTES
5. APPROVAL OF VOUCHERS
6. COMMENTS FROM INDIVIDUAL BOARD MEMBERS
7. REPORTS OF SUBCOMMITTEES OF BOARD
8. AUDIENCE PARTICIPATION

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REGULAR SESSION

Chairman David Place arrived at 7:20 P.M.

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ABSENT - N.Hamilton, J.Coakley, K.Thompson.  
Mayor J.Winterstella.

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of living room - 14ftx19ft. kitchen 11'x13', the rear a family room 13'x16', full bath and shower, the second floor there are 3 bedrooms, 2 in front 11'x11 $\frac{1}{2}$ ', 2 bath rooms and at the rear a master bedroom 14x19'. The  $\frac{1}{2}$  story is a loft with a front balcony. The entire structure from grade to top of ridge should not exceed 32 feet. This structure will be in keeping with the homes around it. The covered porch is 5ft. from the front yard. The back is 7ft., so it will be slid back in keeping with the front street. It will be in line with the flood elevation. Will be an aesthetical improvement with what is there. We are improving all set backs. The deck on the second floor rear will be wolmanized treated lumber and will not increase the building coverage. The driveway area to the rear will be stone and are reducing the building coverage. The ceiling height first floor is 9' and the second floor is 8', the loft to 10 ft.. Four photos submitted were marked as A1 to A4. This property has the advantage of coming in and parking off Timber Lane instead of First Avenue. The half story will be 4 ft. back from the lower portion and the ridge will be 8' back. The parking is adequate for 2 cars. There will be two solid walls on each side.

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A motion to memorialize was made by J.Burke, seconded by T.Carroll followed by the following vote: "YES"- C.Triggiano, T.Carroll, J.Tischio, J.Burke.

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

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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

COLLEEN SCIMECA  
Municipal Clerk

**PLANNING BOARD**

Dear Manasquan Board Members:

Please consider the following Agenda for the December 4, 2001 Regular Meeting at 7:00 P.M in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N.J..

**MANASQUAN PLANNING BOARD AGENDA  
DECEMBER 4, 2001 - REGULAR MEETING**

Sunshine Law Announcement - Chairman

ROLL CALL

7:00 P.M. - WORK SESSION

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2. Informal Hearings:
3. Private Session:

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1. Salute to Flag
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