

**LITTLE SILVER PLANNING BOARD
BOROUGH OF LITTLE SILVER
480 PROSPECT AVENUE
LITTLE SILVER, NEW JERSEY 07739
(732) 842-2400**

Thursday June 9, 2016
Regular Meeting - Planning Board

7 P.M.

The Regular Meeting was called to order at 7 P.M. by Vice-Chairman Scott who gave the following Statement of Compliance: Adequate notice of this meeting has been provided by giving of annual notice to the Asbury Park Press and Two River Times and by filing of such notice with the Clerk of the Borough of Little Silver and by prominently posting said notice on the Borough bulletin board.

Vice-Chairman led the flag salute.

Roll Call:

Present: Mayor Neff, Councilman Galante, Vice-Chairman Scott, Mrs. Smith, Mrs. Hough, Mrs. Jungfer, Mr. Holzapfel, Mr. Orlando, Mr. Michael Leckstein, Board Attorney and Greg Blash, Borough Engineer

Absent: Mr. Chimento and Mr. Perfetto

A motion was made by Mayor Neff and seconded by Mrs. Hough to approve the minutes of the May 19, 2016 meeting.

A unanimous voice vote followed.

Correspondence: None

Announcements:

Vice-Chairman Scott stated that the following application is carried to July 14, 2016, 2016 meeting:

Martin and Kerrilee Russo 178 Winding Way South Block 67, Lot 7, in the R-2 Zone

Extension of time request:

Phyllis and Bill Sauer 26 Crest Drive Block 13 Lot 87 in the R-2 Zoning is requesting one year extension to July 2017.

A motion was made by Mayor Neff and seconded by Mr. Orlando to grant a one year extension to June 9, 2017.

A unanimous voice vote followed.

Sign Signage approval request:

Patricia Holsey proposing replacement of “like for like” signage located at **350 Silverside Avenue Block 76, Lot 2 (B-1 Zone)** -Replacement of sign from “Window Dressing” to “**Gannon Holsey Real Estate/Blue Winn Commercial Real Estate**”

Mrs. Holsey appeared and explained to the Board that she received her Development Permit Approval for her business of a real estate office to be located at 325 Silverside Avenue and originally was relocating both Gannon Holsey Real Estate and Blue Winn Commercial Real Estate to the new location in Little Silver, but now the Commercial Real Estate office will stay in Red Bank, therefore the sign will just read :Gannon Holsey Real Estate on both sides and is replacing the wording on an already existing sign from the previous business of “Window Dressing”.

A motion was made by Councilman Galante and seconded by Mrs. Smith to approve the signage presented as amended removing the request for Blue Winn Commercial Real Estate signage.

A unanimous voice vote followed.

New Business:

Denise Laferrera 120 Woodbine Avenue Block 22, Lot 14, in the R-3 Zone is seeking permission to construct a second floor dormer off the rear and enclose a screened in porch. The minimum required lot area is 20,000 square feet where 7837square feet is existing. The minimum required improved road frontage is 100 feet where 75 feet is existing. The minimum required front yard setback is 30 feet where 24.8 feet is existing. The minimum required side yard setback for a principal structure is 15 feet on each side where 12.2 feet and 5.7 feet is existing. The maximum allowable lot coverage is 18% where 19.5% is existing.

Attorney Leckstein noted for the record that his review of service found it in order and the Board to have jurisdiction over this application.

Mrs. Laferrera was sworn in and explained to the Board that the home is a 2 bedroom cape with one stall shower and she would like to make it a full shower and enclose the 1st. floor screened in porch.

Vice-Chairman Scott called for questions or comments from the public. Seeing none, he called for a Motion to dispose of the application.

A motion was made by Mrs. Hough and seconded by Councilman Galante to approve this application as submitted and the following Roll Call was taken:

Affirmative: Mayor Neff, Councilman Galante, Vice-Chairman Scott, Mrs. Smith
Mrs. Hough, Mrs. Jungfer, Mr. Holzapfel and, and Mr. Orlando.

Negative: None

Abstentions: None

Ulrike Lirosi 122 North Sunnycrest Drive, Block 33, Lot 31, in the R-3 Zone is seeking permission to construct a new covered porch extension of 70 square feet. The minimum required lot area is 20,000 square feet where 7,875 square feet is existing. The minimum required front yard setback is 30 feet where 25.4 feet is existing. The minimum required rear yard setback for a principal structure is 50 feet where 46 feet is existing. The minimum required side yard setback for a principal structure is 15 feet on each side where 11.4 feet and 11.9 feet is existing. The maximum allowable lot coverage is 18% where 19.9 % is existing and 20.8% is proposed.

Attorney Leckstein noted for the record that his review of service found it in order and the Board to have jurisdiction over this application.

Armen McOomber an Attorney with an office located at 54 Shrewsbury Avenue Red Bank, NJ appeared on behalf of the applicant and presented the application on behalf of his clients to construct a 70 square foot extension of front porch addition and noted that they are not creating any new variances or exacerbating any existing variances.

Vice-Chairman Scott commented that this application is very diminimus expansion in lot coverage and questioned Greg Blash if this application would have any significate impact on the neighborhood Mr. Blash responded that it would not.

Vice-Chairman Scott called for questions or comments from the Board and the public. Seeing none, he called for a Motion to dispose of the application.

A motion was made by Mrs. Jungfer and seconded by Mr. Holzapfel to approve this application as submitted and the following Roll Call was taken:

Affirmative: Mayor Neff, Councilman Galante, Vice-Chairman Scott, Mrs. Smith
Mrs. Hough, Mrs. Jungfer, Mr. Holzapfel and, and Mr. Orlando.

Negative: None

Abstentions: None

Ryan and Holly Moscatiello 148 North Lovett Avenue Block 36, Lot 16, in the R-3 is seeking permission to construct a second story dormer and extend front porch by lengthening and covering. The minimum required lot area is 20,000 square feet where 11,717 square feet is existing. The minimum required improved road frontage is 100 feet where 95 feet is existing. The minimum required front yard setback is 30 feet where 35 feet is existing and 28 feet is being proposed. The maximum allowable floor area ratio is .18 where .18 is existing and .239 is proposed.

***Note: Floor area ratio is a use variance and requires 5 out of 7 affirmative votes.**

Mayor Neff and Councilman Galante are unable to participate and joined the audience as this application contained a variance for floor area ratio.

Attorney Leckstein noted for the record that his review of service found it in order and the Board to have jurisdiction over this application.

Scott Tashjy an Attorney presented the application on behalf of his clients who were not able to attend because of the passing of Mrs. Moscatiello Grandfather.

Thomas Moscatiello (applicants' father), Manasquan New Jersey was sworn in.

Vice-Chairman Scott questioned if they were expanding the front porch and Mr. Mociatiello advised that they were not.

Mrs. Smith noted that the plans are to construct dormers and front door entrance is being bumped out.

Attorney Tashjy noted that the front stoop is in total disrepair.

Mrs. Jungfer noted that a full front porch is being proposed other than the garage area.

Mrs. Jungfer questioned Mr. Moscatiello if the current home is a two story and Mr. Moscatiello replied that the home is a two story.

Vice-Chairman noted the lot is considerably undersized for this area.

Mrs. Smith commented that she doesn't have a problem with this application.

Open to the Board

None

Open to the Public

None

Attorney Tashjy stated that the plans presented are keeping with the same style and size in the neighborhood.

A motion was made by Mrs. Smith and seconded by Mr. Orlando to approve this application as submitted and the following Roll Call was taken:

Affirmative: Vice-Chairman Scott, Mrs. Smith, Mrs. Hough, Mrs. Jungfer, Mr. Holzapfel and Mr. Orlando.

Negative: None

Abstentions: None

Helen Appleby of 211 Randall Avenue Point Pleasant Beach, New Jersey is seeking permission to construct a second story addition with a new covered front entry/porch, a 630 sq. ft. rear deck and a 645 sq. ft. rear patio on the property at **44 Queens Drive East, Block 43, Lot 8, in the R-2 Zone**. The minimum required lot area is 25,000 square feet where 20,033 square feet is existing. The minimum required front yard setback is 50 feet where 51.4 feet is existing and 48.4 feet is proposed. The minimum required rear yard setback for a principal structure is 50 feet where 38.2 feet is existing. The maximum allowable floor area ratio is .18 (3,606 sq. ft.) where .12 (2,604 sq. ft.) is existing and .26 (5,208 sq. ft.) is proposed.

***Note: Floor area ratio is a use variance and requires 5 out of 7 affirmative votes**

Mayor Neff and Councilman Galante are unable to participate and remained seated in the audience as this application contained a variance for floor area ratio.

Attorney Leckstein noted for the record that his review of service found it in order and the Board to have jurisdiction over this application.

Brooks Von Arx, Attorney with an office located at 777 River Road Fair Haven, New Jersey appeared on behalf of the applicant and explained to the Board that his client is the owner of 44 Queens Drive East lot 8 block 43 and the property is in the R-2 zone and the proposal before the Board is to improve an upgrade of an existing residence on the property essentially within the same foot print of the exiting building. The proposal before the Board is an essentially a slight modification of the footprint very slight in which the Architect will explain and the addition of a second floor and they believe it is within the consistency of the neighborhood as the way its developing. The General contractor has been in touch with the neighbors and generally has had support for the project. The plans have been somewhat revised since Mr. Blash reviewed them and was not sure if he and Mrs. Waterbury have been able to coordinate with confirming the numbers they will be talking about.

Greg Blash, Borough Engineer/Borough Zoning Official was sworn in.

Mr. Blash stated that he did have a conversation with Mrs. Waterbury and came in early for the meeting to review the plans and they were in agreement somewhat to the area you are asking for .20 in the floor area and there is a room up there that is unfinished which we

will talk about which bring the floor area ratio to .24 other than that they are in agreement with the numbers and how the unfinished room will be treated.

Attorney Leckstein noted that any unfinished room that has access has to be counted at living space.

Attorney Von Arx stated that they will give testimony to those facts.

Robert Hazelrigg, Architect with an office located at 3430 Sunset Avenue in Ocean Township New Jersey was sworn. Mr. Hazelrigg explained that the neighborhood was developed in the 50's and this property has three bedrooms and a ranch style, most recently he can see that the neighborhood is improving itself, several people have put additions on and there are even new houses. The house to the north of this property is very similar to what they are proposing in size and character and at least two others close by that are similar. It looks like a trend with people looking for bigger more open plan houses. The little 3 bedrooms ranch houses of 1200 to 1500 square feet in today's standards are closets. They are proposing to use the existing foundation and just expand it slightly.

When questioned by Attorney Leckstein about knocking the building down to the foundation, Mr. Hazelrigg responded yes because they are also trying to raise the ceilings which are currently only 8 feet high. The rooms now would be much larger so therefore they can go to a 9 foot ceiling on the first and second floor. With regards to setbacks the master bedroom on the second floor because of aesthetics of the building they wanted to put a little more movement in the front of the house, so they did a little projective window and the amount over the setback is where the corner meets and in this corner (referring to plan) is 16 inches because of the curved street and is causing a front yard setback. It makes a nice feature without adding a dormer.

Mr. Holzapfel questioned if there would be a basement, Mr. Hazelrigg stated yes there is a basement but they are not finishing it. Mr. Holzapfel questioned if the Floor Area Ratio calculations included the basement and asked how high the ceiling was in the basement. Mr. Hazelrigg stated the height of the basement was 9 feet. The FAR didn't include the basement.

Attorney Leckstein stated that the ordinance requires that to be included and was not aware that the calculations submitted didn't include the basement.

The Board had discussion on the increase in Floor Area calculations.

Mr. Von Arc stated that the ceiling height of the basement would be 83 inches.

Mr. Hazelrigg further described the proposed plans.

Attorney Leckstein questioned Mr. Hazelrigg if his clients were building this for themselves or as a spec house, Mr. Hazelrigg stated for them.

Mrs. Jungfer referred to a room over garage marked as unfinished storage.

Mr. Hazelrigg referred to sheet A-7 space underneath rafters

Borough Engineer Blash stated that there is some confusion, that the 2nd floor plans show an area marked as unfinished storage and Mr. Hazelrigg calculations does not include this space room.

Attorney Von Arc would like to call the builder who could answer the questions, regarding that area.

Joseph Marley with an office located at 211 Randall Point Pleasant Beach, was sworn in.

Attorney Leckstein questioned the builder that he and the applicant are both from Point Pleasant Beach and Mr. Marley stated they are together on this property. Attorney Leckstein further questioned if the property was being built for someone else. Mr. Marley replied yes. Attorney Leckstein noted that the testimony given before was different. Mr. Marley stated it is a spec house.

Vice-Chairmen Scott asked Ms. Appleby to come forward.

Helen Appleby, 129 Kenilworth Road Mountain Lakes New Jersey was sworn in.

Attorney Leckstein questioned the application indicates a Point Pleasant Beach address for Ms. Appleby. Mr. Marley stated that was the business address in Point Pleasant Beach.

Vice-Chairman Scott stated that he happens to be in the Title Insurance business and saw that Ms. Appleby did the deed from herself to a LLC.

Ms. Appleby explained that the LLC is herself and her husband, Mark Thompson 50% owners each and the LLC name is Visionary Growth Property with an address of 129 Kenilworth Road Mountain Lakes New Jersey and that is also her home address.

Mr. Hazelrigg explained that the unfinished room would be considered a bonus room and they are willing to drop down the ceiling height or whatever the Board would want.

Vice-Chairman Scott stated that the Board can't imagine what the house will look like without revised plans and if you remove this bonus and in the meantime if you bring this house into compliance this will be a walk in the park and the reason why they have this ordinance is to control the size and the mass of these homes. Only speaking for himself Vice-Chairman Scott noted that he would be inclined to decline an application of this size and even without that room because no effort was given to comply with what is required.

Attorney Von Arc After requested an adjournment to revise the plans and return to the next meeting without further notice being required.

Open to the Public:

Rob Kline of 26 Queens Drive East was sworn in. Mr. Kline stated he lives three doors away from the proposed development and is happy to see the Planning Board is talking about the .18 and he supports the Board in that issue.

A motion was made by Mrs. Smith and seconded by Mr. Orlando to carry this application to the July 14, 2016 meeting with no further notice being required.

A unanimous voice vote followed.

Mayor Neff and Councilman Galante returned to the dais from the audience.

Approval of Resolutions:

Attorney Leckstein briefly reviewed the Resolutions for the following applications:

Dr. Mohammedusuf Hajee 563 Seven Bridges Road Block 61, Lot 36, in the R-1 Zone sought permission to construct a two story addition with an attached garage. The minimum side yard setback required is 43.58 feet where 53.67 feet and 38.78 feet are existing.

Gary and Andrienne Lamanno 64 Laurel Drive Block 52, Lot 33, in the R-3 Zone sought permission to amend permit #138-15 which was approved for the installation of 18' x 34' pool with plastic step and 3' concrete apron to now include a 10' x 14' shed, walkway and increase of size of concrete around pool and also seeking permission to widen the driveway to 20 feet, and adding a 13' x 32' stone area extension to the driveway. The minimum required rear yard setback for an accessory structure 150 square feet in size is 15 feet where 7.9 feet is proposed. The minimum required side yard setback for an accessory structure 150 square feet in size is 15 feet where 7.4' is proposed. The maximum allowable impervious surface is 35% (4775 sq. ft.) where 25% (3450 sq. ft.) is existing and 43.2 % (5827 sq. ft.) is being proposed

Mayor Neff moved to approve Resolutions as presented. Seconded by Mr. Orlando and the following vote was taken:

Affirmative: Mayor Neff, Vice-Chairman Scott, Mrs. Hough and Mr. Orlando.

Negative: None

Abstentions: None

The Board had a discussion on the amending and supplementing Land Use Ordinance for the B-1 and B-2 "Business Zone".

A motion was made by Mrs. Smith and Seconded Mr. Holzapfel that the Planning Board found that the changes are not in conflict with the Master Plan and recommends approval of the Ordinance.

Affirmative: Mayor Neff, Councilman Galante, Vice-Chairman Scott, Mrs. Smith
Mrs. Hough, Mrs. Jungfer, Mr. Holzapfel and, and Mr. Orlando.

Negative: None

Abstentions: None

There being no further business to come before the Board at this time, Mrs. Jungfer moved to adjourn at 7:56 P.M. Seconded by Councilman Galante and a unanimous voice vote followed.

Colleen Mayer, Planning Board Secretary

Dated: July 12, 2016

