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

Thursday May 19, 2016 7 P.M.
Regular Meeting - Planning Board

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, Vice-Chairman Scott, Mr. Chimento, Mr. Perfetto, Mrs. Hough, Mr. Orlando, Mr. Michael Leckstein, Board Attorney and Greg Blash, Borough Engineer

Absent: Councilman Galante, Mrs. Smith, Mrs. Jungfer, and Mr. Holzapfel.

A motion was made by Mayor Neff and seconded by Mr. Chimento to approve the minutes of the May 5, 2016 meeting.

A unanimous voice vote followed.

Correspondence: None

Announcements:

Vice-Chairman Scott stated that the following applications are carried to June 9, 2016 meeting:

Ryan and Holly Moscatiello148 North Lovett Avenue Block 36, Lot 16, in the R-3 and

Denise Laferrera 120 Woodbine Avenue Block 22, Lot 14, in the R-3 Zone.

Vice-Chairman Scott also noted that Verizon Wireless 492-500 Prospect Avenue Block 37, Lot 13 have withdrawn their application.

New Business:
Dr. Mohammedusuf Hajee 563 Seven Bridges Road Block 61, Lot 36, in the R-1 Zone seeking 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.

Attorney Leckstein noted for the record that he has represented Dr. Hajee on another matter within the last year and therefore has a conflict and has to step down.

It was noted for the record that service was found it in order and the Board to have jurisdiction over this Application.

Mohammedusuf and Feryal Hajee, 565 Seven Bridges Road were sworn in.

Dr. Hajee stated that the have been living in the current home for 6 years and have 3 children and his in-laws have moved in full time and they need more space from what the home offers now with 4 bedrooms and 2 full and one half bath. He would like to give his In-laws a bedroom on the first floor and have an additional bedroom upstairs for the children.

Vice-Chairman Scott questioned if any new variances were being created and Dr. Hajee responded no new variance are being created only existing variances. The footprint is being extended but within the guidelines of the Borough Ordinance. The house appears to have been built within the defined setback and that is the existing variance that they are before the Board for.

Michael Savarese, Licensed Architect in the State of New Jersey was sworn in and gave a brief description of the proposed plans.

Mayor Neff questioned Mr. Savarese if the height of the new addition exceeds the height requirement and Mr. Savarese responded if does not.

Vice-Chairman Scott called for questions or comments from the public. There were none.

Mr. Chimento moved to approve the application as presented. Seconded by Mrs. Hough and the following Roll Call was taken:

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

Negative: None

Abstentions: None

Gary and Andrienne Lamanno 64 Laurel Drive Block 52, Lot 33, in the R-3 Zone seeking 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.

Mr. Perfetto was unable to participate as he was noticed on this application and joined the audience.

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

Gary and Andreienne Lamanno appeared and were sworn in. Mrs. Lamanno explained that they had an in ground pool installed in 2015 and the concrete decking around the pool was increased, a walkway was added and a shed was installed. Mrs. Lamanno stated that the pool company informed her that it would not be a problem, they do this all the time and they would notify the Borough of the changes. As for the shed, the contractor informed her that no permits were needed for the shed. The problem now being they are over on the impervious coverage that is allowed.

Vice-Chairman Scott stated that on the plans submitted that the applicants are seeking to expand the driveway in addition to the changes from previous zoning approval.

Mrs. Lamanno explained they would like to expand the driveway by 7 feet to make it 20 feet because of a one car driveway with two drivers and another being added in August and would like not to park on the street.

Vice-Chairman questioned Mrs. Lemann whether the pool size was different then what was approved and Mrs. Lamanno stated that the pool size did not change and feels they were miss lead by the pool company in believing that changes were acceptable.

The Board expressed concerns over changes being made without approval.

Mrs. Lamanno stated that the pool company informed her that they would submit revised plans to the Borough and they had no idea that these changes were not approved.

Vice-Chairman Scott questioned the air conditioning unit being next to the proposed driveway expansion. Mrs. Lamanno responded that the asphalt is only going to be going out 7 feet where the existing driveway is and the rest will be gravel and the air conditioning unit was there when they purchased the home.

Greg Blash, Borough Engineer stated that the existing plans show 18 feet to the property line from the existing driveway.

Mr. Chimento questioned if they were going to end the pavement even with the house and from that point to where the air conditioner is will be stone and Mrs. Lamanno responded yes.

Attorney Leckstein questioned Mr. Blash on the impervious coverage. Mr. Blash responded that stone/gravel is calculated in impervious.

Mrs. Lamanno stated that she doesn't have to have that much area of stone and would be willing to make it grass.

Mr. Blash stated that the shed doesn't require 15 feet only 8 feet and they are off by a foot on the setback requirement.

Vice-Chairman Scott stated that he was able to widen his driveway and understands the desire not to park on the street.

The Board had a discussion over their concerns about this project being changed without approvals.

Mayor Neff expressed his concerns that revised plans are not being submitted for review and approvals and is not happy about this and it just keeps happening over and over.

Mrs. Lamanno became upset and stated she did not know that this was not submitted by the pool company for approval.

Mr. Perfetto, who lives directly behind the applicant was sworn in and stated that the Lamannos are terrific neighbors and he understands why they want to widen their driveway and it's not their fault that the pool company said they would submit revised plans and they didn't. Mr. Perfetto also stated that the Lamannos' have put a lot of money into the property, and he supports what they want to do in and have done and feels it is a lot to ask someone to remove what was done and start to cut out concrete.

A motion was made by Mayor Neff and seconded by Mr. Chimento to approve this application as amended with the following conditions: Removal of 400 square feet of gravel from driveway and plant grass and shrubs where gravel was to be.

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

Negative: None

Abstentions: None

Mayor Neff was unable to participate as he was noticed on the following application and joined the audience.

Martin and Kerrilee Russo 178 Winding Way South Block 67, Lot 7, in the R-2 Zone is seeking permission to raise ridge on existing garage including dormer to create storage above garage. The minimum required side yard setback for an accessory structure is 15 feet on each side where 11.5 feet and 11.5 feet are existing. The maximum allowable building and/or structure height is 16 feet for any free standing accessory building where 15 feet is existing and 23.2 feet is proposed.

Martin Russo, 178 Winding Way South appeared along with James Fitzmaurice.
Mr. Russo explained that he drew up the plans and that Mr. Fitzmaurice is his friend and had helped him with ideas as he has more experience. Attorney Leckstein questioned Mr. Fitzmaurice if he was a licensed Architect, Mr. Fitzmaurice responded no he has construction background and is a friend and acting agent for the application. Attorney Leckstein informed Mr. Russo and Mr. Fitzmaurice only an Attorney could represent and the applicant.

Mr. Russo was sworn in and explained to the Board he would like to finish the garage because he is a hobbyist and has a camper for the back of his pick-up truck that he would like to store in the garage and doesn't think the neighbors want to see his jalopies in the driveway or the camper in his yard. He is proposing on his detached garage to heighten the garage door because some the trucks are big that he works on and the height of the camper in order to structurally to that he would have to raise the roof for the 9 foot doors and is trying to keep in scale with the house so it doesn't look like an eye sore.

Mr. Fitzmaurice explained that the driveway goes up and the garage is graded down about two feet.

Vice-Chairman expressed his concerns over the height being proposed for the garage and was wondering if the height could be reduced as the garage currently violates the side and rear yard setbacks.

Mr. Fitzmaurice started to respond and Vice-Chairman Scott informed Mr. Fitzmaurice that they will only accept testimony from the homeowner on what they are going to do.

Attorney Leckstein sworn in James Fitzmaurice.

Attorney Leckstein stated that since there is no Architect present and it is difficult to determine what could be done to lower height.

Mr. Fitzmaurice stated he knows the Board would like the garage to get as close to the 16 foot as possible and that the homeowner would like to make the garage appear as nice as possible aesthetically. Mr. Fitzmaurice noted that the height would give the garage storage space on the 2nd level since the first level (storage) space would be lost on the ground level to be used since Mr. Russo is a hobbyist.

Attorney Leckstein questioned what the current height of the existing garage is. Mr. Russo responded 14.9 feet and the first floor has to be at least 12 feet to get the cars in and the proposed garage doors are 9 feet and he will have lifts in the garage so the cars will be stacked and it's difficult to work on a car that's not on a lift.

Mrs. Hough noted that the proposed height is almost 50% more than the allowable height in the ordinance.

The Board expressed their concerns over the proposed height and the applicant requested be carried to the next meeting to take the Boards comments in to consideration and revise the proposed plans.

A motion was made by Mr. Chimento and seconded by Mrs. Hough to carry this application without further noticing being required.

A unanimous voice vote followed.

Capital Improvement Project for DPW building located at **Birch Avenue, Block 30.01 Lot 122**-modification of building size to 75' x 100'.

Greg Blash, Borough Engineer explained to the Board that after they received the approval on the Public Works garage over on Birch they meet with the Public works Director and he informed Mr. Blash and the Borough Administrator that he realizes that he could not fit all of his equipment in a 50 feet building because his trucks are 44 feet and the size would have to modify the size.

After a brief discussion as motion was made by Mayor Neff and seconded by Mr. Orlando for recommendation to the Mayor and Council in favor of this project and the following vote was taken:

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

Negative: None

Abstentions: None

Approval of Resolutions:

Attorney Leckstein briefly reviewed the Resolution for the following application:

Brenda McIntyre sought permission to open a Real Estate Office (Brenda McIntyre Realty) located at **50 Church Street, Block 40, Lot 8, in the B-1 Business Zone**. Minimum off-street parking spaces required for Business offices are one (1) parking space for each one hundred fifty (150) square feet of gross floor area. Ordinance requires 17 parking spaces, where 6 are existing and proposed.

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

Affirmative: Mayor Neff, Vice-Chairman Scott, Mr. Chimento, and Mr. Perfetto.

Negative: None

Abstentions: None

There being no further business to come before the Board at this time, Mr. Chimento Moved to adjourn at 8:02 P.M. Seconded by Mrs. Smith and a unanimous voice vote followed.

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Colleen Mayer, Planning Board Secretary

Dated: June 8, 2016