

Planning Board Meeting 5-4-2017

TOWNSHIP OF OCEAN Planning Board May 4, 2017

7:00 P.M.

PLEDGE OF ALIGIENCIE

STATEMENT: Pursuant to the provisions of the New Jersey, Open Public Meetings Act, adequate notice of the meeting was properly provided by sending copies of the notice of meeting to the Asbury Park Press and the Press of Atlantic City. Notice was posted on the bulletin board in the Administration Building.

The meeting of the Planning Board was held on the above date and time; Vice Chairman Don Lippincott called the meeting to order.

ROLL CALL

Members Present	Robert Beck Don Lippincott Aaron Shapiro	Dan Collamer John Petrosilli	William Edwards Michael Roche
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Members Absent: Nick Bonamassa, Robert Lange, Ben LoParo, William Sneddon

Professionals Present: Steve Yost Esquire, Haines and Yost
Jim Oris, T&M Engineering
Scott Taylor, Taylor Design

APPROVAL OF SPECIAL MINUTES OF APRIL 13TH:

Aaron Shapiro made a motion to approve the minutes of the special meeting of April 13, 2017 with the correction of Michael Roche coming in late he was not absent, and Michael Roche seconded them. **Roll Call (Ayes)** Shapiro, Roche, Beck, Lippincott, Petrosilli

APPROVAL OF BILLS:

Aaron Shapiro made a motion to approve the bills and John Petrosilli seconded it. **Roll Call (Ayes)** Shapiro, Petrosilli, Beck, Collamer, Edwards, Lippincott, Roche

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CORRESPONDENCE:

NONE

RESOLUTION: NONE

INFORMALS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

Docket No. 01-17-PB

Danielle Elley

Minor Subdivision

Block 186 Lot 8

Attorney Yost asked Ms Elley if she sent by certified mail to each of the people on the list from the tax office a copy of the attached. She said that she had. Attorney Yost marked it as Exhibit 1 for the records.

Ms. Elley stated that she is looking to do a minor subdivision of two lots each of the lots have utilities, currently there is a home which was destroyed by Sandy and stated that she wants to tear it down, and subdivide.

Engineer Oris reviewed the letter T & M prepared.

- Letter dated March 17, 2017 for the minor subdivision of Block 186 Lot 8.
- Applicant is looking to subdivide subject property into two lots. Currently it has frontage on both Adriatic Avenue and Illinois Avenue.
- Currently property has a single family dwelling with a wood deck, asphalt driveway and a wood shed which are all proposed to be removed.
- **Ms. Elley confirmed that in fact** the proposed structures that may be built in the future will comply with the zoning setback requirements for front, side, rear, building height and percent lot coverage.
- Future grading of the lots and recommend a minimum that grading and roof leaders be provided so that storm water from these homes be directed towards the street. **Applicant agreed**
- Concerns about a low spot at the common property line on west side – suggestion to applicant to provide a grading plan as part of resolution compliance preliminary to show the future grading so that it won't negatively impact private property owners.
- Applicant submit tax map fee of \$600.00

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- - Applicant should provide proof of Ocean County Planning Board approvals, which applicants engineer should submit to same.
 - Applicant provide photos of site. **Applicant handed photos to Attorney to mark in as Exhibits.**

Attorney Yost marked E-2 rear of property in front of fence, E-3 side of property, E-4 rear of property, E-5 rear of property from a slightly different angle, E-6 front of property, E-7 front of property from a different angle. These photos were taken by the applicant with her cell phone this day (May 4, 2017).

Applicant stated that the pictures of the house which was damaged by Sandy Storm and she intends to demolish it and wants to divide the property into two lots.

Jim Oris, Engineer stated that the current structure is uninhabitable suggest that a condition that the applicant demolish this structure before map filing because once the map is filed it would be straddling the property line.

Vice Chair asked if any board members had any questions.

Mr. Petrosilli asked about impervious coverage? **Applicant agrees to comply with impervious coverage.**

Mr. Beck asked if the new structures will be on pilings – **Applicant replies – yes**

Engineer Oris stated applicant is required to comply with all local, state, county and federal requirements.

Mr. Petrosilli asked if there were going to be one or two structures. **Applicant indicates that there will be two structures.**

Mr. Collamer asked if the applicant is proposing the structures to be consistent with neighborhood.

Vice Chair asked for a motion to open to the public. Mike Roche made a motion to open and Aaron Shapiro seconded it. All in Favor

OPEN TO PUBLIC

No one came forward

Vice Chair asked for a motion to close to the public. Dan Collamer made a motion to close and Mike Roche seconded it. All in favor

CLOSED TO PUBLIC

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Vice Chair asked for a motion on the application. Aaron Shapiro made a motion to approve the subdivision with guidelines put forth and Mike Roche seconded it. **Roll Call:** (Ayes) **Shapiro**, Roche, Beck, Collamer, Edwards, Lippincott, Petrosilli

Docket No. 04-16-PB

Lisa Bourgeois

Amended Site Plan

Block 194, Lots 13.01 & 12.01

Vice Chair asked Lisa Bourgeois to come forward and to state her name and address for the record and Attorney Yost swore her in. Attorney Yost swore Kenneth Schlatmann who is a licensed Engineer and Planner. The board accepted his credentials.

Mr. Schlatmann stated that he is representing Mrs. Bourgeois and did so on the original subdivision. They are here tonight to discuss some of the improvements that were put in the original application by the board.

1. **Curbs and sidewalks** – because Main is a county road they were also dealing with the County at the time. The county tried to dissuade them from curbs and sidewalks. Back portion of property located essentially to the northwest is part of the wetlands area which would prohibit curbs and sidewalks.
Requesting that they be waived
2. **Concrete driveway apron**- access to the parking area in front of the commercial building. **Did put the apron in**
3. **Ornamental street light** – Suggested that applicant put in one and the remaining lights would be put in by township. There is no other lighting of that type in the vicinity of the property.
Asking that this be waived
4. **Water and Sewer** – applicant would like to continue to use current (which is using from house) If they in the future would sell the commercial property they would have reconnect and have a separate service to the public utilities.
5. **Retaining wall** – requesting that the **wall be waived** because it would serve no purpose.

Engineer Oris -

1. Applicant has indicated that pictures were submitted with application
2. Asked if they had a permit from the town approving the interconnection of the water-sewer with the residential structure and commercial building.
Applicant said that she did have all of the proper permits and approvals.
3. **Suggest** – board should consider separate entities each have their own water and sewer. He felt that it is in the best interest for both parties.
4. **Sidewalk** – no other sidewalks
5. **Curb** – thinks curbing would serve a purpose – would like to hear board's opinion.

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6. **Light poles** – in researching information on the applications regarding the lighting the applicant had agreed to install one (1) acorn light. However tonight Mr. Schlatmann indicated that the town agreed to install the balance of the lights, he did not see that in the resolution. Mr. Schlatmann said that it was discussed at the meeting but it may not have made it into the resolution. Engineer Oris said he would defer to Mr. Taylor in regards to lighting.
7. **Retaining Wall** – the plan shows the wetlands buffer right up to the building. That is why there was to be a retaining wall to protect the wetlands. **Mr. Schlatmann** said that the town requested them to take down the brush in that area so then there was no physical barrier between what was being used and that area. Suggest that a single row of block barrier along the line to establish a visual and a barrier keep any vehicles from crossing into that area.
8. **Mr. Oris** stated that they provide a grading plan that demonstrates that, all fill material if it exists in the transition area to be removed and that you will not be encroaching with any improvements including grading. **Mr. Schlatmann** said they would have an as built done of the grading of the area. If it is determined that a retaining wall is warranted it would be shown, if not a single course which would provide a visible and obvious barrier.
9. **Scott Taylor** asked if there was stone placed in that area? Mrs. Bourgeois stated that there was stone from the front of the building to Clearwater.
10. **Engineer Oris** has concerns about the **wetlands** area. **Scott Taylor** also is concerned about one row of block in that area.
11. **Engineer Oris** said that the applicant could agree to restore the area and not encroach on the wetlands area. Board members also stated the need to protect the wetlands area maybe a fence or guardrail. **Scott Taylor** said a pressure treated split rail etc. Mr. Taylor stated that there was **no outdoor storage in the initial approval** and from site inspection there appears to be. **Suggest** everything be **brought inside of building or small fenced area** to store pallets or something else.
12. **Engineer Oris** and Mr. Schlatmann discussed **curbs and sidewalks** and county input. We did get county approval but he doesn't remember if they were mentioned in the approval.
13. **Scott Taylor** stated that there is a potential **advantage to a waiver for the sidewalk** because of retaining the vegetation in that area.
14. Board members discussed many items one of which violation of restrictions that were put on the application originally.

Attorney Yost stated that this board does not do enforcement. When there are restrictions on a site plan that was approved and they are not adhered to – the procedure for that is there is a warning issued by code enforcement and if it is not corrected than they site a violation and it goes before Municipal Court Judge and he will either find that the

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violation was proved or not proved. But what we can do in this situation we would approve a site plan, if it is within our power to give relief, if there is a reason to justify that. The applicant has the right to come in and ask for an amendment for reasons that have developed that are specific for the site. The board can review the requests and make their judgment on each one of the items requested. If they make sense than you can vote to give them relief.

OPEN TO PUBLIC

Aaron Shapiro made a motion to open and it was seconded. All in Favor (Aye)

Steve Bourgeois same address – asked if there is every going to be water and sewer on Clearwater. No one had an answer

Engineer Oris stated that he could get the answer for him but it should not impact the board's decision. It doesn't matter which street.

John Petrosilli made a motion to close and Aaron Shapiro seconded it. All in favor (Aye)

CLOSED TO PUBLIC

Vice Chairman stated that we will go over each issue.

No relief -Water and Sewer – Consensus is that they should comply with separate water and sewer.

Yes relief - Concrete sidewalk -

No relief - Curbing

No relief - Residential apron for driveway

Yes relief – Ornamental light (Acorn)

Retaining wall will be deferred to Mr. Oris subject to the submission of as built and a field inspection to determine what is necessary. Want a fence to protect the wetlands from possible vehicles but the wall may possibly be waived pending engineering review.

Grading - not to encroach into wetlands and applicant agrees if it needs to be corrected they will correct.

Landscaping – Nothing stored outside unless in small fenced in area. – Agreed to no greater than 10 x 30 fenced in area generally to the rear of the property. Applicant agreed to cleaning up the area.

Wetlands - Board did not authorize any use, fill or clearing within that transition area and it shall be revegetated and restricted from any further use.

Timeframe – Two months turnaround to grading and encroachment.

Mr. Schlatmann stated he would provide a new map with detailed information with respect to what was agreed to.

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Chairman asked for a motion. Aaron Shapiro made a motion with the conditions stated and Robert Beck seconded it. Roll Call (Ayes) Shapiro, Beck, Collamer, Edwards, Lippincott, Petrosilli, Roche.

Vice Chair asked for a motion to Open for Public Comments

Aaron Shapiro made a motion to open and it was seconded by Mike Roche. All in favor (Aye)

OPEN TO PUBLIC

Seeing no one

John Petrosilli made a motion to close and it was seconded by Mike Roche. All in favor (Aye)

CLOSED TO PUBLIC

Vice Chair asked for a motion to adjourn.

Mike Roche made a motion to adjourn and Bill Edwards seconded it. All in favor (Aye)

Meeting Adjourned at 8:40 P.M.

Respectfully Submitted;

Laurie Clune
Recording Secretary
LC/lc