

Borough of Brielle

JUNE 12, 2018

July 23 2018

June 12th, 2018

BRIELLE PLANNING BOARD
TUESDAY, JUNE 12, 2018

The Regular meeting of the Brielle Planning Board was held on Tuesday, June 12, 2018 at 7:30 p.m. in the Brielle Borough Hall, 601 Union Lane. After a moment of Silent Prayer and a Salute to the Flag roll call was taken:

Present – Mayor Thomas Nicol, Councilman Frank Garruzzo, Thomas Condon, James Langenberger, Stacey Montalto (arrived 7:50 p.m.), James Maclearie

Absent - Joseph Bonacci, Eric Lapham, James Stenson

Also present was Alan Hilla, Jr., Board Engineer, Vicki Flynn, Alternate Attorney and Secretary of the Board Karen Brisben who recorded the Minutes. There were 15 people in the audience.

A motion was made by Mr. Langenberger to approve the Minutes of the May 8, 2018 meeting, this seconded by Councilman Garruzzo and unanimously approved, all aye.

CORRESPONDENCE:

The Board accepted, with regret, the resignation of member Charles Sarnasi who had served for 10 years on the Board; it was noted he was a valuable asset to the Board and he will be missed. Mrs. Brisben commented there are now only 9 members on the Planning/Zoning Board and 2 more members are needed. She asked if anyone knows of someone who would like to serve to please have them contact Mayor Nicol.

OLD BUSINESS:

The Board turned to the consideration of a Resolution for a Minor Subdivision for Block 86, Lots 4, 5, 5.01, 6, 6.01, 301 Higgins Avenue, owned by Higgins Avenue, LLC and 800 Ashley Avenue, owned by Brielle Basin, Inc. to adjust the common property line between the two properties.

As all Board members had received a draft copy and there were no errors or changes to be made, the following was presented for approval:

WHEREAS, Brielle Basin, Inc. and 301 Higgins Avenue, LLC (the "Applicants") have applied to the Planning and Zoning Board of the Borough of Brielle (the "Board") for a Minor Subdivision Plan Approval for the property located at 804 Ashley Avenue and identified on the tax map of the Borough of Brielle as Block 86, Lots 4, 5, and 5.01, and the property located at 800 Ashley Avenue and identified on the tax map of the Borough of Brielle as Block 86, Lots 6 and 6.01 (the "Properties"); and

WHEREAS, the Properties are located within the Borough's Commercial Zone 2 (the "C-2 Zone"). Lots 4 and 5 consist of a 1 ½-story frame dwelling and various accessories. Lot 6 consists of a 3-story building, a 1 ½-story building, a marina, and various accessories; and

WHEREAS, the Applicants are seeking approval to adjust the lot line between Lots 4 and 5 and Lot 6 in order to reflect the current use of a small portion of Lots 4 and 5 (as delineated on the subdivision map) as part of the pre-existing commercial uses on Lot 6; and

WHEREAS, the Applicants' plans propose that once the lot line is adjusted, revised Lots 4 and 5 will become Lot 4.01 and revised Lot 6 will become Lot 6.02; and

WHEREAS, Lots 4 and 5 (New Lot 4.01) contain the following pre-existing nonconforming conditions:

- Lot Width – Pursuant to §21-19.6(b) of the Ordinance, a property's minimum lot width is 75 feet. Lots 4 and 5 have an existing and proposed width of 74.96 feet;
- Side Setback – Pursuant to §21-19.6(e) of the Ordinance, the side setback of a property must be a minimum of ten (10') feet. Lots 4 and 5 have an existing and proposed setback of 5.59 feet;
- Side Setback of Accessory Structure – Pursuant to §21-19.6(e)(m) of the Ordinance, accessory structures must to be set back ten (10') feet from the side lot line. Lots 4 and 5 have an existing and proposed accessory structure with a 4.7 foot side setback.

WHEREAS, this Application specifically requires the following variances for Lots 4 and 5 (New Lot 4.01):

- Non-conforming use – Pursuant to §21-19.1 of the Ordinance, residential property in a C-2 Zone is non-

conforming; Lots 4 and 5 exist as residential lots and are proposed to continue as such;

WHEREAS, Lot 6 (New Lot 6.02) contains the following pre-existing nonconforming conditions:

- a. Front Setback – Pursuant to §21-19.6(d) of the Ordinance, a property's front yard setback must be a minimum of thirty (30') feet. Lot 6 has an existing and proposed front yard setback of 19.8 feet;
- b. Side Setback – Pursuant to §21-19.6(e) of the Ordinance, the side setback of a property must be a minimum of ten (10') feet. Lot 6 has an existing and proposed side yard setback of 0.4 feet;
- c. Front Setback of Accessory Structure – Pursuant to §21-19.6(d), (m) of the Ordinance, an accessory structure's front yard setback must be a minimum of thirty (30') feet. Lot 6 has an existing and proposed accessory structure front setback thirteen (13') feet from the property line;
- d. Side Setback of Accessory Structure – Pursuant to §21-19.6(e)(m) of the Ordinance, an accessory structure's side yard setback must be a minimum of thirty (10') feet. Lot 6 has an existing and proposed accessory structure zero (0) feet from the property line;
- e. Rear Setback of Accessory Structure – Pursuant to §21-19.6(f)(m) of the Ordinance, the side setback of a property must be a minimum of thirty (30') feet. Lot 6 has an existing and proposed rear setback of zero (0) feet;
- f. Building Height – Pursuant to §21-19.6(k) of the Ordinance, the maximum height of a building is the lesser of thirty-five (35') feet or 2 ½ stories. Lot 6 has an existing and proposed structure that is forty-six (46') feet tall and 3 stories.

WHEREAS, this Application specifically requires the following variances for Lot 6 (New Lot 6.02):

- a. Pavement for Parking Area Setback in Commercial Zone – Pursuant to §21-31.22 of the Ordinance, paving for parking areas shall not be permitted within five (5') feet of any property line, whereas the pavement for the parking area on Lot 6 begins at the new property line;
- b. Landscaped buffer on side lot line within parking area - Pursuant to §21-31.21 of the Ordinance, parking is permitted in the front yard of a property provided that there is a five (5') foot landscaped area along the side and front lot lines, whereas no landscaped area is proposed along the side lot lines;

WHEREAS, the Board held a hearing on May 8, 2018, and considered the following documents presented at the hearing in connection with this Application:

- a. Application Packet;

WHEREAS, Raymond D. Bogan, Esq., attorney for Applicant Brielle Basin, Inc. presented this Application; and WHEREAS, the following individuals testified on behalf of the Applicants: Robert Burdick, P.E., Howard Bogan, and Bruce Jeffries all of whom were accepted as either experts in their field or as fact witnesses; and WHEREAS, also present at the Hearing was Edward F. Liston, Jr., Esq., attorney for Objector Holly St. Clair; and

WHEREAS, the Board considered the following testimony presented at the hearing in connection with this Application:

Mr. Bogan, Esq. told the Board that the Applicants were seeking approval for a minor subdivision of existing Lots 4, 5, and 6 located at the intersection of Ashley Avenue and Higgins Avenue in order to modify the property line to accommodate the fact that a portion of Lots 4 and 5 has historically been used as part of the commercial parking on Lot 6. No new construction is proposed and, instead, the Applicants are merely seeking to adjust the lot line to reflect the historic uses of the Properties. Mr. Bogan, Esq. stated that Mr. Howard Bogan could explain the uses of the Properties and the specifics of the parking and that Mr. Burdick would testify regarding the encroachment agreement between the two Applicants. The Master Plan and zoning has brought the residence into the C-2 zone which results in the need for a Use Variance.

Mr. Bogan, Esq. next discussed the letter from Mr. Liston dated May 7, 2018 on behalf of Objector Holly St. Clair. Mr. Bogan indicated that the Applicants have agreed to make all of the changes to the proposed subdivision map suggested within Mr. Liston's letter (with the exception of item #4, the flood zone delineation, which will be omitted) and that a revised subdivision map would be filed with the deed should the Board grant the subdivision. In response to item #4 of the letter, Mr. Liston's suggestion was to not reference the flood zone in the map which does not directly affect the Application.

Edward F. Liston, Esq. came forward on behalf of Objector Holly St. Clair to discuss the issues that the Objector has with the subdivision map as described within his letter. Mr. Liston stated that: 1) the list of property owners within 200 feet incorrectly identifies the Objector's property; 2) the side yard setback is incorrect; 3) the Objector's property is not shown in the correct zones, and 4) the flood zone is incorrectly delineated. Mr. Liston indicated that his client has no objection to the Application so long as these errors in the subdivision map are corrected and Mr. Bogan agreed that a revised subdivision map would be submitted with these corrections (or, in the case of item #4, the flood zone delineation, this item will be omitted from the revised map).

Mr. Howard Bogan came forward to testify, and was sworn in. Mr. Howard Bogan testified he is one of the owners or Brielle Basin, Inc. and that he can represent the company in this Application. Mr. Howard Bogan explained the reason for the Application. He stated that his grandparents purchased 301 Higgins Ave and that he purchased the property from their estate when they died. He assumed that the old iron fence on the Properties showed the lot line, but he later learned that the commercial parking lot and some of the structures were over the property line. As a condition of Lots 4 and 5 to Mr. Jefferies, Mr. Howard Bogan agreed to have the property line moved along with some other conditions. This was necessary to keep doing

business as usual at the basin.

Chairman Condon opened the Hearing for questions from the Board regarding Mr. Howard Bogan's testimony, and hearing none, he opened to public questions. Hearing none, Chairman Condon closed that portion of the Hearing.

Mr. Bogan, Esq. then called Mr. Burdick come forward to testify. He was sworn in and the Board accepted his qualifications.

Mr. Burdick explained that Bogan's Basis has had parking on its property since the 1950s. It was not an issue until the residential property on Lots 4 and 5 was sold. There are several pre-existing non-conformities which are noted in Mr. Hilla's letter, those conditions will not change. It would be hardship for the Applicants to eliminate or move the existing structures. There is an encroachment agreement between the Brielle Basin, Inc. and Mr. Jefferies which provides that as the encroaching structures become damaged, they will not be replaced. There is no timeframe for this, it could be couple of years or months.

Mr. Burdick continued with item #3 of Mr. Hilla's review letter (the setback of five (5') feet for the parking and landscaping). The Applicants are asking for a variance from this setback requirement because the parking lot is over the property line. This would be no change to the existing condition. Item #5 of Mr. Hilla's letter would require Applicants to submit the revised map and deed to the Borough before it is filed. Mr. Burdick stated that the errors identified within Mr. Liston's would be corrected on the revised map.

Mr. Bogan, Esq. asked Mr. Burdick if the items identified within Mr. Liston's letter would be corrected. Mr. Burdick responded yes. Mr. Burdick stated they did not have enough time to submit the corrected map due to the ten-day requirement.

Mr. Burdick said they were requesting the D2 variance basically to continue residential use on Lot 5 and C2 variances due to the pre-existing non-conformities. The residence provides a buffer to the residential properties to the west. He further stated that there were disadvantages for granting the variances.

Mr. Hilla had no questions for Mr. Burdick. Mr. Liston came forward to identify an additional typographical mistakes on the plans; namely, that the word "block" is spelled incorrectly and the Properties are identified as being in Ocean County rather than in Monmouth County. Mr. Burdick conceded that these were errors in the subdivision plan and that indicated that they would be corrected.

Chairman Condon opened the Hearing to the public for questions of Mr. Burdick. Hearing no questions, the public portion was closed.

Chairman Condon opened the Hearing to the public for general comments regarding the Application. Hearing no comments, the public portion of the Hearing was closed.

Chairman Condon opened the Hearing to Board comments. The Board members each were in favor of the application.

Chairman Condon asked Mr. Hilla for any comments. Mr. Hilla asked for confirmation that the fully revised map would be filed with the deed. Mr. Bogan, Esq. confirmed; and

WHEREAS, the Board after carefully considering the evidence presented by the Applicants at the hearing and of the adjoining property owners and general public, if any, makes the following factual findings and conclusions of law:

- a. The correct fees were paid, taxes are paid to date and the property owners within two hundred (200') feet, as well as the newspaper, were properly notified;
- b. The variances relate to specific pieces of property;
- c. The lot line adjustment will reduce the size of Lots 4 and 5 (new Lot 4.01) but will eliminate the encroachment of the Brielle Basin's parking lot onto existing Lots 4 and 5.
- d. Although the encroachment will be eliminated by the lot line adjustment, this will result in Lot 6 having no setback and no buffer between the parking area and the new lot line which does not conform with the Ordinance, and requires a variance.
- e. The lot line adjustment will transfer 897 square feet from Lots 4 and 5 to Lot 6.
- f. The property located on Lots 4 and 5 (new Lot 4.01) is a residential property in a C-2 Zone. The residential use is a lawfully created pre-existing nonconforming use.
- g. The continued residential use in a C-2 Zone requires a Use Variance and Bulk Variances.
- h. The nonconforming use, lot width, and side setback on Lots 4 and 5 (new Lot 4.01) are all pre-existing non-conforming conditions.
- i. The front, side, and rear setbacks in addition to the building height on Lot 6 (New Lot 6.02) are all pre-existing non-conforming conditions.
- j. The purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirement because the variances encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare; and promotes a desirable visual environment through creative development techniques and good civic design and arrangement, which benefit the entire neighborhood by creating an enhanced aesthetic and concomitant sense of community;
- k. The variances can be granted without substantial detriment to the public good;
- l. The benefits of the deviations substantially outweigh any detriment; and
- m. The variances will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

WHEREAS, Mr. Stenson made a motion to approve the Application for the Subdivision Plan with conditions as described herein, this motion was seconded by Mr. ـــــــــــــــــ Langenberger. At that time, the following roll call was taken:

Ayes: Joseph Bonacci, Chairman Thomas Condon, Stacey Montalto, James Langenberger, James Stenson, Eric Lapham

Noes: None

NOW THEREFORE, BE IT RESOLVED by the Planning and Zoning Board of the Borough of Brielle, that the Applicants' Application for Subdivision Approval is hereby approved and granted subject to the following conditions:

- A. The Applicants shall pay all taxes and other applicable assessments, costs and fees to date, as applicable.
- B. The Applicants shall comply with all requirements and outside approvals as may be required from the Borough of Brielle or any other governmental authority not otherwise disposed of by this application.
- C. The Applicants shall file a deed reflecting this subdivision to be approved by the Board Engineer and Board Attorney prior to being filed.
- D. The Applicants shall revise the subdivision plans to accurately reflect the square footage of Lot 4.01.
- E. The Applicants shall confirm the new lot numbering through the Borough Tax Assessor.
- F. The Applicants shall revise the Minor Subdivision Map to accurately reflect the correct block and lot of the property owned by Objector Holly St. Clair.
- G. The Applicants shall revise the Minor Subdivision Map and the general notes in the subdivision map to accurately reflect the side setback along the property line shared with the property located at Block 86, Lot 3.
- H. The Applicants shall revise the Minor Subdivision Map to accurately reflect the zones in which Block 86, Lot 3 is located.
- I. The Applicants shall revise the Minor Subdivision Map to omit the flood zone delineation.
- J. The Applicants shall revise the Minor Subdivision Map to correct the spelling of the word "block" and to indicate that the Properties are located in Monmouth County.
- K. Five (5) sets of revised plans incorporating all revisions set forth herein shall be provided by the Applicants to the Board Secretary within sixty (60) days.

A motion to approve the above Resolution was made by Mr. Langenberger, seconded by Mr. Condon and then by the following roll call vote:

Ayes: Thomas Condon, James Langenberger

Noes: None

Not Eligible to Vote: Mayor Thomas Nicol, Councilman Frank Garruzzo, James Maclearie

NEW BUSINESS:

The first item for the evening was for Site Plan approval for Block 85, Lot 3, Union Lane and Ashely Avenue, the site of Brielle Landing. Proposal – modify the landform, install new sidewalks, retaining walls, a new pool deck and fencing, lighting, landscaping and other minor site improvements at the interior courtyard of the complex (update/renew the common space elements).

The correct fees were paid, taxes are paid to date and the property owners within 200 feet as well as the newspaper were properly notified. Mr. David Popovitch, Esq. came forward to present this application for Brielle Landing. He explained about their maintenance plan and how they want to upgrade the area that has been there since the eighties, improvements are needed.

Mr. Chris Rosati, from FWN Engineers came forward and was sworn in. He has a Bachelor's degree from Rutgers and has been working in the Engineering field since 1994; he has testified before many Boards in the State and worked for Leon S. Avakian Engineers in Neptune and well as being the Town Engineer for Millstone for a few years. The Board accepted him as an expert witness.

Mr. Rosati said this property is in the C-2 Marine Commercial Zone and presented Exhibit A-1, an aerial photo showing the commercial and residential use at these condominiums. He said the courtyard area is shielded by the residential buildings and most of the improvements will be in that area. He said there are a lot of retaining walls that are made of timber and are in disrepair.

He then showed Exhibit A-2, a colored rendering of the Courtyard area that is shown on the site plan that the Board members have. They are removing retaining walls here and putting in landscaped areas. There will be significant landscaping which will soften the area and be easier to maintain, no more retaining walls here, there will be some by the water and they will be concrete. They can't lose the grade at the slope by the water so they need retaining walls in this area, the old timber & brick will be replaced by concrete with pavers; he

noted that all colors will match. The bollard lighting will be replaced by LED lights, there are 4 poles at 12 feet high around the pool and there will be a couple of lights inside the area as well; the south section will have a flagpole and lighting.

He went on to say that stormwater management will be done so it gets to the right system, they are changing the drainage patterns due to some changes in the grading in this area. They will be reducing the impervious surface by 1.6%, they are changing two walkways as well as some other things, they will be taking out about 1900 square feet of impervious surface.

Mr. Rosati then referred to the Section in the Zoning Code that speaks of grading more than two feet, this needs a Planning Board hearing. He explained they are smoothing out 6 feet to be more of a slope, there will be 56 truckloads of fill coming in and they are going to work with the contractor so as to not do this all at once and obstruct the neighbors. He felt all this work will be an improvement as there are tripping hazards now as this condominium site is over 30 years old. Instead of doing this piece by piece they want to get it all done with one project and it will have one uniform feel. They estimate 90-100 days to do this and plan on starting after the summer, they are having a pre-construction meeting planned for August and they will work with Mr. Hilla on all this work. Mr. Rosati said that, on Soil Erosion, they need that approval and are waiting for the official letter to come in.

He said that 29 bollard lights are going in and as far as plantings, there will be 20 ornamental trees and 892 shrubs along with grasses, perennial flowers, etc. Mr. Popovitch asked if the lighting will impact the property owners and Mr. Rosati said the pool light will be 12 feet high and the rest will be 41 inches high. He also stated they do not need CAFRA approval as they are reducing the impervious coverage and there will be no new parking being put in. Mr. Langenberger asked about the truck pads to the east of building 1, did Mr. Rosati know they are there and the answer yes and there will be no changes. Mr. Langenberger explained those pads have been there since day one for the Fire Company needs. Mr. Langenberger also noted they will be working at one of the entrances and there was a time when the condo Association wanted to lock this and it was not allowed, this is a public access area. If they shut this gate it will hurt the emergency services, he would like to see this use at the entrance by building 4. Mr. Rosati said they are aware of all this and it will be addressed with the contractors. Mr. Maclearie wanted to know if the sidewalks are ADA compliant and the answer was yes; he then asked about soil erosion work and Mr. Rosati said that entity will be watching them like a hawk while they are doing this work.

At this time the hearing was opened to the public for questions to Mr. Rosati and Robert Houseal of the Environmental Commission came forward and was sworn in, giving his address as 608 Rankin Road. In the middle of the plan, by the fold, there is a note "remove fence" and, at the bottom of the page there is a shed that shows a fire hydrant. Is this where the fence is and Mr. Langenberger answered by saying it has a break-away front, the hydrant is not in an easy place but the Fire Company has used it. Mr. Houseal said the fence shows on the Aerial map, maybe about 30 feet by the south end, he wanted to know if they are removing the fencing here? Mr. Rosati said yes, it is being replaced and upgraded. Mr. Houseal noted there is public access here and Mr. Rosati said they will comply, they did a boundary survey. Mr. Houseal said that area is now locked. Mr. Hilla said there is a gate there now but the sign for public access is missing. If one follows the sidewalks it comes out to the bulkhead to the Sand Bar and this is public access.

Mr. Houseal then addressed the site plan grading and drainage, it shows 3 risers and the previous sheet of the plan shows sidewalks and those risers are not there; this makes this not ADA compliant. Mr. Rosati showed Mr. Houseal the areas that will be level. Mr. Houseal then asked about the pool details, are they going to put in an ADA lift for the pool? Mr. Rosati said they are not planning on this but will address it with the Construction Code official. Mr. Houseal noted they have to submit a Certificate to the ADA and Mr. Rosati said they will be doing this. Mr. Houseal then asked about the irrigation system and was told it is a well; Mr. Houseal asked if the stormwater will be going into the system with an 18" RCP and Mr. Rosati said yes, they do that now and they will be putting in new leaders. Mr. Houseal asked if this stormwater can be used for irrigation and Mr. Rosati said it is not in the plans. Mr. Houseal then asked about the ornamental grasses, they can be invasive, he wanted to know if they can certify that they will be using non-invasive species of grass. Mr. Rosati said they will work that out with the engineer but the grasses will be maintained by the staff. Mr. Houseal said that when the grass goes to seed it will go into the water and this should not happen. Mr. Rosati asked that the Environmental Commission give them a letter on what to plant and what not to plant; Mr. Houseal said they want to see non-invasive and non-reproducing plants and noted the USDA has changed the zones for plantings, this area is now Zone 7-A.

As Mr. Houseal was done with his questions and there were no other public questions, Mrs. Brisben spoke up and told the Board she was Board Secretary back in the 80s when this project was created and the public access portion to be made was very important to the Board at that time and was one of the reasons this project got approved. Mr. Hilla added the gate by the road could use some work on it. Mr. Popovitch assured the Board they will comply with the public access requirements.

The hearing was now opened for public comments and Christine Persico of 208 Ashley came forward and was sworn in. She has lived here for the past 8 years and commented that perhaps 50% of the units are used by year-round owners who are here full time. This maintenance/upgrade work is desperately needed, other than general maintenance they have not taken care of the grounds. She was concerned as the water now slopes to her building and there are bad mold problems, the steps and walkways are not even with different levels of disrepair. She did not know what the code was in 1987 but there is no disability access at all and she would like to see that this all complies after the work is done. Councilman Garruzzo asked her if this work is going to help her and Ms. Persico said "that is what they tell me", they will fix the slope and were told this will remedy the mold/water problem. She invited the Board to come over and look at this. Mr. Rosati said Ms. Persico is right and one of the main goals is to get the water away from the building with new grading so there will be no pitch to the buildings any more. They also will fix the steps and risers, the safety and health issues will be addressed.

Mr. Houseal again came forward and told the Board he felt this will be a much improved property when it takes place. As there were no other public comments that portion of the hearing was closed and Mr. Popovitch made his closing remarks. He said there really wasn't too much to add, this is a much needed improvement plan, it will be ADA compliant and will comply with all building codes. The Board then made their comments, Mr. Langenberger said there is a lot here and there isn't any part that he doesn't like, he was for approval, Mr. Maclearie felt it will be a great improvement, Councilman Garruzzo agreed and felt this will resolve the problems here. Mayor Nicol also had no problem with the plans and Mr. Condon felt that doing all this at once was the way to go. Mrs. Brisben asked Mr. Hilla if this needed any bonding and Mr. Hilla said no.

At this time a motion for approval was made by Councilman Garruzzo, seconded by Mr. Maclearie and then by the following roll call vote:

Ayes: Mayor Thomas Nicol, Councilman Frank Garruzzo, Thomas Condon, James Langenberger, James Maclearie
Noes: None

At this point in time Councilman Garruzzo left the dais due to living within 200 feet of the next applicant's property. The Board then considered an application for variance relief for Block 69.01, Lot 11, 601 Locust Road, owned by Larry & Shannon Salvatoriello, to allow construction of a two-story addition to an existing dwelling. Minimum Lot Width – 125 feet required, 90.03 feet existing. Front Yard Setback – 40 feet required, 36.8 feet existing, 37.3 feet proposed to garage, 29.1 feet proposed to porch and upper story overhang. Rear Yard – 40 feet minimum required, 33.8 feet existing, 36 feet proposed to garage, 28.9 feet proposed to porch and upper story overhang.

The correct fees were paid, taxes are paid to date and the property owners within 200 feet as well as the newspaper were properly notified. Larry Salvatoriello came forward and was sworn in. He told the Board they had their fourth child back in December and there are not enough bedrooms; they worked with options as they love Brielle and the street they are on, they don't want to leave this location so they are looking to upgrade the existing home and have their architect here this evening.

At this time Mr. Vernon McCue of McCue Architects, Manasquan, came forward and was sworn in. He gave his credentials, he went to Miami University in Ohio and has a Master's Degree from Georgia Tech; he has been licensed since 1999 and has been in Manasquan since 2009 and before many Boards but this is the first time for Brielle Planning Board. The Board accepted him as an expert witness.

He had some exhibits, pages of the plans the Board had and explained the applicants need a larger home that is more kid/family friendly. This is a non-conforming lot and referred to Exhibit A-1, the first floor plans. The Front Yard setback cuts through the front of the existing home and the Rear Yard setback cuts through the rear of the existing home, this due to the non-conforming lot on a corner. The Salvatoriellos need a mud room to come into, they have a one car garage and bike storage area. They are going out the side but will not be in the Side Yard setback area. He then went to Exhibit A-2, the second floor. There is an office now above the garage but they want to put in a Master bedroom and make a kid-friendly space, all this drives the house to be longer. They want a front porch that will be 6.2 x 11.6 and this needs a variance. They are also expanding the area on the second floor over the porch, the back bedroom pops out over the back porch.

Exhibit A-3 shows a gambrel roof which makes it more historic and will work with the existing structure. In reply to Mr. Hilla's report questioning the ½ story, there is a pull-down stair for storage. Exhibit A-4 shows the South and East elevation, they have a small porch by the pool and this shows the rear setbacks. He then submitted Exhibit A-5, aerial photos of the property as it exists. Exhibit A-6 is a front façade view from the south and Exhibit A-7 is the front façade view from the west, Exhibit A-8 is the view of the property from Riverview Drive. Mr. Condon asked if the pool is there now and the answer was yes.

Mr. Condon asked about the side setback, looking at the house to the west as they push out to Riverview Drive, are they going to be even with that home? Mr. McCue answered yes, they were. At this time the hearing was opened to the public for questions to Mr. McCue and, hearing none, that part of the hearing was closed and Mr. Raymond Carpenter, Engineer/Planner, came forward and was sworn in. As he was familiar to the Board he was accepted as an expert witness.

Mr. Carpenter said this is a classic non-conforming corner lot, it has 2 front yard setbacks which makes a non-buildable structure. The home now is plain and they added the porches which will break this up and make it more aesthetic. The only conforming corner lot here is at the corner of Rankin Road and Riverview Drive, all other corner lots along Riverview Drive are not conforming. He commented this is something they deal with and this will make full use of this home; he felt the setbacks are actually de minimis.

As the Board had no questions to Mr. Carpenter, the hearing was opened to the public for questions and, hearing none, that portion was closed. Mr. Carpenter then did mention they are providing stormwater management.

It was time to open the hearing for general comments and Colon Elliot of 633 Locust Road came forward, he was sworn in. He said he was a neighbor and friend, the Salvatoriello's are great neighbors and he felt this will have a positive impact to the street, he was glad they are not moving and he hoped the town lets them do this work. James Fogerty of 809 Riverview Drive was next to speak, he was sworn in and said he is the neighbor across the street on the corner of Locust Road and Riverview Drive. He, too, hoped they are allowed to do this so his children will have more play space with their children; he wished them all the luck with it. As there were no other comments, that part of the hearing was closed and the Board went into discussion.

The Board was in agreement that it should be approved and there was no problem with it, Mr. Condon noted they are 4% over on lot coverage but they have constraints with this non-conforming lot and he felt it will fit in the neighborhood.

At this time a motion was made by Mr. Langenberger, seconded by Ms. Montalto, to approve this application, then the following roll call was taken:

Ayes: Mayor Thomas Nicol, Thomas Condon, James Langenberger,
Stacey Montalto, James Maclearie

Noes: None

As there was no other business to come before the Board, a motion for adjournment was made by Mr. Langenberger, seconded by Mayor Nicol and unanimously approved, all aye. The meeting was adjourned at 8:40 p.m.

Karen S. Brisben, Secretary of the Board
Approved: July 10, 2018