

BRIELLE PLANNING BOARD  
TUESDAY, JULY 14, 2020

The Regular Meeting of the Brielle Planning Board was held on Tuesday, July 14th, 2020 at 6:00 p.m. virtually.

Roll call was taken:

Present – Mayor Thomas Nicol, Councilman Frank Garruzzo, Mr. James Maclearie, Mr. James Stenson, Ms. Corrine Trainor and Mr. Christian Siano.

Absent – Mr. Glenn Miller and Ms. Madeline Ferraro

Also present were Mr. David Clark, Board Attorney, Mr. Alan Hilla, Board Engineer, Ms. Karen Brisben, Board Secretary and Ms. Carol Baran, Recording Secretary. There were no people in the audience.

A motion was made to approve the Minutes of May 12, 2020, this done by Ms. Trainor seconded by Mr. Stenson and approved by unanimous vote, all aye. Ms. Brisben abstained.

Ms. Brisben was sworn in as a new Board member.

CORRESPONDENCES:

March/April 2020 issue of the NJ Planner.

Accept, with regret, the resignation of Board Members Mr. Thomas Condon and Mr. James Langenberger.

Notice of application to DEP for Block 46.01, Lot 1, 331 Woodland Avenue, owned by Mr. Daniel Sansone, for proposed in-ground pool.

A motion was made by Councilman Garruzzo and seconded by Mr. Maclearie to nominate Ms. Trainor as chairperson of the Board. With no other nominations, Ms. Trainor was approved by unanimous vote, all aye. Ms. Trainor thanked the Board for the nomination.

NEW BUSINESS

Application for variance relief for Block 18.01, Lot 13, 608 Harris Avenue, owned by John & Eleanor Fox, to allow construction of a new home. Minimum Lot Area - 11,250 square feet required; 10,000 square feet existing. Minimum Front Yard Setback -30 feet required, 27.25 feet proposed to the front porch, 24 feet proposed to steps. Maximum Lot Coverage -20% allowed, 23.17% proposed. Minimum Side Yard Setback - 10 feet required; 9 feet proposed (to stoop &

steps). Minimum Rear Yard Setback - 35 feet required, 29 feet proposed (to steps), 31.25 feet proposed (to stoop).

Mr. Fox introduced himself and his wife, Eleanor as the applicants and stated they were representing themselves. He added they had the Builder and Engineer on the virtual meeting also. Mr. and Mrs. Fox were having technical difficulties and asked Mr. Kociuba to respond to the letter from Mr. Hilla. Mr. Kociuba agreed to start while Mr. and Mrs. Fox corrected their issues. Mr. Kociuba, Mr. Fox, and Mrs. Fox were sworn in by Mr. Clark. Mr. Clark asked if anyone else would be testifying on their behalf, Mr. Kociuba said yes, Mr. Ryan Meyers. Mr. Meyers was sworn in by Mr. Clark.

Mr. Kociuba started by sharing the plans prepared by Atlantic Modular Builders. Mr. Kociuba indicated the property was a non-conforming interior lot in the R-3 zone. He stated 11,250 feet is required 10,000 is provided, it is a 100 X 100 lot with frontage on Harris Avenue. He testified the applicants acquired the lot about twenty years ago and they are looking to construct a new 2 ½ story dwelling.

Mr. Hilla asked to interrupt Mr. Kociuba to straighten out the misunderstanding of the lot. Mr. Hilla stated the lot was oversized for the zone according to the ordinance no. 21-13.2. Block 18 minimum is 7500 sq. ft. and this lot is 10,000 sq. ft. Mr. Clark reiterated Mr. Hilla's interpretation was that the lot was not under-sized. Mr. Hilla replied yes because it is within this overlay zone, it is oversized at 10,000 square feet.

Ms. Brisben read Zoning Officer Ms. Elissa Commins' letter of denial and stated the letter says the lot is undersized.

Ms. Trainor asked Mr. Clark for guidance on how to proceed. Mr. Clark asked Mr. Hilla does this change anything in terms of what is being sought in terms of relief. Mr. Hilla responded the variance was not needed for the lot area.

Councilman Garruzzo asked if the noticing would be incorrect and would there need to be a re-notice. Mr. Clark responded that he did not believe it causes an issue and the reason being the things they noticed and the things they are seeking are consistent.

Ms. Trainor asked if the Board should hear Mr. Kociuba's qualifications. Mr. Clark asked if Mr. Kociuba was testifying as the engineer or the planner. Mr. Kociuba replied he would represent both and added he is licensed in both in the State of New Jersey. Mr. Kociuba stated he has a bachelor's and master's degree in Civil and Structural Engineering from Rowan University, and fifteen years' experience testifying for numerous boards, including Brielle. Mr. Clark asked if anyone had questions of Mr. Kociuba's qualifications and if the Board accepts his qualifications. The Board agreed to accept his qualifications.

Mr. Kociuba proceeded by saying two variances that were noticed are not required. Mr. Kociuba had the plot plan up for the Board to see. The plan showed the bulk of the dwelling at 30.25 feet, however the porch (27.25 ft) and front steps (24 ft) do extend forward of the 30-foot front yard setback line requiring a variance. Mr. Kociuba stated two of the variances in Mr. Hilla's letter were

regarding the west side and rear yard setback. Mr. Kociuba read the ordinance 21-9.11 that references porches or entries uncovered or covered shall be considered part of the principal building and shall not project into the required yard area if they are three feet or more in height. Mr. Kociuba said they were not requesting variances for the side.

Mr. Kociuba stated they are requesting a variance for the building coverage. Their building coverage is 23.17 % and 20% is permitted. They are proposing a fully conforming parking area. They are proposing a drywell system. Mr. Kociuba stated there was a question in Mr. Hilla's letter regarding the drywell system and its adequacy. Mr. Kociuba said they would provide a full-sized drywall system on the design for submission for a plot plan. Mr. Kociuba addressed the questions regarding fencing on the property. Mr. Kociuba stated the fence would be six-foot vinyl surrounding on three sides and small picket fence in front. Mr. Kociuba referenced the question about floor area ratio. He provided some documentation and calculations to Mr. Hilla demonstrating they are compliant with the floor area ratios.

Mr. Kociuba shared the floor plan with the meeting and described the dwelling as a single-family home, first floor elevation, showing the garage, family room, dining room, kitchen, the mud room, laundry room, and in-law suite. The second floor shows the remainder of the home, the four bedrooms, and room over the garage. Mr. Kociuba stated they are compliant with the building height.

Mr. Kociuba addressed the questions with the trees, stating some will be eliminated but they intend to save as many as possible. Mr. Kociuba said they would comply with any road opening requirements. Mr. Kociuba felt the variances could be granted under the C-1 and C-2 criteria. Mr. Kociuba testified the front porch was typical to the area and he shared an aerial photo marked A-1.

Ms. Trainor opened the meeting for questions of Mr. Kociuba, hearing none. Ms. Trainor opened for questions from the Board. Mr. Maclearie asked if the height of the building had changed and Mr. Kociuba responded the height of the building was staying the same as it was complaint. Mr. Stenson asked if there was a basement or crawl space and Mr. Kociuba responded they anticipated a basement. Ms. Karen Brisben asked why the room would be unfinished and use of in-law suite in the future. Mr. Kociuba responded that Mr. and Mrs. Fox could respond to the question about the room over garage better and the in-law suite would not be able to be separate. Ms. Brisben asked Mr. Clark if the Board could do a deed restriction. Mr. Clark said the Board could do a deed restriction.

Ms. Trainor asked Mr. Hilla if Mr. Kociuba has addressed his concerns and Mr. Hilla said he felt Mr. Kociuba has. Mr. Hilla shared with the Board several conditions about the in-law suite. Ms. Trainor asked Mr. Hilla his opinion on the front setback, he felt the surrounding homes had similar setbacks. Mr. Hilla felt the Board should consider the lot coverage; it was a broad home for an oversized lot.

Mrs. Fox stated the property was purchased in 1998 and she brought it from her brother in 2003. She told the Board the house is their dream home. She stated her brother would be living with them while recovering from a medical condition.

Mr. and Mrs. Fox decided to carry the application so they may consult with the builder and Mr. Kociuba considering the lot is oversized and not undersized.

As there was no other business to come before the Board a motion to adjourn was made by Councilman Garruzzo seconded by Mr. Maclearie: all aye. The meeting was adjourned at 7:38 p.m.

Approved: August 11<sup>th</sup>, 2020

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Ms. Carol Baran, Recording Secretary