

The regular and reorganization meeting of the Bay Head Planning Board was held on Wednesday, January 21, 2009 at 7:30 PM.

Present: Heyer, Shore, Curtis, Furze, Petrillo, Harrington, Barnes, Kellogg, Tell.

Dr. Heyer read the following statement: "Pursuant to the applicable portions of the NJ Public Meetings Act. Adequate notice of this meeting was mailed to the Ocean Star and posted in the corridor of this building and filed with the Bay Head Borough Clerk."

Dr. Heyer stated that the following members would be sworn in.

*Bart Petrillo
William Furze
Peter Harrington
David Kellogg*

Mayor Curtis introduced Jennifer Barnes-Gambert as the Mayor's appointment to the Planning Board.

Dr. Heyer stated that the next item would be the election of officers.

A motion was made by Mr. Shore and seconded by Mr. Petrillo to nominate Mr. Haurie as Chairman.

A motion was made by Mr. Kellogg and seconded by Mr. Furze to nominate Dr. Heyer as Vice-Chairman

A motion was made by Mr. Petrillo and seconded by Mr. Harrington to nominate Mr. Shore as Secretary.

A motion was made by Dr. Heyer and seconded by Mr. Kellogg to nominate Mr. Furze as Assist. Secretary.

All members were in favor of the nominations.

Dr. Heyer stated that the next item would be the appointments of Engineer, Attorney and Clerk.

A motion was made by Dr. Heyer and seconded by Mr. Kellogg to appoint the following:

*Steven Zabarsky
Susan Brasefield
Hannah Helbig*

*Board Attorney
Board Engineer
Board Clerk*

All members were in favor.

Dr. Heyer made a motion seconded by Mr. Petrillo that the meeting dates and time would be the 3rd Wednesday of each month at 7:30 PM. All in favor.

Dr. Heyer made a motion seconded by Mr. Furze that the official newspapers would be the Asbury Park Press and the Ocean Star. All in favor.

Dr. Heyer stated that the next item on the agenda was the approval of the December 17, 2008 minutes.

A motion was made by Mayor Curtis and seconded by Mr. Petrillo to accept the December 2008 minutes.

Mr. Kellogg stated that a correction was needed on the top of page 4.

Ms. Helbig stated she would make the correction.

A motion was made by Mayor Curtis and seconded by Mr. Petrillo to accept the minutes as corrected. All in favor.

Dr. Heyer stated the next item was the resolution for John & Linda Citrilli.

A motion was made by Mr. Kellogg and seconded by Mayor Curtis to accept the resolution. Roll Call: YEAS: Haurie, Heyer, Shore, Petrillo, Taylor, Kellogg Curtis

Dr. Heyer stated the Board had 1 application for review tonight which would be for Charles Maloof, 384 Western Ave.

The following items were marked into evidence.

<i>A-1</i>	<i>Application</i>
<i>A-2</i>	<i>Survey</i>
<i>A-3</i>	<i>Letter from Charles Maloof</i>
<i>A-4</i>	<i>Review letter from Board Engineer</i>
<i>A-5</i>	<i>Affidavit of Publication</i>
<i>A-6</i>	<i>Affidavit of Service</i>

Mr. Maloof stated that he would be representing himself tonight.

Mr. Maloof explained to the Board that what he wanted to do was to replace the existing stone driveway with pavers. He went on to say that this was a personal choice.

Ms. Brasefield stated that she did not take into account the deck in the rear of the property when she calculated structure coverage. After recalculation and removing the shed the structure coverage was approximately 68.4 %. The variance would be for 80% structure coverage where 50% is allowed.

Mayor Curtis asked if Mr. Maloof was talking about just the circular driveway as well as would pavers be permeable.

Mr. Maloof responded that it would only be the circular driveway and had not chosen the pavers but would probably be permeable.

Dr. Heyer stated that the problem with permeable pavers was that they do not remain permeable .

Mr. Furze commented that area was wet and the pavers would contribute to that problem.

Mr. Maloof stated that for the most part water was not an issue.

Dr. Heyer stated her concern was that there is such a high percentage of lot coverage. Having lived catty corner from that property I know the water table is high and it is a concern.

There being no public comment Dr. Heyer polled the Board members.

Ms. Tell stated that with the small amount of vacant land she is still on the fence with her decision.

Mr. Harrington also shared Kate concerns but would be in favor.

Mr. Kellogg stated that he would not be in favor but is sympathetic to the fact that it is an undersized lot. There is just too much coverage for any size lot.

Mr. Furze stated that he shares Mr. Kellogg's opinion and would not be in favor.

Mr. Shore also had to agree as did the rest of the Board members.

A motion was made by Mr. Kellogg and seconded by Mr. Petrillo to deny the application. Roll Call: YEAS: Heyer, Barnes, Kellogg, Tell, Shore, Curtis, Petrillo, Harrington

Dr. Heyer asked if there was any old business.

Mr. Zabarsky stated that he had received a letter regarding Ten Starry Dom vs. T. Brent Mauro and had not had time to get them to Hannah before the meeting. He went on to explain what was going on with this case right now. The appeal has not gotten into the appeal process so I'm taking a back seat right now. Also a letter from Mr. Jackson regarding the Strickland application was received. He stated that the Board members did not have to act on this tonight and that a new application should be filed.

There was a discussion regarding having changes to the Land Use Ordinance to read that a single family primary residence not be allowed in the business zone. If a business wanted to become a residence they would have to get a variance. Mr. Zabarsky stated that he would draft a letter to Mayor & Council regarding that change.

A motion was made by Dr. Heyer and seconded by Mr. Kellogg to go into Executive Session.

A motion was made by Mayor Curtis and seconded by Mr. Petrillo to come out of Executive Session.

A motion was made by Dr. Heyer and seconded by Mr. Petrillo to pay the vouchers. All in Favor

<i>Bachman?Zabarsky</i>	<i>50.00</i>
<i>Strickland Properties/Zabarsky</i>	<i>70.00</i>
<i>Ten Starry Dom/Zabarsky</i>	<i>150.00</i>
<i>Bristol/Zabarsky</i>	<i>70.00</i>
<i>Critelli/Brasefield</i>	<i>280.00</i>
<i>Maloof/Brasefield</i>	<i>140.00</i>

There being no further business the meeting adjourned.

Respectfully submitted ,

*Hannah Helbig
Board Clerk*