

Bay Head Planning Board
July 15, 2015

The meeting of the Bay Head Planning Board was held on Wednesday, July 15, 2015 at 7:30 PM.

Mr. Furze 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 the Borough of Bay Head and filed with the Bay Head Borough Clerk."

Roll Call: William Furze, Edward Convey, William Curtis, Bart Petrillo, Patricia Wojcik, Kathleen Wintersteen, Mark Durham, John Henry Morris, Thomas Charlton, Frederick Applegate
Absent: Verity Frizzell, Kathleen Tell, Robert Hein

The March 18, 2015 **Minutes** were approved on a motion by Edward Convey and seconded by Bart Petrillo, with all in favor.

The April 15, 2015 **Minutes** were approved on a motion by William Curtis and seconded by John Henry Morris, with all in favor.

Mr. Furze stated that the sole **application** on the agenda this evening is that of Bryan & Florence McFadden, 134 Bridge Avenue, a/k/a Block 16.01, Lot 5.

Roberta Anne Burcz, Esq., Point Pleasant, NJ, attorney for the applicant, came forth.

Ms. Burcz stated applicants are here for a minor subdivision and also a variance request. Ms. Burcz additionally stated that although applicants' house has been there for over 100 years, it is designated as two separate lots on the Bay Head Tax Map, and listed as Block 16.01, Lots 5 and 6 in the R-50 zone.

Ms. Burcz further added that applicants could knock the house down and have two buildable, fully conforming lots. Currently it is a 2 family home, which means there are two building units on one huge lot. Ms. Burcz indicated she checked with Mr. Petrillo, the Zoning Officer, who said it is on his list as an acknowledged two-family home in the Borough. Ms. Burcz informed the Board that the premises received some RREM application money to lift the house, and in connection with that application and the award of the funds, the applicants have certain restrictions which have to be filed with the County Clerk's Office, which they have done.

The following items were marked into evidence:

- A-1 Development application
- A-2 Six (6) photographs, black & white
- A-3 Survey dated 5/1/15
- A-4 Architectural drawings dated 6/17/15
- A-5 Review letter from Board Engineer dated 7/9/15

- A-6 Affidavit of Service
- A-7 Hearing Notice
- A-8 Affidavit of Publication
- A-9 Revised Minor Subdivision map dated 6/23/15
- A-10 Declaration of Covenants and Restrictions recorded in the County Clerk's Office on 3/23/15

Ms. Burcz called the following as witnesses, who were sworn in by Mr. Zabarsky and who gave their testimony:

John C. Amelchenko, licensed architect in New Jersey, 421 River Avenue, Point Pleasant Beach, NJ, who caused to have A-11 marked into evidence. A-11 is a poster board of colored photographs of the existing structures.

Christopher P. Rosati, P.E. & P.P. from the firm of FWH Associates, P.A., 1856 Route 9, Toms River, NJ, who caused to have A-11 marked into evidence. A-11 is a colored version of the minor subdivision map dated 6/23/15.

Bryan F. McFadden, 134 Bridge Avenue, Bay Head, NJ

Mr. Furze opened the meeting to the public for comments. The following person was sworn in by Mr. Zabarsky and gave his testimony:

Charles Vernon, 148 Bridge Avenue, Bay Head, NJ

After the Board members were caucused, a motion was made by Bart Petrillo and seconded by Kathleen Wintersteen to approve the application. Roll call: YEAS: Bart Petrillo, Kathleen Wintersteen, Edward Convey, William Curtis, Patricia Wojcik, Mark Durham, John Henry Morris, Thomas Charlton. NAYS: William Furze

Mr. Furze stated we have an **Informal application** by Stanley & Nanci Omland., 156 Park Avenue, Block 15.01, Lot 3.

Mr. Zabarsky excused himself.

There being no one at the meeting to represent the applicants, who are relying solely on the paperwork they submitted, Mr. Furze asked Mr. Petrillo to give some background since the papers came into his office. Mr. Petrillo stated this was built as a new home in 2007. At the time, they put in 4 raised air conditioning units on the west side of the building, not in the setback. They were raised, via platform, to approximately the first level of the structure. Mr. Petrillo indicated he received complaints that it was over building coverage, so he made the applicants lower the units.

Mr. Petrillo stated that from what he understands, they want to raise them back up, not the house or anything else, which would put them back into the same situation. Mr. Petrillo further stated that due to Superstorm Sandy, his feeling is they need to get them up off of the ground. He was

going to tell them to go ahead and do it however, since they just desire to lift the platform and nothing else on the property, he knew he would get complaints again because they want to add a generator and another platform which adds additional coverage.

After the Board was caucused, it was agreed Bart Petrillo would inform the applicants they need to come before the Board if they desire to add a generator; if not, they do not have to come before the Board again in order to raise the air conditioning units. Mr. Petrillo will report back to the Board at the next meeting.

A motion was made by Frederick Applegate and seconded by Bart Petrillo to approve the **vouchers**. All in favor.

There being no further business, the meeting adjourned on a motion by Edward Convey and seconded by Bart Petrillo. All in favor.

Respectfully submitted,

Claire S. Hense