



**Borough of Seaside Park
Planning Board**

**REGULAR MEETING MINUTES
TUESDAY, AUGUST 28, 2018 * 7:00 p.m.**

A Regular Meeting of the Seaside Park Planning Board was held on Tuesday the 24th day of July at 7:00 pm in the Council Chambers with Michael Giuliano presiding.

PRESENT:

Michael Giuliano, **Chairman**
Martin Wilk, **Vice, Chairman**
Anthony DiCaro
Frank Losey
Thomas Mianulli
Dominick Bucci
Robert Matthies, **Mayor**
Francis Larkin, **Police Chief**
Ray Amabile, **Council Member**
Anne Pitchell, **Alternate #1**
Karen Kroon, **Alternate #2**

ALSO PRESENT:

Gregory Hock Esq., **Board Attorney**
Douglas Rohmeyer, PE, **Board Engineer**
Sandra Martin, **Interim Secretary**

Chairman Giuliano called the meeting to order and requested that all rise and salute the Flag. The roll was called, all members present.

Chairman Giuliano read the "Statement of Compliance with the New Jersey Open Public Meetings Act."

4. Resolutions Memorializing Board Decisions.

PB/18-16 * Dixon, Ann Kelly.....34-36 D Street (Block 46, Lot 9)
* Filed: 5/09/18 * Certified Complete 07/14/18 * Hearing schedule: 7/24/2018.
*Voting to Approve: Giuliano, DiCaro, Losey, Larkin, Kroon

The Board Attorney, Mr. Hock summarized the resolution into the record indicating the applicant is seeking to construct an exterior patio, kitchen, and pergola located on one (1) lot, in the yard area between two existing dwellings. The application was granted with a number of conditions.

Chairman Giuliano requested a motion to approve Resolution PB/18-6.

Roll Call Vote: Motion to approve Resolution PB/18-16, was made by Mr. Losey, seconded by Ms. Kroon.
For: Losey, Kroon, DiCaro, Larkin, Guiliano
Against: None
Abstain: None
Not Voting: None
Absent: None

Motion to approve the resolution unanimously carried by the membership present.

5. Approval of Minutes.

May 22, 2018 (Giuliano, Wilk, DiCaro, Losey, Larkin, Amabile, Kroon, Bucci, Pitchell)
July 24, 2018 (Giuliano, Wilk, Mayor Matthies, DiCaro, Losey, Larkin, Amabile, Kroon, Bucci, Pitchell)

Chairman Giuliano requested a motion to approve minutes of May 22, 2018, & July 24, 2018.

Roll Call Vote: Motion to approve May 22, 2018, Regular Meeting Minutes was made by Ms. Pitchell, seconded by Mr. Losey and unanimously carried by the membership present.

Vote of acclamation with unanimous consent, motion carried.

Chairman Giuliano requested a motion to approve minutes of July 24, 2018.

Roll Call Vote: Motion to approve July 24, 2018, Regular Meeting Minutes was made by Mayor Matthies, seconded by Chief Larkin and unanimously carried by the membership present.

Vote of acclamation with unanimous consent, motion carried.

6. Approval of Invoices.

Chairman Giuliano requested a motion to approve the invoices submitted by Mr. Hock, and Ms. Martin.

Hock-	PB/18-16: Dixon	Board Attorney:	8/28/18-	\$560.00
Sandra Martin-	Invoice#08/28/2018	Secretary	8/28/18-	\$275.00



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Roll Call Vote: Motion to approve the invoices submitted for Mr. Hock, and Sandra Martin was made by Mr. Losey, seconded Mr. Mianulli and unanimously carried by the membership present.

Vote of acclamation with unanimous consent, motion carried.

7. Pending Applications.

Chairman Guiliano stated the following: "It is the responsibility of this Board to hear appeals, interpret the Zoning Ordinance and grant or deny variances to applicants seeking a deviation from ordinance requirements. For a variance to be granted it is incumbent for the applicant to show proof that satisfies both the negative and positive criteria as provided in the Municipal Land Use Law. Only when the application has satisfied the task, may relief be granted. Each application stands on its own merits and is considered by the Board on an individual basis. Any relief granted is granted for the property and not the individual applicant. We hope that this statement will not only help the applicant in the presentation of their applications but also to understand that compliance with the Master Plan is the ultimate goal of this Board."

PB/18-17 * Messano Associates Inc.....118-20 G Street (Block 43, Lot 8)

*** Filed: 6/19/18 * Certified Complete 07/12/18 * Hearing schedule: 8/28/2018.**

*** Michael D. Landis, Esquire, Attorney for the applicant. Request: Bulk Variance.**

Charles Messano, Builder representing the applicant came forward to address the Board and was sworn under oath by the Board Attorney.

Attorney Hock indicated that Messano Associates being a corporation cannot represent the applicant. Attorney Hock confirmed that an attorney is not representing the application- resulting in the property owners Sandra & Jeffery Young representing the application.

Mrs. Sandra & Jeffrey Young, Applicants came forward and sworn under oath by the Board Attorney. Mr. Young described the second unit on the property as a shed, used for storage. Mr. Young listed the contents of the second unit to include garden tools, a shovel, and a rake. He explained the second unit does not have internal walls or a sink but has a functioning toilet, water supply, electric, and cabinets. It was explained that an enclosed outdoor shower exists, attached to the secondary unit. The first floor of the raised house is solely used for storage without a bathroom.

Charles Messano of Messano Associates submitted three (3) sets of approved plans approved. It was indicated that Zoning approval was not granted prior building the exterior stairs and deck roof.

Board Engineer Rohmeyer explained the roof built over the deck is an expansion that changes its definition from a deck to a porch, requiring a variance.

Secretary Martin read into the record a number of exhibits which was marked into evidence on behalf of the application (A1-A-10).

Submitted to the Board and marked into evidence:

(A-11): 3 Sheets of one (1) exhibit represented as an exact copy of approved plans, stamped by the Building Department.

(A-12): Elevation Certificate with photos

(A-13): As-Built Plan

Vice Chairman Wilk noted the As-Built plan, submitted as Exhibit A-13, did not identify the stairs built on the property.

Chairman Guiliano confirmed with the members of the board and its professionals that the appropriate information was not submitted to move forward with a decision on the application.

Attorney Hock requested consent from the applicants and explained their rights. Mr. & Mrs. Young gave consent and waived their right of noticing date. Mr. Hock indicated the information required is to be submitted to the Board at least ten days prior to the meeting. The information includes an as-built plan submitted in full, copies of any approved construction plans, interior plans for the second unit with photos, and twelve (12) copies submitted to the Board.

Chairman Giuliano requested a motion to carry application PB/18-17 to the next meeting provided the applicant successfully submits the information requested at least ten days in advance of the meeting on September 25, 2018, or October 23, 2018, if additional time is required by the applicant.



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Roll Call Vote: Motion to carry application PB/18-17 was made by Mr. Amabile, seconded by Mr. Losey and unanimously carried by the membership present
For: Amabile, Losey, Kroon, DiCaro, Larkin, Mianulli, Bucci, Pitchell, Matthies, Wilk, Guiliano
Against: None
Abstain: None
Not Voting: None
Absent: None

8. Review of Correspondence.

Chairman Giuliano requested a motion to authorizing a Resolution for the return of designated development application escrow deposits: PB/17-23- 612 S. Bayview Avenue \$786.50, and PB/17-20-514 S. Bayview Avenue- \$798.30.

Roll Call Vote: Motion to approve the Resolution authorizing the return of designated development application escrow deposits unanimously carried by the membership present.

Vote of acclamation with unanimous consent, motion carried.

- * Ocean County Planning Board Notice of Hearing: Proposed Amendments to Ocean County Master Plan
- * Seaside Heights: Notice of Hearing 11 Dupont Avenue.

9. Unfinished Business.

* None

10. New Business.

Mayor Matthies recognized Chief Larkin retiring, honoring his term as a board member and Police Chief.

Chief Larkin thanked the Board for an incredible seven years, serving as a Board member.

11. Public Comment.

Chairman Guiliano opened the floor to public comment.

Pat DeGutis questioned the Board whether lot coverage allowance has been increased. Also stating she feels it should be decreased, stressing concern about runoff.

Shirley Krezel came forward with concerns regarding property owners that build prior to filing applications with the Board. She stressed rules need to be followed uniformly.

Mitchell Koppelman commented about the sound system not being consistent explaining the audience cannot hear.

Being no further comments this portion of the meeting was closed.

12. Executive Session:

Chairman Giuliano requested a motion to go into Executive (Closed) Session to discuss general personnel issues.

Motion to go into Executive Session was made by Mr. Losey, seconded by Vice Chairman Wilk and unanimously carried by the membership present. Vote of Acclamation with unanimous consent, motion carried.

Chairman Giuliano opened the floor to the public.

13. Board Comments.

Chairman Giuliano announced the decision of the Board, by a unanimous vote appointing Sandra Martin as Board Secretary at the rate of \$250 per meeting.

Sandra Martin thanked the Board, accepting the position.

14. Adjournment.

With no additional business to be discussed at this time, the meeting was adjourned at 8:50 pm on a motion by Mr. Bucci, seconded by Mr. Losey and unanimously carried by the membership present.

Date Approved: 09-25-2018

Planning Board Chairman

Board Secretary