



**Borough of Seaside Park  
Planning Board**

**REGULAR MEETING MINUTES  
TUESDAY, JULY 24, 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 (Absent)  
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 and as a result, Thomas Mianulli was found to be excused.

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

**4. Resolutions Memorializing Board Decisions.  
Recognizing Years of Service: Susan Connor**

*Chairman Giuliano requested a motion to approve the Resolution Recognizing Years of Service of Susan Connor.*

**Roll Call Vote:** Motion to approve the resolution was made by Mr. Wilk, seconded by Mr. Bucci and unanimously carried by the membership present.

Vote of acclamation with unanimous consent, motion carried.

**5. Approval of Minutes.**

Chairman Giuliano announced the minutes of May 22, 2018, will be carried to the meeting of August 28, 2018.

*Chairman Giuliano requested a motion to approve minutes of June 26, 2018.*

**Roll Call Vote:** Motion to approve June 26, 2018, Regular Meeting Minutes was made by Mr. Losey, seconded by Mr. DiCaro.

For: Giuliano, Wilk, DiCaro, Losey, Bucci, Matthies, Larkin, Amabile, Pitchell, Kroon  
Against: None  
Abstain: None  
Not Voting: None  
Absent: Mianulli

**6. Approval of Invoices.**

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

Hock-	General File		Board Attorney:	7/24/18-	\$350.00
CME-	Invoice #0226939	PB/18-07	Diamond, Christopher Page:	7/19/18-	\$35.00
CME-	Invoice #0226940	PB/18-09	Campbell, Theodore:	7/19/18-	\$175.00
CME-	Invoice #0226941	PB/18-17	Messano Associates Inc:	7/19/18-	\$595.00
CME-	Invoice #0226942	PB/18-16	Dixon, Kelly Ann:	7/19/18-	\$1050.00
Sandra Martin-	Invoice#07/24/2018		Secretary	7/24/18-	\$275.00

*Vice Chairman Wilk abstained from all invoices pertaining to St. Catharine of Siena Church.*

**Roll Call Vote:** Motion to approve the invoices submitted for Mr. Hock, Mr. Rohmeyer, and Sandra Martin was made by Mr. Amabile, seconded Ms. Pitchell and unanimously carried by the membership present.

Vote of acclamation with unanimous consent, motion carried.



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**7. Pending Applications.**

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**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.**

**Carluccio, Leon, Dimon, Doyle & Sacks, LLC: Attorney for the applicant. Request: Variance for expansion of nonconforming use.**

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**The record should reflect that Board Members Wilk, Pitchell, Amabile, and Mayor Matthies would be stepping down from this application.**

**Ms. Appleby**, Attorney representing the applicant came forward to address the Board indicating the applicant is seeking variances relating to a preexisting nonconforming use as well as bulk variances while noting the property is in the R- Zone. She explained this is an application for forgiveness. The applicant seeks improvements that are a minimal expansion of a nonconforming use, a variance for matching lot coverage above the allowable 65%. Ms. Appleby stated the proposal includes a kitchen and pergola, reaffirming preexisted both nonconforming, and any other waivers that the Board deems necessary. She stated for the record she reserves the right to object as an accessory bulk variance presented as a principal 2nd structure.

Board Attorney *Hock*, read into the record a number of exhibits which was marked into evidence on behalf of the application (A1-A-7).

**Ms. Kelly Dixon**, Applicant came forward and was sworn under oath by the Board Attorney. She stated she purchased the home in 2015 and the home receives two water bills because of a back cottage. Her plan was to beautify the backyard and construct a kitchen with plumbing, sink, grill, outdoor refrigerator, and patio area for her parents. Ms. Dixon believed the hired contractor secured the necessary permits. After she was issued a violation notice the work ceased, she then hired professionals in an attempt to rectify the situation.

Ms. Dixon described the contents of the garage unit having a small L shaped kitchen with a gas stove, half bathroom, two twin beds, an outdoor shower with hot and cold water function, and she replaced the outdoor side staircase. Explained she replaced the side steps. Stated the purpose of the cottage would be used for seasonal family members.

*Mr. Bucci questioned why she was seeking 68.981% lot coverage.*

**Michael Dipple of L2A Land Design**, Engineer came forward and was sworn under oath by the Board Attorney. Mr. Dipple provided the Board with his professional and educational background. The Board accepted his qualifications. Mr. Dipple gave a brief description of the prepared plans for the structure. He explained originally the plans conformed to lot coverage depicting what is actually out there, assuming the contractor acquired permits. He stated this project is similar to other backyards in the area and the applicant is seeking to improve their backyard experience. Mr. Dipple explained the maximum building coverage is 2000 sq ft, seeking lot coverage of 68.981 % approximately 4% above the maximum lot coverage of 65%. There is no change with the addition of the pergola as it is level with the roof height.

Mr. Dipple explained the existing condition set of stairs was repaired which made the driveway 8.46 ft wide, the minimum requirement is at least 10ft not more than 12ft. The site plan depicts a parking allowance for five vehicles. The pergola would match the level of the accessory structure which does not change the height requirement for the structure. He assumed a waiver from the County will be required. Mr. Dipple provided his professional opinion that the purposes of the Municipal Land Use Law which was advanced by the deviation creating a great outdoor environment because although the minimum lot requirement is met there are two structures on property. He stated the benefits of any deviation would substantially outweigh any detriment because there is no detriment. He is of the opinion it is a slight deviation and the applicant is very apologetic about the way it went down.

Mr. Dipple was questioned about his knowledge of what material is beneath the stone. He is unaware and stated he will find out and return a spec sheet to the Board Engineer for verification the material allows for seepage.

**Ms. Appleby**, Attorney representing the applicant gave a summation. She appreciated the Board considering the application and emphasized the property has been issued rental permits as far as 2008. Stated there was no intent to try to get something over on the Borough and the proposal is exterior and not a substantial improvement. Ms. Dixon is willing to reconsider the plans if the Board requires.

*Exhibit (A-9): Dated 7/23/18, Four photographs of the rear subject property taken by a member of L2A Land Design staff was marked into the record.*



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**Public Comment:**

Being no public comments this portion of the meeting was closed on a motion made by Mr. Bucci, seconded by Mr. Losey and unanimously carried by the membership present.

**Motion & Vote:**

Motion to approve the application with a number of conditions was made by Mr. Losey, seconded by Mr. DiCaro and carried by the majority of the membership present.

**Roll Call Vote:**

For: DiCaro, Losey, Guiliano, Larkin, Kroon  
Against: Bucci  
Abstain: None  
Not Voting: None  
Absent: Mianulli

**8. Review of Correspondence.**

- Chairman Giuliano requested Secretary Martin order 2018 MLUL booklets.
- A certified letter from Remington & Vernick notifying of CAFRA Permit.

**9. Unfinished Business:**

- The Board discussed re-visiting the Zoning Ordinance for the Boardwalk rides in the Fall.

**10. New Business:**

- Mr. Rohmeyer announced the Borough Stormwater Coordinator notified the Board of a mandatory online training.

**11. 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 Ms. Pitchell and unanimously carried by the membership present.

Vote of Acclamation with unanimous consent, motion carried.

Chairman Giuliano opened the floor to the public.

**12. Adjournment.**

With no additional business to be discussed at this time, the meeting was adjourned at 9:06 pm on a motion by Mr. Bucci, seconded by Mr. Losey and unanimously carried by the membership present.

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Date Approved: \_\_\_\_\_

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**Planning Board Chairman**

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**Interim Board Secretary**